

## CONSTITUTIONAL AMENDMENTS: November 3, 2009 Election

### AMENDMENT NO. 1 (H.J.R. 132)

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.

**Summary:** Allows the legislature to authorize a municipality or county to issue bonds or notes to finance the acquisition 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. Allows a municipality or county to pledge increases in property tax revenues imposed in the area for repayment.

### AMENDMENT NO. 2 (H.J.R. 36, ARTICLE 1)

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.

**Summary:** Authorizes the legislature to provide for the taxation of a residence homestead solely on the basis of its value as a residence homestead, regardless of whether residential use by the owner is considered to be the highest and best use of the property.

### AMENDMENT NO. 3 (H.J.R. 36, ARTICLE 3)

The constitutional amendment providing for uniform standards and procedures for the appraisal of property for ad valorem tax purposes.

**Summary:** Currently the Texas Constitution requires that administrative and judicial enforcement of uniform standards and procedures for the appraisal of property for property tax purposes originate in the county where the tax is imposed. An exception is that the legislature may provide by general law for political subdivisions with boundaries extending outside the county. The Amendment would remove that requirement, as well as the exception. It would instead give the legislature full discretion to prescribe the manner of the enforcement of uniform appraisal standards and procedures.

### AMENDMENT NO. 4 (H.J.R. 14, ARTICLE 2)

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.

**Summary:** Creates the national research university fund, consisting of money transferred or deposited to the credit of the fund and any interest or other return on the investment of fund assets, for the purpose of providing a dedicated, independent, and equitable source of funding to enable emerging state research universities in Texas.

### AMENDMENT NO. 5 (H.J.R. 36, ARTICLE 2)

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.

**Summary:** Allows the legislature by general law to authorize a single board of equalization for two or more adjoining appraisal entities that elect to provide for consolidated equalizations.

### AMENDMENT NO. 6 (H.J.R. 116)

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

**Summary:** Authorizes the VLB to provide for, issue, and sell general obligation bonds of the state for the purpose of selling land to Texas veterans or providing them home or land mortgage loans.

### AMENDMENT NO. 7 (H.J.R. 127)

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.

**Summary:** Exempts officers and enlisted members of the Texas State Guard and any other active militia or military force organized under Texas law from the prohibition against holding or exercising more than one civil office of emolument at the same time.

### AMENDMENT NO. 8 (H.J.R. 7)

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.

**Summary:** Authorizes the state to contribute money, property, and other resources to establish, maintain, and operate veterans hospitals.

### AMENDMENT NO. 9 (H.J.R. 102)

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.

**Summary:** Establishes that the public has an unrestricted right to access and use a public beach.

### AMENDMENT NO. 10 (H.J.R. 85)

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

**Summary of Proposed Amendment:** Limits the term of office for all state offices to two years unless otherwise specifically indicated by the constitution. Authorizes the legislature to provide that members of the governing board of an emergency services district may serve terms not to exceed four years.

### AMENDMENT NO. 11 (H.J.R. 14, ARTICLE 1)

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.

**Summary:** Restricts the taking, damaging, or destroying of a person's property for public use to circumstances in which the taking, damage, or destruction is necessary for the ownership, use, and enjoyment of the property by the State of Texas, a political subdivision of the state, or the public at large or an entity granted the power of eminent domain, or for the elimination of urban blight on a particular parcel of property.



STATE REPRESENTATIVE

**Dan Flynn**

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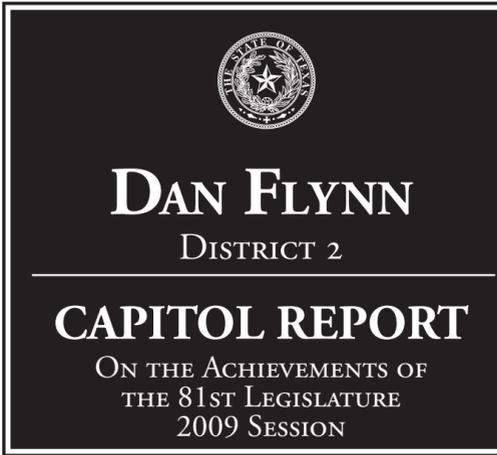
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## DISTRICT 2 COMES TO AUSTIN...

