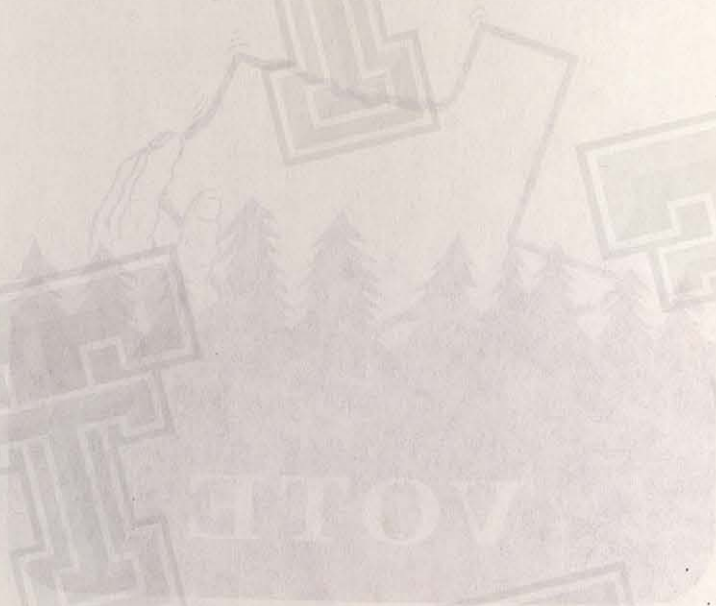


Do Something
Great
for your State



Do something
Great
for your state



BRING TEXAS OUT OF THE WOODS.

Give it a workable, efficient,
up-dated constitution.

VOTE YES FOR TEXAS
NOV. 4, 1975

THE TEXAS CONSTITUTIONAL CONVENTION
IS A PUBLIC AFFAIR. IT IS OPEN TO ALL TEXANS.
FOR MORE INFORMATION, CONTACT THE TEXAS
CONSTITUTIONAL CONVENTION, P.O. BOX 12000,
DALLAS, TEXAS 75212.

SOME OBSERVATIONS FOR THE CONCERNED VOTER ON NOVEMBER 4, 1975

SOME 45,000 WORDS have been trimmed from the 63,000 contained in the ponderous instrument forged a century ago in an atmosphere of post-Civil War anxiety and bitter reaction to an unusually arbitrary government. The new charter is regarded by constitutional scholars as unusually sound, easy to read, and easy to understand.

MAINTAINED INTACT in the new constitution are the Bill of Rights, pay-as-you-go budgeting, popular election of all major statewide officials, popular election of judges, guaranteed financing for the University of Texas and A&M University, the Highway Fund, municipal home rule, protection of homesteads from forced sale, and prohibition of the garnishment of wages.

MORE EFFICIENT AND MORE ECONOMICAL STATE GOVERNMENT is encouraged by giving the Governor the authority and responsibility of overseeing and managing the budget, by tightening up controls on state debt, by providing for the self-destruction of useless and inefficient state agencies, by permitting the Governor to appoint and remove officials of state agencies, by providing for annual budgeting of agencies.

LOCAL CONTROL OF GOVERNMENT is strengthened by giving citizens of each county more control over the organization and operation of their local government, by expanding municipal home rule greatly, by discouraging legislative meddling in local affairs.

A UNIFIED COURTS SYSTEM with efficient court administration will permit the fighting of crime where it counts by assuring that criminals will be dealt with swiftly. This will prevent criminals who can afford bail from remaining free to commit more crimes and innocent people from being held in jail for many months and even years at great cost to the taxpayers.

TAXPAYERS WILL BENEFIT from more efficient government, property tax reform, prohibitions against retail sales taxes on food, medicine, and agricultural machinery, and from new guarantees of the right to appeal unequal property taxation. Tax relief for the elderly and the disabled is specifically spelled out.

FARMERS AND RANCHERS, who often find it difficult to earn enough off their land to survive, will benefit from a provision which calls for taxing of farm and ranch land on its productive value rather than its market value.

THE LAUGHING STOCK OF THE NATION. That's how esteemed Watergate prosecutor Leon Jaworski described the present archaic constitution of our great state.

