Representative Cook Files Eminent Domain Protection Bill

In response to growing public concerns Texas State Representative Robby Cook (D-Eagle Lake) has filed House Bill 1409 to better protect property owners when their land is taken by eminent domain.

Eminent domain refers to the power by which government entities can take possession of private land for public use.

"While eminent domain is needed for true public projects, property owners have lost key protections," Cook said.

"I am purposing that we fix the system to make it fair for property owners who face this daunting prospect."

Cook says that condemning entities currently have an unfair advantage over property owners in that condemning entities face no penalty for making a low offer that does not reflect fair market value.

Owners who receive an unfair, low initial offer must decide whether or not it is feasible to fight for the fair market value of their land in court.

Even when the property owners decide to go to court and win, they still lose because their bank accounts can be drained due to heavy legal fees.

Cook said, "I am proposing that we require the condemnor to make a bona fide good faith effort to acquire property by purchase or lease. The courts should deny the right to condemn until this requirement is met."

Along with requiring a good faith initial offer by condemning entities, Cook's bill requires the condemning entity to pay the property owner's attorney and expert witness fees, if the court awards a higher amount of damages than was originally offered by the condemning entity.

Cook said, "We need to make this process as fair and balanced as possible, when juries consider eminent domain cases they should be able to consider all the factors that a prudent property owner would consider in a privately negotiated transaction."

Cook's bill also makes a number of procedural changes to the condemnation procedure that will help property owners such as; requiring condemners to disclose all appraisals relating specifically to the owner's property, not just the lowest ones that are in the condemning entities favor and, relaxing the time requirement for property owners to disclose an appraisal report to the special commissioners.

A public hearing was held on February 28, 2007 in Land and Resource Management Committee; the bill was left pending.

Senate Passes First Bills Of 80th Legislative Session

(Austin) The Senate voted to approve three bills Tuesday, deciding to suspend rules that prevent non-emergency legislation from being passed in the first sixty days.

These three bills are the first non-resolution measures to be passed by the Senate in the 80th Legislature.

Senator John Carona of Dallas passed a bill that would prevent law enforcement officers from confiscating fire arms from lawful owners during times of emergency.

He said this legislation stems from concern that during emergencies, such as Hurricane Rita in 2005, gun owners who aren't breaking any laws are having their firearms taken by police without cause.

Senate Bill 112 would prohibit this, unless the weapon is evidence in a criminal investigation, or the owner is breaking the law.

A bill tentatively passed today by San Antonio Senator Jeff Wentworth protects the rights of school employees to complain to their elected officials.

Wentworth said he created SB 135 in order to prevent school employees from having their constitutional rights trampled on by being blocked by administrators from talking to school board members.

Additionally, he said, Board of Education members could be missing valuable insights from employees who see what is going on in Texas schools first-hand. "Better decisions come from more informed leadership," Wentworth said.

Senate Bill 113, authored by Plano Senator Florence Shapiro, would preserve "at-risk" status for foster kids following adoptions for the purposes of pre-kindergarten eligibility.

The state provides funds for "at-risk" students to attend pre-k, but Shapiro said that once foster children are adopted, they lose this eligibility.

Also Tuesday, the Senate Natural Resources Committee began hearings on Senate Bill 3, which sets a state water plan to meet increasing future water demand in Texas.

Committee Chair Kip Averitt said that the state is looking at a water shortage, during drought conditions, of four million acre feet in 2010, and nine million acre feet in 2060 if the state does not implement a water plan.

SB 3 would set requirements for protection of certain rivers and waterways that feed costal estuaries and bays, in order to maintain wildlife populations that live in those areas.

It would implement a number of conservation efforts to shepherd state water resources, including requiring those utilities serving more than 3,300 people to present a water conservation plan to the state for review.

The bill would give permitting priority to infrastructure projects that have a conservation plan, and would create a mechanism for reporting of water transactions.

It would also create a state water conservation campaign aimed at increasing awareness of the need and methods for saving water.

The most controversial part of the bill is Article 3, which designates 19 sites as possible reservoir sites.

Thought Averitt says the designation does not necessarily mean reservoirs would be built there, some Senators were concerned how local property values would be affected.

Senator Kevin Eltife of Tyler, who has several sites within his district, said he doesn't think its fair that even the announcement of potential sites will drive down property values for those who own land within one of the designated areas. "I almost feel like its Trans-Texas Corridor round two," he said.

The committee did not vote to approve the bill today, instead using the hearing as a development session and also as a chance for Senators to hear testimony from experts as well as the public at large.

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NEWSBRIEFS

Continued from front page

Study Club to meet March 14

The Eagle Lake Study Club will meet Wednesday, March 14 at 2 p.m. at Wintermann Library. Joe Tom Davis will give the program entitled "Texas Independence".