Throughout the 81st Session many folks from Hunt, Rains, & Van Zandt Counties visited my Capitol Office. It is always great to see familiar faces during the hectic Session, and to feel at home while in Austin!

### HUNT COUNTY DAY

On January 28, Hunt County citizens and officials visited the Capitol and met with several state officials to visit about transportation and quality of life improvements in Greenville and its surrounding area.



Rep. Flynn recognized locally elected officials from Hunt County on the House Floor, and introduced them to the Speaker of the House.

### RAINS COUNTY DAY

Delegates from Rains County as well as a group of students from Rains ISD visited Austin and met with Representative Flynn as well as hosted a Reception at the Capitol. Each Legislator was given a gift bag, filled with unique items from local businesses in Rains County, in an effort to encourage folks to visit as well as educate them about the area.

### VAN ZANDT COUNTY DAY

Van Zandt County's representatives traveled to Austin on February 5 and hosted a very successful reception in the Capitol. Several Senators and Representatives attended, and every office in the capitol was visited.



Van Zandt County officials were honored on the House Floor during the 81st Legislative Session.



Governor Perry and Representative Flynn worked together during the 81st Session to pass legislation off the House Floor which would strengthen the sovereignty of our state.

STATE REPRESENTATIVE

**DAN FLYNN**

DISTRICT 2



The State of Texas  
House of Representatives



**Dan Flynn**  
State Representative • District 2

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Dear Friends,

Thank you for allowing me the privilege to serve the people of House District 2. I am honored to represent all the citizens of Hunt, Rains, and Van Zandt Counties. When the 81st Texas Legislature met for the Session and following Special Session, we faced several major issues and numerous challenges, including a fragile economy, a failed transportation agency, and costly federal mandates. I am very pleased to report that the Legislature was successful in meeting these challenges and am proud to have been a part of this part of Texas' history.

Among other bills, I am proud to have co-authored a bill that enables disabled veterans a much-deserved reduction in property taxes. Additionally, I supported bills that protect the Second Amendment, provide fuel tax exemptions to volunteer fire departments, and exempt small businesses from the franchise tax.

My legislative agenda was true to the people in Rural East Texas. I am excited and proud to tell you about the bills that I authored and passed - including a bill that revised and updated the operations of the Texas Department of Agriculture, modernized the regulation of credit unions, another that strengthens law enforcement's ability to shut down illegal 8 liner gamerooms, and finally, two bills that will streamline public finance and save local tax dollars.

Of course, this fall's elections are around the corner, and on the ballot you will find a slate of eleven proposed amendments to the Texas Constitution. I hope you will find the enclosed summaries of those proposals helpful as you vote this November, and as always, please contact any of my offices in Canton, Greenville, or Austin should you have any questions.

As always, it is my honor and privilege to serve you and may God bless you and this great state of Texas!

Sincerely,

Dan Flynn

Sunset Advisory Commission  
**Committees:**  
Vice-Chair, Border & Intergovernmental Affairs,  
Pensions, Investments & Financial Services  
[dan.flynn@house.state.tx.us](mailto:dan.flynn@house.state.tx.us)



Representative Flynn works with Representative Phil King (R. Weatherford) about the importance of state defense and border security.

★ ELIMINATING WASTE IN STATE GOVERNMENT : THE SUNSET REVIEW PROCESS ★

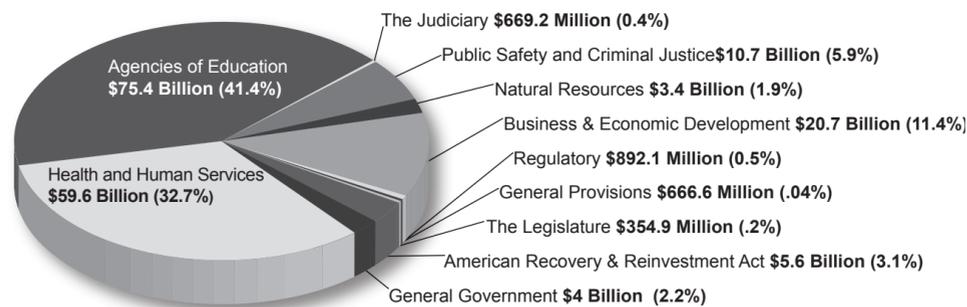
Texas' budget allocates revenues - significantly from tax dollars - to fund state government's services and operations. It is my continued principal to limit government spending to save hard-working folks money by reducing the tax burden. I continue to fight for limited government and to defend individual freedoms and