POLITICAL ADVERTISING PAID FOR BY LEAGUE OF WOMEN VOTERS OF TEXAS ACTION COMMITTEE,
BARBARA F. NOBLES, CHAIRPERSON, 5000 CRESTWAY, AUSTIN, TEXAS.
Printed by Gibson's Kwik-Kopy, 800 Brazos, Austin, Texas 78701.



the new constitution

vote YES for TEXAS

november 4, 1975

A MOMENT OF DECISION, perhaps the most vital and significant decision that Texans will make during this entire century, will soon be upon us. This important message comes to you from the following diverse organizations made up of informed, concerned citizens, to restate some of the paramount issues at stake and to urge you to vote FOR all eight propositions on November 4, 1975.

Junior Bar of Texas, League of Women Voters of Texas, the Texas American Legion, Common Cause, of Texas, the Texas Municipal League, the American Association of University Women, the Farmers Union, and the Citizens for the Texas Constitution.

TOP STATE OFFICIALS URGE YOU TO VOTE YES

Attorney General John Hill said: "I would have hoped the opposition would spare us from generalizations, inaccuracies or opinions expressed without any evidence of facts. We are having a lot of court tests today dealing with what our constitution means. There will be no tidal wave of litigation under the new constitution. It is so clear and understandable, there is going to be a great deal less litigation. *It will make our (the AG's staff's) work much simpler.*"

Lieutenant Governor Bill Hobby said: "The superiority of an annual budget to a biennial budget is beyond much argument. It is an exceedingly tough job trying to project revenues two and a half to three years into the future. *It is nearly impossible today.*"

Former Supreme Court Chief Justice Robert Calvert said: "The merger of the State Supreme Court and the Court of Criminal Appeals and assignment of criminal appeals to 14 intermediate appellate courts, has been approved by outstanding lawyers and judges. The opposition's fears that the judiciary article might allow some form of Missouri plan for the selection of judges *is totally without basis in fact.*"

Speaker of the House Bill Clayton said: "With as complex a society as ours, there is a definite need for the legislature to meet on an annual basis. Texas is one of few states still with biennial sessions. The new constitution *is a document that will in fact save Texas taxpayers untold millions of dollars a year.*"

Land Commissioner Bob Armstrong said: "The new constitution provides us with more freedom to deal with our problems at the state and local levels. When a state's constitution is as outdated as ours, the state cannot respond to the needs of the people, and *the federal government leaps into the breach.*"