CCHC to hold meeting March 15

Colorado County Historical Commission (CCHC) will meet March 15, at 7 p.m. at the Diamond Center, St. Peter & Paul Catholic Church Church Lane in Frelsburg. The program will be given by Charlene Raysdale, "Researching & Writing a Historical Story/Book" (her books will be available for purchasing). Hosts will be Ed & Jean Ellis, Janice Houghton, Larry Uhlig, Carolyn Hastedt and Ken Stavinoha.

CPR classes begin March 15

South Texas CPR Associates will be conducting CPR classes Thursday, March 15 starting at 5 p.m. If interested call Belinda Richter by email at bnikel@yahoo.com or by phone at 361-772-0495 for details.

Co-ed softball registration underway

Co-ed softball registration will be held through March 18. For more information please call 281-989-2555.

Y&FS to hold classes

Youth and Family Services (Y&FS) will have Family Strengthening Workshops/Parenting Classes in the MET-Head Start building, 1436 Eagle Lake Road in Sealy. Classes will meet Monday evenings, March 19 through April 23 from 5:30 to 6:30 p.m. Please call 1-800-256-7321 by March 19 to register or for information. Workshops are free. Snacks provided, no childcare will be provided.

Hoff Family Reunion

The Hoff Family Reunion will be held on March 25 at the home of Arthur and Debbie Wammel-1748 Hwy 159 W. Family members will gather for food, fun and fellowship. Round up as many members of your family as you can and join us for a great day! For more information, call Beverly Hoff at 979-865-5585.

Raiders to hold track meet March 22, 31

Rice Raiders and Lady Raiders will host a JRH and High School Track Meet this year. The Jr High meet is Thursday, March 22 starting at 3 p.m. High School track meet will be Saturday, March 31 starting at 9 a.m. Anyone wishing to volunteer to help needs to contact Coach Dumont at 234-6343.

RMC golf classic to be held March 31

The Rice Medical Foundation and Rice Medical Center (RMC) Employee Volunteers will hold their 10th annual RMC Classic 4-Player Scramble golf tournament Saturday, Mach 31. Shotgun starts at 8 a.m. and 1 p.m. Prizes for 1st, 2nd and 3rd places along with closest to the hole and longest drive. The RMC classic is also offering a $5,000 hole in one on hole #7. Entry fee is $200 team ($50/player) and includes a fajita meal, drink tickets and gift bag. The RMC classic also has sponsorship available if you or your company is interested. For more information contact Betty or Joe Lee at 979-234-5571.

Pre-K Registration on going in Sheridan

Sheridan Elementary and Jr. High School is accepting applications for the pre-k class for the 2007-2008 school year. Qualified applicants will be accepted based on Texas Education Agency and Rice CISD guidelines. Applications are available in the school office, return the application with a copy of shot record, birth certificate, and social security card by April 2, 2007. These documents are required by Texas Education Agency, if you don't have copies you must obtain duplicates. All applicants must be 4 yrs. old by Sept. 1, 2007 and reside within the Sheridan School attendance zone. You will be notified of acceptance or denial. If you live out of the Rice CISD you must apply for an Out-Of-District transfer by May 1, 2007. The Rice School Board will approve or deny transfers. Call the school office if you have questions, 979-234-7334.

Kindergarten registration underway

Sheridan Elementary and Jr. High School is registering students for the 2007-2008 kindergarten class. Registration forms are available in the school office. Return the forms with a copy of shot record, social security card and birth certificate. These documents are required by Texas Education Agency, if you don't have copies you must obtain duplicates. Students must be 5 yrs. old as of Sept.1, 2007 and live in the Sheridan School attendance zone. If you live out of the Rice CISD you must apply for an Out-Of-District transfer by May 1, 2007. The Rice School Board will approve or deny transfers. The kindergarten teacher will assign a date for you and your child to visit her classroom, she will notify you by mail. Call the office if you have questions, 979-234-7334.

Daylight Savings Starts This Sunday, March 11

Starting this year, Daylight Saving Time has been changed from its traditional calendar dates to a start three weeks earlier -- Sunday, March 11 -- and a finish one week later on Sunday, November 4.

Daylight Saving Time is practiced in order to gain an extra hour of daylight during the early evening, resulting in the conservation of energy by substituting natural sunlight for electrical lighting.

According to The Old Farmer's Almanac, Daylight Saving Time first began in 1918 during World War I to allow for more evening light and save fuel for the war effort.

Since then, Daylight Saving Time has been used on and off, with different start and end dates.

Benjamin Franklin first suggested the idea in 1784.

It was later revived in 1907, when William Willett proposed a similar system in the pamphlet "The Waste of Daylight."

The Germans were the first to officially adopt the light-extending system in 1915, followed by the British, and in 1918 the United States, when Congress passed the Standard Time Act, establishing our time zones.

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