

★ **Ballot Recommendations** ★
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Constitutional Amendments Summary

Heritage Alliance PAC, based on our own evaluation along with consultation with conservative former state representatives and a review of information from other groups, makes the following recommendations for the November 6, 2007 Constitutional Amendment election:

Support Amendments:

1, 3, 6, 7, 8, 9, 10, 11, 13, 14

Oppose Amendments:

2, 4, 5, 12, 15, 16

Proposition #1

Position Support
Title Transferring Angelo State University from the Texas State University System to the Texas Tech University System.
Ballot Language The constitutional amendment providing for the continuation of the constitutional appropriation for facilities and other capital items at Angelo State University on a change in the governance of the university.
Summary Proposition 1 amends the Texas Constitution to complete the transfer of Angelo State University from the Texas State University System to the Texas Tech University System.
Reasons Currently the Texas Constitution lists Angelo State University as a part of the Texas State University System however; in 2007 the legislature transferred the governance of the university to the Texas Tech University System. This amendment would clarify which system Angelo State University is a part of but would not affect the university's ability to receive funds from the higher education fund.

Proposition #2

Position Oppose
Title Increasing the Issuance of General Obligation Bonds to Finance Student Loans.
Ballot Language The constitutional amendment providing for the issuance of \$500 million in general obligation bonds to finance educational loans to students and authorizing bond enhancement agreements with respect to general obligation bonds issued for that purpose.
Summary Proposition 2 increases the amount of general obligation bonds that the state can issue to finance student loans issued by the Texas Higher Education Coordinating Board.
Reasons This proposition increases funding for a student loan program managed by the state, however there are already numerous other public and private student loan options in Texas. Funding student loans is not a constitutional duty.

Proposition #3

Position Support
Title Limiting the Maximum Increase of the Appraised Value of a Home.
Ballot Language The constitutional amendment authorizing the legislature to provide that the maximum appraised value of a residence homestead for ad valorem taxation is limited to the lesser of the most recent market value of the residence homestead as determined by the appraisal entity or 110 percent, or a greater percentage of the appraised value of the residence homestead for the preceding tax year.
Summary Proposition 3 allows the legislature to cap the amount that a governmental entity can increase an appraised value of a property, no matter when the last appraisal was done.
Reasons Currently, an appraisal cannot be increased more than 10% of the previous appraised value for each tax year. This can lead to a large increase if the property has not been appraised in several years. Proposition 3 would cap the increase at 30% regardless of the number of years it has been since the last appraisal was conducted. Conservative principles advocate the reduction of the citizens' overall tax burden.

Proposition #4

Position Oppose
Title Issuing up to \$1 Billion in Bonds for Maintenance, Improvement, Repair, and Construction Projects.
Ballot Language The constitutional amendment authorizing the issuance of up to \$1 billion in bonds payable from the general revenues of the state for maintenance, improvement, repair, and construction projects and for the purchase of needed equipment.
Summary Proposition 4 would allow the state to issue \$1 billion in general obligation revenue bonds to pay for maintenance, improvement, repair, or construction of projects authorized by the legislature. These bonds would also be used to purchase equipment for the state. These funds would be deposited into a separate fund in the treasury to be used solely for these express purposes, as authorized by the legislature.
Reasons The general obligation bonds would provide funding for a large variety of projects. However, there are questions about the necessity of some of the projects and whether some of the projects should be funded through means other than a long term bond.

Proposition #5

Position Oppose
Title Allowing Voters in some Cities to Freeze Property Tax Rates in Certain Areas.
Ballot Language The constitutional amendment authorizing the legislature to permit the voters of a municipality having a population of less than 10,000 to authorize the governing body of the municipality to enter into an agreement with an owner of real property in or adjacent to an area in the municipality that has been approved for funding under certain programs administered by the Texas Department of Agriculture under which the parties agree that all ad valorem taxes imposed on the owner's property may not be increased for the first five tax years after the tax year in which the agreement is entered into.
Summary Proposition 5 allows small communities to

conduct a vote to freeze property taxes in downtown areas so that people who own property in those areas can renovate the property without having their property taxes increased.