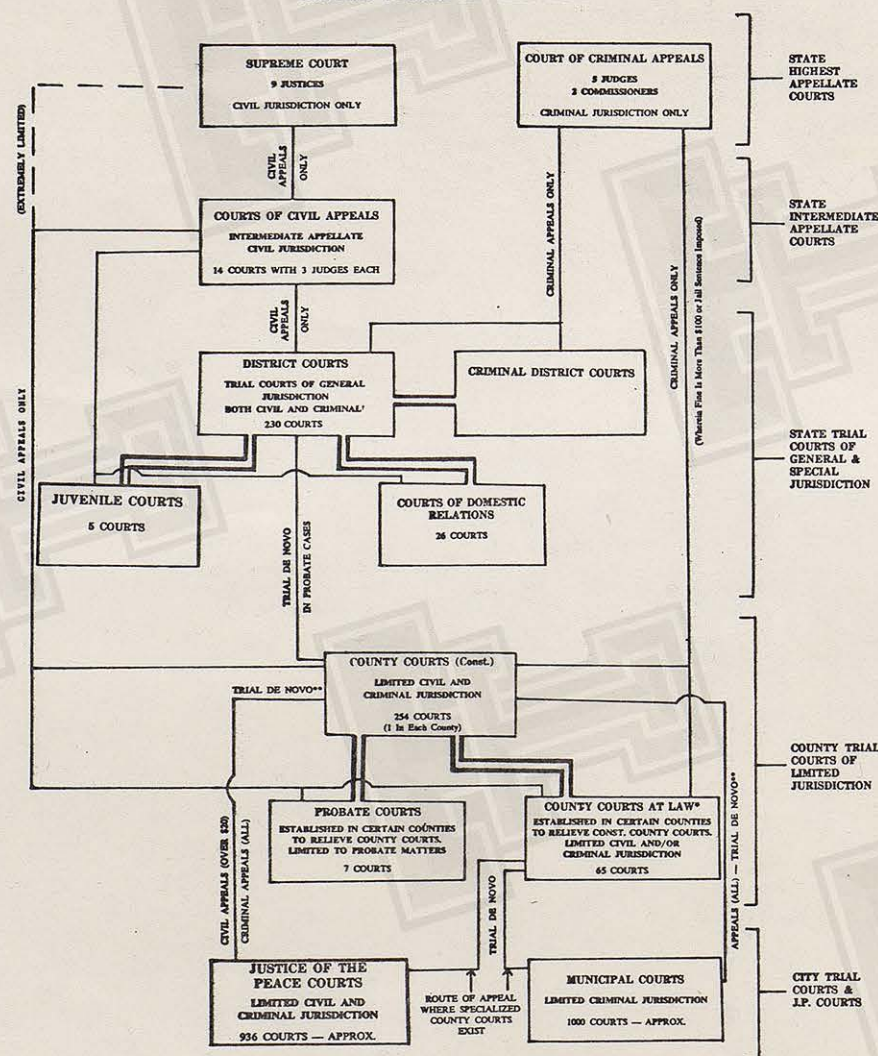
**the
new
constitution**

**VOTE YES
FOR TEXAS**

Pol. adv. paid for by Citizens for The Texas Constitution, P. O. Box 387, Austin, Texas 78767 Robert W. Calvert, Treasurer



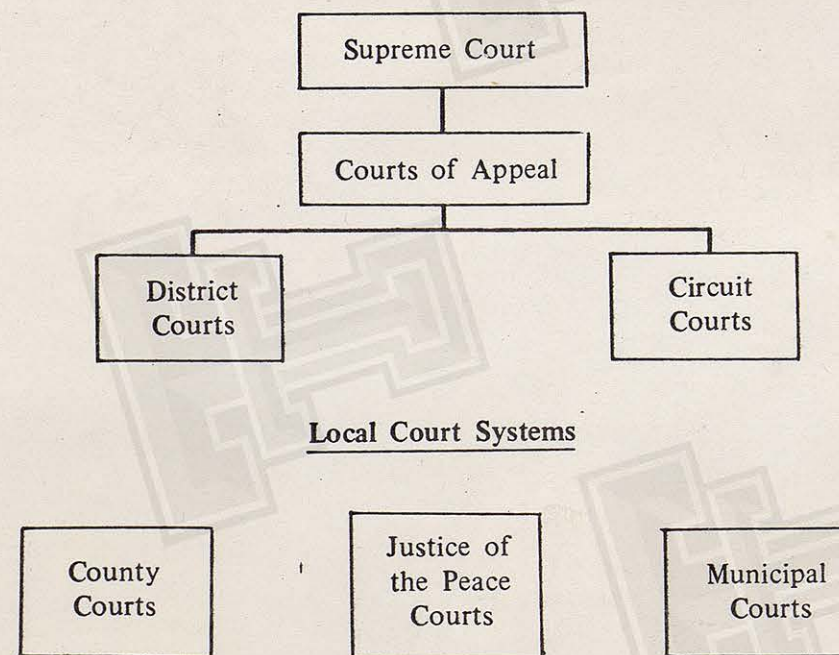
THE JUDICIAL SYSTEM OF TEXAS
JUNE, 1975
PREPARED BY TEXAS JUDICIAL COUNCIL



*SOME DISTRICT COURTS ARE REQUIRED BY STATUTE TO GIVE PREFERENCE TO CRIMINAL CASES.
*SOME COUNTIES HAVE SEPARATE CIVIL & CRIMINAL COUNTY COURTS AT LAW: (47 COUNTY COURTS AT LAW, 8 COUNTY CRIMINAL COURTS, 7 COUNTY CRIMINAL COURTS AT LAW, 3 COUNTY CIVIL COURTS AT LAW, 1 COUNTY CRIMINAL COURT OF APPEALS, 1 "COUNTY COURT").
**APPEALS FROM SOME JUSTICE OF THE PEACE AND MUNICIPAL COURTS ARE TO THE DISTRICT COURT RATHER THAN THE COUNTY COURT.

PROPOSED JUDICIARY ARTICLE

Proposed Unified Court System



WHICH DO YOU PREFER?

The present helter-skelter Texas court system (left) is confusing to grasp when compared with the streamlined system (above) proposed in the new Constitution's Judiciary Article (Proposition 2) on the Nov. 4 ballot.

