

2007 Voters' Guide on the Constitutional Amendments

This non-partisan, educational voters' guide lists a short summary of the sixteen amendments while presenting pros and cons to each in order to help you make a more informed vote. Extensive research and preparation went into this guide to provide you with the most dependable, complete information.

Election Day is Tuesday, November 6. To view this guide electronically, go to www.freemarket.org.

VOTING DATES	
<u>October 22- Nov. 2</u> Early Voting	<u>November 6</u> Election Day

	SUMMARY	ARGUMENTS FOR	ARGUMENTS AGAINST
Prop. 1 HJR 103	Clarifies in law the legislature's transfer of Angelo State University from Texas State University System to Texas Tech University System	<ul style="list-style-type: none"> • Completes final step of transfer to a system that expands educational opportunities • Ensures Angelo State University continues to receive constitutional funding, without interruption 	<ul style="list-style-type: none"> • Completes final transfer that is not beneficial and could result in tuition increases for students
Prop. 2 SJR 57	Issues \$500 million general obligation bonds for student loans	<ul style="list-style-type: none"> • Creates self-supporting loans not reliant upon state debt and tax dollars • Allows the state to obtain funds at the lowest cost • Meets the growing demand for student loans as tuition and fees continue to rise 	<ul style="list-style-type: none"> • Places taxpayers in position to repay bonds in case of student loan default • Competes with loan programs offered by private lenders
Prop. 3 HJR 40	Limits the ad valorem tax on a homestead to the most recent market value or a 10 percent increase from the value of last year's appraisal	<ul style="list-style-type: none"> • Clarifies that only a 10% increase per year on a homestead's last appraisal can be taxed, regardless of when appraised • Provides much-needed tax relief for homestead owners facing rising property taxes • Avoids causing a huge decrease in tax revenue, since most districts appraise annually or bi-annually 	<ul style="list-style-type: none"> • Has no effect upon districts where property appraisals are done annually • Decreases tax revenue for local governance, affecting school districts • Creates smaller tax base, shifting tax burden to commercial property and elsewhere • Fails to go far enough in setting appraisal cap at 10% rather than as low as 3% annually
Prop. 4 SJR 65	Authorizes up to \$1 billion in bonds from the state general revenues for maintenance, repair and construction projects	<ul style="list-style-type: none"> • Funds specific projects voted upon by legislature, while requiring agencies to budget for other improvement projects • Places legislative control and oversight over spending • Provides for building three much-needed state prisons and projects for homeland security 	<ul style="list-style-type: none"> • Creates state debt for projects that agencies should pay for with budgeted funds • Allows legislature to issue bonds for projects not publicly reviewed
Prop. 5 SJR 44	Allows cities under 10,000 to vote to authorize the city to enter agreements encouraging revitalization programs by deferring ad valorem taxes	<ul style="list-style-type: none"> • Creates incentive for private property owners to improve downtown properties • Encourages small city economic development 	<ul style="list-style-type: none"> • Allows property owners to benefit from property improvement without tax for five years • Shifts tax burden to other property owners
Prop. 6 HJR 54	Exempts ad valorem tax on one vehicle used for both professional and personal use	<ul style="list-style-type: none"> • Eliminates ad valorem tax on vehicle used even partly for private purposes • Encourages independent entrepreneurship • Limits tax exemption to one vehicle 	<ul style="list-style-type: none"> • Exempts ad valorem tax on a vehicle that produces income • Limits tax exemption to one vehicle, instead of exempting all privately-used vehicles
Prop. 7 HJR 30	Allows the government to sell property acquired through eminent domain back to the previous owner at the price paid by the government in acquiring the land	<ul style="list-style-type: none"> • Encourages the government to use eminent domain responsibly • Prevents the government from profiting from eminent domain and instead favors prior owner 	<ul style="list-style-type: none"> • Fails to consider property taxes, maintenance costs or added value accrued by government • Compensates property owners a second time by selling below fair market value
Prop. 8 HJR 72	Clarifies and alters procedures related to making and using home equity loans	<ul style="list-style-type: none"> • Protects borrowers against loan invalidation by clarifying loan procedures • Protects borrowers from predatory lending practices by making applications viewable before closure • Provides easier access for home equity loans in cases of natural disasters 	<ul style="list-style-type: none"> • Fails to fully clarify constitutional fee cap on loans • Continues to allow oral loan application • Should allow more freedom in a borrower's use of home equity line of credit • Burdens business practices of lenders

