

4

I want to talk about Local Control and Home Rule. Right now the State Lawmakers are in Session debating bills in Committee and on the floor that would be the equivalent to unfunded mandates and Government over Reach of local authorities. Home Rule is *The right to local self-government including the powers to regulate for the protection of the public health, safety, morals, and welfare; to license; to tax; and to incur debt.* Home rule involves the authority of a local government to prevent State government intervention with its operations. In a January 2015 Commissioner Court Meeting, you Commissioners passed a Resolution defending Local Rights by asking for our state lawmakers to defend the rights of our Texas Counties and Municipalities on local issues by adding a Constitutional amendment that would expressly prohibit the imposition of a mandatory governmental program on our County. Texas has traditionally been a strong home rule state that allows local governments to pass laws that goes beyond state laws and manages these rules and laws based on local needs and revenues. When a municipality or other political subdivision has the power to decide for itself whether to follow a particular course of action without receiving specific approval from state officials, it should be allowed to act pursuant to such powers. For example, a town, or locally governing authority exercises its home rule rights when it puts the issue of allowing the sale of alcoholic beverages within its borders on the ballot during an election. Some of the Ballot Propositions Voted on by the electorate and passed overwhelmingly in recent months include Denton, TX's fracking ban, Plastic Bag Bans in Dallas and tree preservation ordinances across the State that would improve the quality of Clean Air and keep the Landscape of Texas Beautiful and reflective of a natural environment. Apparently Our State Legislator and State Senator have ignored the resolution of This County Commissioners Court..

Some of the bills debated this session which may be voted on by the Texas Lawmakers are

House Bill 540: by Phil King, that would require cities to get approval from the attorney general's office before putting a citizen's initiative up for a vote.

House Bill 539: by Phil King that would essentially require cities to pay the state for lost revenues resulting from local oil and gas regulations resulting in unfunded Mandates and burdens of the Local Tax Payers

House Bill 1556: by State Leg Miller that would limit certain regulations in a county, municipality, or other political subdivision

Senate Bill 343 by State Senator Don Huffines which would effectively eliminate home rule for Texas cities and Counties by requiring local laws to conform to state laws.

And finally Senate Bill 360 authored by our State Senator Craig Estes, that would significantly lower the bar for what is considered a regulatory taking, remove the ability of local governments to regulate development to ensure health and safety in a variety of ways, and expand the **timeframe** for bringing suit when regulations are adopted. Among other impacts it would limit the ability of local government to adopt local drilling ordinances such as a required set back of drilling pad sites from homes or businesses.

Contrary to what some on this Commissioners Court members Feel about these county court meetings, I applaud the efforts of our County Judge to recognize the need for outreach programs and meetings amongst the County Electorate as a way to insure the voices we as taxpayers and voters in Wise County have as a right to publically address issues with our elected officials and that they should be taken seriously when we have these serious concerns about future laws that would have a great impact on our local communities.