TEXAS DEPARTMENT OF AGRICULTURE

TODD STAPLES
COMMISSIONER

June 15, 2009

The Honorable Rick Perry
Governor of Texas
State Capital
P.O. Box 12428
Austin, TX 78711

Dear Governor Perry:

As you contemplate the issues to be considered for a special session, I encourage you to add the issue of eminent domain reform to the call. It would be extremely unfortunate for the reform language that I understand you and others carefully negotiated during the regular session to remain nothing more than a victim of the chub.

The passage of HJR 14 provides much needed protection to ensure in the unfortunate instance that government must exercise condemnation powers the action is for a clear public use and purpose. I will be joining you in making certain the voters of Texas understand why they need to vote for this important constitutional amendment. Unfortunately, this provision alone is not enough to satisfy the eminent domain concerns that still loom under current statute.

I urge you to consider adding statutory eminent domain reform to the call to allow legislators the opportunity to pass the agreed-to language, including good faith negotiations and adequate compensation for loss of access.

The property owners of Texas can wait no longer for these much needed reforms. With only a 30-day window to address the call, I offer my assistance to work with you, legislators and stakeholders to support and send to your desk the language in SB 18 as it passed the Senate and was scheduled for a House vote.

Private property owners' rights are fundamental to our state and national constitutions, and as Texans, we are becoming more and more concerned about the erosion of these fundamental rights. Now is the opportunity to address these concerns during the expected special session, and I hope you will strongly consider placing this issue on the call.

Sincerely yours,

Todd Staples

TS/SWR/lsm

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