Reasons This amendment would benefit some property owners by reducing their tax burden but would harm other property owners by increasing their share of the tax burden so the county does not lose revenue.

Proposition #6

Position Support
Title Allowing a Tax Exemption for Vehicles Used for Professional and Private Use.
Ballot Language The constitutional amendment authorizing the legislature to exempt from ad valorem taxation one motor vehicle owned by an individual and used in the course of the owner's occupation or profession and also for personal activities of the owner.
Summary Proposition 6 entitles the owner of one car or light truck used in the course of a person's work or occupation and also personal activities to be exempted from the ad valorem taxes.
Reasons This proposition will allow the legislature to exempt individuals who are required to use their personal vehicle for work purposes from some taxes thus reducing their tax burden. By exempting only one vehicle, it prevents people who use fleet vehicles from being exempted even if the vehicles are used for personal activities.

Proposition #7

Position Support
Title Allowing Governmental Entities to Resell Property Taken Through Eminent Domain.
Ballot Language The constitutional amendment to allow governmental entities to sell property acquired through eminent domain back to the previous owners at the price the entities paid to acquire the property.
Summary Proposition 7 would allow a governmental entity to sell property acquired through eminent domain back to the previous owner at the price which the governmental entity paid for it, if the project is cancelled or no progress is made during a certain time period.
Reasons This proposition would allow a land owner to reacquire their property that was taken under eminent domain without incurring any additional cost. This amendment supports the conservative principle of protecting citizens' property from theft, loss, or confiscation.

Proposition #8

Position Support
Title Protecting a Homeowner's Homestead from Forced Sale to Repay Debts.
Ballot Language The constitutional amendment to clarify certain provisions relating to the making of a home equity loan and use of home equity loan proceeds.
Summary Proposition 8 makes various changes relating to the eligibility for a home equity loan and the procedural requirements related to obtaining a home equity loan.
Reasons The current laws regarding home equity laws

have caused confusion that can lead to mistakes by lenders which can invalidate some loans. This proposition clarifies state laws and protects borrowers from unscrupulous lenders, thus preventing them from losing their home should they default on their home equity loan.

Proposition #9

Position Support

Title Exempting Disabled Veterans From Property Taxes

Ballot Language The constitutional amendment authorizing the legislature to exempt all or part of the residence homesteads of certain totally disabled veterans from ad valorem taxation and authorizing a change in the manner of determining the amount of the existing exemption from ad valorem taxation to which a disabled veteran is entitled.

Summary Proposition exempts a veteran who is 100% disabled from ad valorem property taxes.

Reasons This proposition would allow veterans who are seriously disabled to receive an exemption in their property taxes. Veterans who are 100% disabled have suffered greatly and many are unable to work due to their disability and may be living on a fixed income. By exempting them from paying property taxes the state is acknowledging their sacrifice.

Proposition #10

Position Support

Title Abolishing the Office of Inspector of Hides and Animals

Ballot Language The constitutional amendment to abolish the constitutional authority for the office of inspector of hides and animals.

Summary Proposition 10 would abolish the office of inspector of hides and animals, an office that has not been active in most counties for many years.

Reasons This proposition would abolish an office that hasn't been used in Texas for many years. Abolishing this position supports the conservative principle of limiting government.

Proposition #11

Position Support

Title Requiring a Record Vote on the Final Passage of all Bills and Resolutions that are not Ceremonial.

Ballot Language The constitutional amendment to require that a record vote be taken by a house of the legislature on final passage of any bill, other than certain local bills, of a resolution proposing or ratifying a constitutional amendment, or of any other no ceremonial resolution, and to provide for public access on the Internet to those record votes.

