

2009 Constitutional Amendments

Early voting is Oct 19-30. Election Day is Nov 3. Get out and vote!

Proposition 11:

Prop 11 is listed first and is strongly supported by your TWA, as explained below. Other comments on constitutional amendments follow.

Protect YOUR Private Property Rights – Vote YES on Proposition 11

- **Vote Yes on Proposition 11 and protect YOUR property from unjust condemnation and seizure through eminent domain.**

Proposition 11 constitutionally addresses in Texas the universally condemned U.S. Supreme Court's *Kelo* decision. This constitutional amendment stops the government from taking your private property to provide to another person/corporation for personal gain, stopping the government from condemning and taking your home and private property and turning it into a shopping mall just for the extra tax revenue.

- The **Texas House and Senate voted unanimously** for Proposition 11 (HJR 14), the **Governor publicly signed it**, and **all of the statewide elected officials** have expressed strong support and are actively campaigning for Prop 11. Prop 11 is **supported by every major newspaper**.
- More work is needed by the Texas Legislature to ensure fair negotiations and adequate compensation in future eminent domain reform efforts to protect your property rights.
- By voting Yes on Proposition 11, you remind your state representative and state senator to finish the job the next legislative session. Control eminent domain abuse!
- **Send this everywhere! Tell your neighbors! Get out the vote!** Bumper stickers and push cards are available at Texas Wildlife Association, or “**PAC off! It's My Land!**” by calling Cody McGregor at 512-217-5295.
- Go vote in **early elections October 19-30**, or on **election day Tuesday November 3rd**. See your county election information at www.co.your county name here.tx.us (ex. www.co.travis.tx.us)
- Rural, suburban and urban Texans, **send a strong message by voting FOR Proposition 11 and protect YOUR private property!**

For more on Proposition 11, call: Cody McGregor at 512-217-5295. Send checks to “PAC off it's my Land”, Attn: Cody McGregor, 408 West 14th Street, Austin, TX 78701



Prop 11 reads: "The constitutional amendment to prohibit the taking, damaging, or destroying of private property for public use unless the action is for the ownership, use, and enjoyment of the property by the State, a political subdivision of the State, the public at large, or entities granted the power of eminent domain under law or for the elimination of urban blight on a particular parcel of property, but not for certain economic development or enhancement of tax revenue purposes, and to limit the legislature's authority to grant the power of eminent domain to an entity."

Propositions 2, 3 and 5:

Prop 2 (proposed by Susan Combs) provides that ad valorem taxes are appraised by their true homestead value and not what the property could potentially be valued at because of its proximity to property of higher value (the highest and best use). If a residence, for example, is adjacent to a business property (ex. a lawyer's office or mall moves in down the street) it must be appraised at its actual homestead value, not its potential value as a legal office or mall, just because they are nearby. This is to keep appraisal districts from making the appraisals for taxes so high that folks have to sell their homestead property because they can't afford to pay the taxes if it were appraised according to its highest and best use. Neither Prop 2 or Prop 3 provide for a state sales tax.

Prop 2 reads: "The constitutional amendment authorizing the legislature to provide for the ad valorem taxation of a residence homestead solely on the basis of the property's value as a residence homestead."

Prop 3 would give the state direct oversight of local appraisal districts. This is important for the wildlife management tax valuation, but is also a necessary to protect taxpayers from inconsistent appraisal practices and property values that in some cases may go up more rapidly across a region than they should.

Prop 3 reads: "The constitutional amendment providing for uniform standards and procedures for the appraisal of property for ad valorem tax purposes."

Prop 5 would allow rural counties to combine appraisal review boards and maybe make the appeals process to appraisal districts more efficient and economical. The appraisal districts already are able to combine, and this would make it so the review boards can, also. It also would make it easier to form boards of individuals who are knowledgeable and willing to serve, which can be difficult in rural areas. Not sure how much this would be used, but it could help in some areas.

Prop 5 reads: "The constitutional amendment authorizing the legislature to authorize a single board of equalization for two or more adjoining appraisal entities that elect to provide for consolidated equalizations."

Others:

Proposition 1: Would allow cities and counties to take out bonds or use tax revenue in order to acquire

open spaces next to military facilities to protect them from future encroaching development. This would provide a mechanism for cities/counties to purchase lands as opposed to zoning and regulating them.

Prop 1 reads: "The constitutional amendment authorizing the financing, including through tax increment financing, of the acquisition by municipalities and counties of buffer areas or open spaces adjacent to a military installation for the prevention of encroachment or for the construction of roadways, utilities, or other infrastructure to protect or promote the mission of the military installation."

Proposition 4:

Prop 4 would create a constitutionally dedicated fund known as the National Research University Fund (NRUF). This fund would be dedicated to providing an independent and equitable source of funding to the emerging research universities to help raise those seven universities to the "Tier One" major research universities. Texas currently has three "Tier One" research universities, located at the University of Texas at Austin, Texas A&M University, and Rice. Texas has seven additional universities that the Texas Higher Education Coordinating Board designates as emerging research universities. These seven universities are Texas Tech, University of Texas at Arlington, University of Texas at Dallas, University of Texas at El Paso, University of Texas at San Antonio, University of Houston, and University of North Texas. This fund would be administered by the State Legislature by formula funding to divide the available money to the seven universities based on specific criteria, including endowments, number of doctorate degrees awarded, number of faculty members recognized for their research, and the number of graduate-level programs and institutional support for graduate students. The University of Texas at Austin and Texas A&M are not permitted to receive money from the NRUF fund.

Prop 4 reads: "The constitutional amendment establishing the national research university fund to enable emerging research universities in this state to achieve national prominence as major research universities and transferring the balance of the higher education fund to the national research university fund."

Proposition 6: Would help veterans obtain land and mortgages by granting the Veterans Land Board additional authority.

Prop 6 reads: "The constitutional amendment authorizing the Veterans' Land Board to issue general obligation bonds in amounts equal to or less than amounts previously authorized."

Proposition 7: Would permit an officer or enlisted member of the Texas State Guard or other state militia or military force to hold a separate civil office.

Prop 7 reads: "The constitutional amendment to allow an officer or enlisted member of the Texas State Guard or other state militia or military force to hold other civil offices."

Proposition 8: Gives the state the power to contribute land and money to setting up a veteran's hospital. The amendment was crafted with the Rio Grande Valley area in mind as the closest VA hospital is in San Antonio.

Prop 8 reads: "The constitutional amendment authorizing the state to contribute money, property, and other resources for the establishment, maintenance, and operation of veterans hospitals in this state."

Proposition 9: The amendment seeks to clarify the right of the public to use beaches on the Gulf of Mexico where the public has already established rights by continuous use, but does not resolve questions about the exact location of the access.

Prop 9 reads: "The constitutional amendment to protect the right of the public, individually and collectively, to access and use the public beaches bordering the seaward shore of the Gulf of Mexico."

Proposition 10: Would set a term limit of four years for those serving as elected members of emergency services districts' governing boards.

Prop 10 reads: "The constitutional amendment to provide that elected members of the governing boards of emergency services districts may serve terms not to exceed four years."