Gov. Perry: Land Ownership is Part of the American Dream and Must Be Protected

* Note: Gov. Perry frequently departs from prepared remarks.
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Thank you Mayor Archibald for that introduction and thanks to everyone for being here today as we discuss an

http://governor.state.tx.us/news/speech/15918/
issue that's vital to the people of Abilene and across Texas.

The ownership of land is, in many ways, the culmination of the American Dream and nowhere is the American Dream more accessible to more people than in Texas.

Whether we're talking about a rolling ranch spread across thousands of acres, a small plot of downtown land that holds a family business or a quarter-acre lot with a family home, Texans have a special connection with the property they own.

A Texan's land is where they can build their business, raise their families and plan their futures comfortable in the knowledge that their home is theirs to do with as they will.

Unfortunately, some misguided legal decisions over the past decade placed those futures in doubt allowing government agencies to apply the centuries-old practice of eminent domain in ways they never had before.

Landowners' faith in their future was cast in doubt as agencies on various levels were suddenly authorized to seize their lands and give them to other private interests.

Government agencies were also given free rein to abuse the system by presenting landowners with laughable, "lowball" offers, then using eminent domain when the original owner justifiably turned them down.

Over recent legislative sessions, we've taken important steps to rebuild the protections Texans once could rightfully depend on.

We've barred the practice of using eminent domain to seize property to give to other private interests, even for economic development.

We've passed measures requiring a two-thirds vote for the legislature to grant any further eminent domain authority and made it more difficult to seize well tended parcels of property just because they happen to be in blighted areas of a town.

Today, I'm here to reiterate the need to provide Texas property owners with additional protections from eminent domain abuses, which I declared an emergency item two months ago.

Thankfully, the legislature also values this important issue and the work is well underway.

Legislators including Senator Craig Estesbalong with Senator Robert Duncan and Representative Charlie Geren have been hard at work on this issue for quite some time.

That's not to neglect the hard work being done on this important issue by organizations and individuals all across the state.

The sum of all these efforts is Senate Bill 18 introduced by Senator Estes covering a wide range of protections that should be law in Texas as soon as possible.

Protections such as requiring a government entity to make a legitimate, "bona fide" offer at the beginning of the
process, giving landowners the chance to negotiate a fair price before eminent domain is exercised and doing away with the practice of "lowballing."

Protections such as requiring condemnation petitions to state specifically the public use for which the land is intended. Which eliminates the possibility a government might buy and stash a property for some vague future use that may never even come to pass.

Protections that include giving landowners the right to buy back their property, should it end up not being used, at the same price the property originally sold for, not at any appreciated cost at the time of repurchase.

Any profit made from such a deal rightfully belongs to the original owner not any government entity.

SB 18 also increases accountability and transparency throughout the process, making sure government officials are on the record in their condemnation votes and that landowners are presented with any and all appraisals used in the deal.

I applaud our lawmakers who are taking the lead on this issue as well as officials on all levels of government and private organizations and individuals, some of whom are here with us today, who have raised awareness of this issue and worked in so many ways to protect the rights of Texas property owners.

With their help we can assure every Texas landowner that the power of eminent domain will only be used for compelling, public reasons, never used lightly and never used to pick winners and losers in the private sector.

Now, with some more thoughts on this important issue I'd like to bring up someone who himself has been a champion of the rights of Texas property owners, the Texas Commissioner of Agriculture Todd Staples.