

Sen. Randy Brogdon will battle for constitutional rights

by Randy Bright <http://www.tulsabeacon.com/?p=4126#more-4126>

The primaries are approaching quickly and this year I've decided give my endorsement in the gubernatorial race to Senator Randy Brogdon.

I've been watching and listening to Senator Brogdon for a while now, as I am sure many of you have. It is obvious that he is different than the average politician. In fact, I think it would be more accurate to call him a statesman.

I've gravitated toward Mr. Brogdon because I think he believes what many of us believe, that government, especially the federal government, is too large and has far exceeded its enumerated powers; that states rights are real and should be freely and forcefully exercised by the states; that socialism and Marxism are wrong, and that we should reject it; that taxes are far too high and that state and local governments have assumed far too much power; and that government has *become* fiscally irresponsible.

I'm also impressed with another thing about Brogdon - he is not ashamed of or afraid to talk about his faith in God.

That, and more, you probably already know, but I've had a chance to talk with him recently about many of the other issues that I am particularly interested in.

I explained to him my concerns about the proliferation of land use regulations that most other states are adopting, and the fact that Oklahoma has not yet created laws that require cities to write comprehensive plans.

Brogdon said that he was not aware of any Oklahoma statutes that required comprehensive planning, and that he would not be in favor of a law that did, because land regulations lead to property rights abuses. He believes that our current zoning codes, and even homeowner association covenants, are not constitutional. He emphasized that new codes, such as you would find with New Urbanism or form-based codes, are not constitutional because they take away a person's right to do with their property as they see fit.

He also described land use regulations as a bait-and-switch routine that is used to promote urbanism and light rail. He pointed out the failure of Amtrak to ever show a profit, that few cities had viable light rail transit, and that it is a great waste of the taxpayer's money.

Since he brought up the subject of light rail, I asked the Senator about the Obama administration's plan to install high-speed rail between Oklahoma City and Tulsa and beyond. He responded that he was aware of the plan, but that he had not yet heard any talk about it at the Capitol. "If we do, we will try to stop it," he said. "It's too costly and people will lose their property."

I asked him about the Superhighway that he had been instrumental in stopping in Oklahoma. “They said we needed it to reduce congestion on I-35,” he said. “It had nothing to do with reducing congestion; it was all about bringing cheap goods into the country where their first stop would have been Kansas City. Oklahomans would have lost 37,000 acres of their property in the deal, and Texans would have lost about 500,000 acres.”

He agreed that it was also an issue of state sovereignty.

We talked a lot about the issue of eminent domain and in particular about the *Kelo v. New London* decision that has led to the abuse of eminent domain. I asked him if Oklahoma had done any additional legislation to protect us from that kind of abuse of property rights, as some other states have done.

He said, “fortunately, we are better protected by our State Constitution because we have added language that clearly defines and limits eminent domain to only include land needed for public use. Connecticut’s constitution includes economic development in their definition of public use.”

We discussed how churches were falling victim to the abuse of eminent domain, and how they were being targeted because they did not pay property taxes. I pointed out that even though the Religious Land Use Act (RLUIPA) had been created specifically to protect churches from zoning codes that discriminated against them, it would be of little use against the new form-based codes that create the same hardships on everyone else as they do churches. He replied that he would be against any zoning codes that placed any restrictions on churches, and added, “we should not have zoning codes at all.”

We discussed a number of other topics, including his plan for economic development in Oklahoma that would not just benefit the larger cities, but also small towns. He clearly wants to make Oklahoma an example that other states will follow and believes that we can be successful in rejecting federal mandates that fall outside the Constitutional definition of enumerated powers.

I’ll have more about my discussions with Randy Brogdon in next week’s issue. In the meantime, get on the web and learn more about him.

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