Summary Proposition 11 requires the legislature to take a

recorded vote on the approval of a bill, joint resolution, or any other resolution that is not purely ceremonial. The vote that would be recorded would be on the third reading of the bill, approval of the amendments added by the other chamber, or the adoption of a conference committee version of a bill. This proposition also creates a provision requiring any votes on the leadership of the legislature to be recorded. This proposition also requires the legislature to make the votes available via the internet so that the vote information can be easily accessed by the public.

Reasons This proposition would give transparency to the legislative process and make more information available to citizens about how their legislators voted. Although this bill is limited as to when the recorded votes are required, it is a step in the right direction. Currently, the legislature passes rules at the beginning of each session regarding when votes will be recorded. Passing a constitutional amendment requiring all votes to be recorded makes it more difficult for future legislatures to change the rules regarding recorded votes.

Proposition #12

Position Oppose

Title Allowing the Texas Transportation Commission to Fund Highway Improvement Projects.

Ballot Language The constitutional amendment providing for the issuance of general obligation bonds by the Texas Transportation Commission in an amount not to exceed \$5 billion to provide funding for highway improvement projects.

Summary Proposition 12 allows the Texas Department of Transportation to issue general obligation bonds to fund highway improvement projects.

Reasons Funding for roadway improvements should be paid for out of the highway fund rather than the general revenue. By using bonds to pay for the roadway funding the debt is passed along to future generations.

Proposition #13

Position Support

Title Denial of Bail to Individuals Violating Emergency Protective Orders.

Ballot Language The constitutional amendment authorizing the denial of bail to a person who violates certain court orders or conditions of release in a felony or family violence case.

Summary Proposition 13 would allow a judge to deny bail to a person who has violated an emergency protective order after an arrest involving family violence.

Reasons This bill allows a judge to deny bail to a person who violated an emergency protective order in a case that involved family violence. This will protect family members who might otherwise be in danger if the perpetrator is released on bail.

Proposition #14

Position Support

Title Allowing Judges to Finish Their Term After Reaching the Mandatory Retirement Age.

Ballot Language The constitutional amendment permitting a justice or judge who reaches the mandatory retirement age while in office to serve the remainder of the justice's or judge's current term.

Summary Proposition 14 allows a judge who reaches mandatory retirement age to remain on the bench until the completion of his or her term.

Reasons Under current law, as soon as judges reach mandatory retirement age they are forced to leave the bench, no matter how much time remains in their term. When the judge is forced to leave the bench, the governor appoints a new judge to serve the remainder of his or her term. This proposition would allow judges to finish out their term before leaving the bench. This allows the voters to select the successor without anyone having the advantage of being the incumbent.

Proposition #15

Position Oppose

Title Creating the Cancer Prevention and Research Institute of Texas.

Ballot Language The constitutional amendment requiring the creation of the Cancer Prevention and Research Institute of Texas and authorizing the issuance of up to \$3 billion in bonds payable from the general revenues of the state for research in Texas to find the causes of and cures for cancer.

Summary Proposition 15 provides for the creation of a Cancer Prevention and Research Institute of Texas for the purposes of researching cancer and finding ways to prevent cancer.

Reasons This proposition creates a new government agency and dedicates funds for research. It is rarely the proper role of government to fund research through dedicating funds to a new program that will increase the size of government.

Proposition #16

Position Oppose

Title Issuing General Obligation Bonds by the Texas Water Development Board

Ballot Language The constitutional amendment providing for the issuance of additional general obligation bonds by the Texas Water Development Board in an amount not to exceed \$250 million to provide assistance to economically distressed areas.

Summary Proposition 16 would allow the Texas Water Development Board to issue general obligation bonds to provide assistance to economically distressed areas.

Reasons This amendment is designed to benefit one specific program that was created in 1989 to address a specific problem. However this program has already received millions from the state and federal government but the problem has yet to be fixed. This amendment would increase the state debt to fix a problem that has not been addressed with previous funds.

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