Prop. 9 SJR 29	Allows legislature to exempt totally disabled veteran's homesteads from ad valorem taxes and changes the method for determining the amount of a disabled veteran's exemption	<ul style="list-style-type: none"> • Protects veterans with limited income-earning ability from losing homesteads to taxes • Realigns the state tax-exemption schedule with the veteran's disability-grading system • Promotes home ownership 	<ul style="list-style-type: none"> • Reduces tax revenue of government, affecting school districts and shifting tax burden • Produces large number of tax exemptions due to veteran returns from Afghanistan and Iraq
Prop. 10 HJR 69	Eliminates the authority for the office of inspector of hides and animals	<ul style="list-style-type: none"> • Updates Texas Constitution and eliminates in law an office that does not exist 	<ul style="list-style-type: none"> • Fails to update statutes other than the Constitution
Prop. 11 HJR 19	Requires a record vote on any final passage of a piece of legislation except local bills, and assures Internet access to those votes	<ul style="list-style-type: none"> • Provides easy online access to votes • Holds legislators accountable to the voters of their districts without greatly burdening legislative process 	<ul style="list-style-type: none"> • Exempts local bills • Fails to require record votes prior to final passage vote • Slows down legislative process and fosters partisanship
Prop. 12 SJR 64	Authorizes Texas Transportation Commission to issue \$5 billion in bonds for highway improvement projects	<ul style="list-style-type: none"> • Finances much needed highway infrastructure • Aids economic development and job creation • Reduces the pressure to meet highway needs through toll roads • Allows the state to obtain funds at the lowest cost 	<ul style="list-style-type: none"> • Creates debt and burdens future taxpayers and legislatures • Fails to fund transportation projects through appropriate state highway fund • Produces bond interest expense instead of using dedicated funds
Prop. 13 HJR 6	Authorizes the denial of bail to a person who violates certain court orders in misdemeanor family violence cases.	<ul style="list-style-type: none"> • Strengthens Texas laws related to family violence • Provides judge with authority to prevent family violence in specific situations • Ensures victim and community safety. • Upholds defendant's right to due process 	<ul style="list-style-type: none"> • Opens door to misuse of bail as a tool of judgment or oppression before trial • Family violence is adequately dealt with in other sections of Penal Code • Affords judges too much power to restrict freedom based on hypothetical future crimes
Prop. 14 HJR 36	Permits judges reaching mandatory retirement age to finish their terms	<ul style="list-style-type: none"> • Allows judge to serve the entire term of office • Prevents case disruptions and inefficiency due to mid-term required retirement • Includes exemption that ensures a judge can only serve a maximum of four years past retirement age 	<ul style="list-style-type: none"> • Delays entrance of new judges which ensures vibrant and able judiciary • Weakens purpose of removing ineffective judges protected by incumbency • Fails to go far enough in abolishing mandatory retirement altogether
Prop. 15 HJR 90	Establishes the Cancer Prevention and Research Institute of Texas and authorizes state to issue up to \$3 billion in bonds from the general revenue for research	<ul style="list-style-type: none"> • Attracts top researchers to Texas, developing medical and bio-tech community • Establishes Texas as world leader in cancer research • Develops projects that will help off-set bond debt • Provides for bonds, but allows state to finance program in other ways 	<ul style="list-style-type: none"> • Private, competitive research is better than government • Costs the state as much as \$4.6 billion in bond and interest debt • Spends funds on research that does not guarantee results • State should use current surplus rather than \$3 billion in bonds that incur interest
Prop. 16 SJR 20	Allows Texas Water Development Board to issue up to \$250 million in additional bonds for clean water in economically distressed areas	<ul style="list-style-type: none"> • Funds basic water needs in economically distressed areas statewide • Opens door to economic development in distressed areas • Reduces health hazards and polluted wastewater discharge • Requires counties to adopt proactive housing measures before receiving funds 	<ul style="list-style-type: none"> • Pours more funds into a program that has not fixed the problem • Encourages people to move into regions that are costly to serve • Further increases debt • Discourages a more efficient free market approach

**Special thanks to the House Research Organization and the Texas Legislative Council for background information.*

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