liberties. I am proud to have served on the Sunset Commission over the past four years, and during that tenure, help form legislation that resulted in savings and revenue gains by streamlining agency processes and eliminating waste, duplication, and inefficiency in state government. 5 state agencies have been abolished under my watch, and

meaningful changes have been made to others that will best serve the needs of Texas citizens. This past session, I carried legislation that completely overhauled the oversight of property tax appraisers, modernized the regulation of credit unions, and aided agribusiness by revising the state's efforts to eradicate crop-destroying pests.

★ TEXAS' BUDGET: 2010 - 2011 ★

TOTAL: 182 BILLION



The 81st Legislative Session presented us with several budgetary challenges, including attempts to exploit more tax dollars, make deals with the Federal Government, and raid Texas' Rainy Day Fund.

Amidst tough opposition, I am proud that my conservative colleagues and I helped the Legislature avoid tangling Texans up in costly Federal mandates as well as defend the Rainy Day Fund.

The Legislature passed the state's \$182 billion budget for 2010-2011 biennium with focused priorities, including increasing the quality of education, reducing the cost of government, and lowering your tax burden- all while protecting those who work hard and those who cannot: the elderly, very young, and disabled.



Commonly, Representative Flynn will share the budgetary needs of Northeast Texas with other Members. Here, he and Rep. Jackson (Carrollton) discuss public education funding.

As the House debated the budget early into the morning we remained committed to protecting vital programs while ensuring that government tightened its belt, just as your family has had to do.

When the state collects your taxes and fees most of the money goes into the general revenue fund. We designed a budget that actually reduces spending from this general revenue by 2.5%. I am proud to have helped design a budget that actually reduces spending from this general revenue by 2.5%. This is your tax money we are saving, and by working together we were able to reduce the future size of government.



Representative Flynn and Speaker Straus discuss the needs of Northeast Texas and the limited spending needed to protect all Texas taxpayers on the House Floor.

★ REP. FLYNN'S VOTING SNAPSHOT ★

<b>Requiring Photo Identification to Vote</b>	<b>Flynn Supported and Co-Authored</b>	<b>Explanation</b> - The right to vote is a tenet of democracy here in the United States, a right which I have fought to defend as have countless others. It is only sensible that every person is entitled to one vote, without fear of fraud. Elections in Texas are only valid if each vote is cast with honesty and integrity. Despite a clear majority of Texans' desire to bring such integrity to the ballots, the opposition's "chubbing" antics did not allow a vote on the House Floor for this important bill.
<b>Growth in the Texas Department of Transportation</b>	<b>Flynn Vote NO</b>	<b>Explanation</b> - Texas is unique in that it spans thousands of miles, bound by common people and highways. Our travel needs are immediate, yet the bureaucratic agency overseeing these needs is in dire need of overhaul. Toll roads, Comprehensive Development Agreements, and a lack of representative democracy all plagued TXDOT. For these core reasons, I could not support irresponsible amendments to the TXDOT Sunset Bill.
<b>State Sovereignty and the Tenth Amendment</b>	<b>Flynn Vote YES and Co-Authored</b>	<b>Explanation</b> - The Federal Government continually attempts to override state law and impede on our local way of governing. It was critical, especially now, to reclaim sovereignty under the Tenth Amendment to the Constitution and remind Washington, D.C. that each sovereign state in the U.S. have and have always had, rights the federal government may not usurp. I not only voted in favor of, but helped author several bills that would serve as notice to the federal government to cease and desist, effective immediately, mandates that are beyond the scope of constitutionally delegated powers.
<b>Tax Relief for Small Businesses</b>	<b>Flynn Vote YES</b>	<b>Explanation</b> - In 2008, business payments under the revised Texas franchise tax almost doubled; however, this increase was not spread equally across the business community. Businesses between \$1 million and \$10 million in total revenue bore the brunt of this tax increase. This sector of the economy paid an increase of almost 50 percent, making it clear that small businesses needed relief. I am happy to have supported a bill that exempts businesses earning under \$1 million from the revised franchise tax.
<b>Increases for Retired Teachers</b>	<b>Flynn Vote YES</b>	<b>Explanation</b> - The cost of living continues to rise, yet pensions for those people who gave ourselves and our families the gift of an education, retired teachers, have remained stagnant. I am honored to have supported a supplemental payment to retired public school teachers of \$500, as well as appropriating \$190 million more this biennium for funding benefits.
<b>Expanding privileges to Illegal Immigrants</b>	<b>Flynn Vote NO</b>	<b>Explanation</b> - Every Session, the Legislature considers bills to either punish or reward illegal immigrants. I am proud to have continued my record of supporting and voting for bills that will secure our border and verify citizenship before allowing anyone to receive taxpayer funded benefits. Additionally, I was a constant "no" vote in the Border Committee, which considered scores of bills that would reward illegal immigrants with tax-payer funded grants. Finally, I vehemently opposed a bill that sought to reverse a local government's ability to require citizenship for all renting tenants.

★ WORKING TO IMPROVE TEXAS AND HOUSE DISTRICT 2 ★

*Representative Flynn's focus on rural issues and local government continues to benefit life for those in Northeast Texas*

Select Bills from Flynn's Legislative Package

**House Bill 358, Aiding law enforcement in the fight against illegal gamerooms:** Allows prosecutors and law enforcement officers to use the computer portion (also known as the "motherboard") of an illegally operated 8 Liner as evidence after a game-room raid. Prior to this bill, the entire machine (typically a game-room holds up to 25 illegal machines) had to be hauled, stored, and transported at the taxpayer's expense. HB 358 will allow for less cumbersome investigations, saving local tax dollars and helping to prevent illegal gaming in Texas. This bill was signed into law and is in effect.

**House Bill 2042, Saving stray livestock and saving local tax dollars:** Allows the Sheriff of a County to post notice of stray livestock on the County Government's Website, should they choose. Before enactment of this bill, a newspaper ad was required, and the costs of the ad have been on the rise lately. The required newspaper ad resulted in steep costs to the Sheriff's budget and the taxpayers. This bill gives the Sheriff flexibility and allows for quicker resolution when an animal goes missing. This bill passed and is presently in effect.

**Senate Bill 1016, Better regulation of the Agriculture industry:** Revises and updates the operations and functions of the Texas Department of Agriculture. This bill, the



Seen here on the House Floor, Representative Flynn presents a bill for a vote of the House of Representatives.

Sunset Bill for the TDA, is unique in that it creates a fund using existing resources. The newly created Texas Rural Investment Fund will serve cities with a population of less than 50,000 and counties under 200,000, and will pay for grants or loans to public or private entities to stimulate entrepreneurship, job creation, capital investment, economic development, and housing. This bill passed and is in effect.

**House Bill 3777, Creating a lifetime concealed handgun license:** Strengthens a person's right to bear arms by reducing the burdensome state licensure process. This bill would have created an option to the current renewable license, enabling a person to obtain a license that would be valid in perpetuity. This bill was left pending the House Public Safety Committee.

**Courts in Hunt and Van Zandt Counties:** Amendments to House Bill 4833 resulted in expanding jurisdiction to the County Courts in both Van Zandt and Hunt Counties, granting limited concurrent jurisdiction with the Judicial District Courts. These courts faced massive backlogs and were operating with immense strain and need for additional resources. By permitting for this limited, shared jurisdiction between the County Courts and the District Courts, the judicial system in House District 2 will be streamlined and efficient.

★ KEY BILLS THAT FLYNN JOINT AND CO-AUTHORED ★

**Property Tax Relief to Disabled Veterans:** Representative Flynn Co-Authored House Bill 3613, which provides a complete property tax exemption to disabled veterans with a 100% disability or unemployability rating.

**Fuel Tax Exemptions for Volunteer Firefighters:** Senate Bill 254, whose House Version Flynn Joint-Authored, exempts volunteer fire departments from the state fuel tax for regular and diesel fuels.

**Drug-testing for Welfare Recipients:** Representative Flynn Co-Authored House Bill 830, which would have required drug-testing of applicants for new and renewal of state welfare benefits. A positive drug test would disqualify a person from initial or continual eligibility for public benefits.



Often, Representative Flynn works alongside other members from the East Texas delegation. Here, he is seen discussing rural economic development with Representative Wayne Christian (R, center).