THE LEAGUE OF WOMEN VOTERS OF DALLAS

URGES YOU TO

VOTE YES NOVEMBER 4

IN SUPPORT OF THE PROPOSED
TEXAS CONSTITUTION

EFFICIENCY

Annual sessions will result in better legislative oversight of spending.

Annual sessions will allow legislators to give in-depth consideration to current state problems before they become crises. (Imagine discussing more than 2000 bills in 140 days!)

The governor is mandated to review, reorganize, and/or abolish the 200-plus state boards and agencies (our unelected government).

A county-wide appraisal of property shall be used by all taxing authorities, with costs to be shared.

TAXES

As in the past, all bond issues must be approved by voters.

Pay-as-you-go financing is not only retained, it is strengthened.

Uniform, statewide assessment standards assure more equitable distribution of the tax load.

SCHOOLS

The new constitution provides for equal educational opportunity for all students while allowing for local enrichment. It continues local control over school systems.

STRONGER LOCAL GOVERNMENT

Voters will decide. The new constitution would give county government ordinance-making powers if voters deem it necessary.

Local government will have a greater measure of self-determination.

The new constitution permits county administrative reorganization with the consent of the voters.

FLEXIBLE JUDICIARY

Supreme Court Justice Tom Reavley stated, "I'm not satisfied with the performance of the courts. I think we delay too much in final disposition of civil and criminal cases. This proposal . . . would establish one head of the judiciary in Texas, the Supreme Court, with administrative responsibility. . . ."

"In other words, it simplifies, it unifies, it puts us on the road to good business management in the courts." (Dallas Morning News, 9/20/75)

Justice of the Peace Courts are retained.

Quicker settlement of cases will result in a shorter time in jail, and savings for the taxpayer.

Judicial costs will not increase. Whether the judges are paid by the state or the county, the money comes from the taxpayer.

MONEY

The proposed constitution would continue the same strict voter-approval process for control of state debt.

An independent salary commission will set a salary ceiling for legislators.

VOTE YES FOR PROPOSITIONS 1-8. HELP GIVE TEXAS A STREAMLINED GOVERNMENT.

Paid for by
the League of Women Voters of Dallas
Action Committee

Printed by
the League of Women Voters of Dallas
6200 Maple
Dallas, Texas 75235

League of Women Voters of Dallas

Selected Summary of the

PROPOSED CONSTITUTION OF THE STATE OF TEXAS

V O T E

N O V. 4

Proposition No. 1: The constitutional amendment revising the SEPARATION OF POWERS, LEGISLATIVE, AND EXECUTIVE PROVISIONS of the Texas Constitution.

1. Single member districts required;
2. Salary commission to set ceiling on legislators' salaries;
3. Annual sessions of the legislature, and 15-day veto sessions (on 3/5 vote of both Houses) allowed;
4. Governor
 - a. Appoints chairmen of agencies
 - b. Can remove appointed officers for a cause, subject to Senate veto;
 - c. Gets a pre-inauguration appropriation for organization;
 - d. Is chief policy officer;
 - e. Can be delegated fiscal control by the legislature;
 - f. Reports on executive efficiency and organization every two years; and
 - g. Is limited to two terms of four years; and
5. State agencies (except higher education) limited to 10 year life unless renewed by law.

Proposition No. 2: The constitutional amendment revising the JUDICIARY PROVISIONS of the Texas Constitution.

1. Specifies a unified court system and eliminates statutory courts;
2. Court of Criminal Appeals merged with civil court into "Courts of Appeal" with further appeal to the State Supreme Court;
3. Existing county courts are continued, but can be eliminated;
4. Justice of the Peace Courts must be continued, but the number may be reduced;
5. Supreme Court given the administrative responsibility for the judicial branch;
6. State pays judges and justices; and
7. Legislature allowed to prescribe
 - a. Court jurisdiction;
 - b. Number of judges per court; and judge removal procedure; and
 - c. Judicial Qualification Commission,

Proposition No. 3: The constitutional amendment revising the VOTING AND ELECTION PROVISIONS of the Texas Constitution.

1. Right to vote denied to those under age 18; felons in jail, on parole, or on probation; and persons determined mentally incompetent by a court; subject to legislation restrictions as to other felons; and
2. General elections for state and county officers are to be held in even-numbered years.

Proposition No. 4: The constitutional amendment revising the EDUCATION PROVISIONS of the Texas Constitution.

1. System must furnish each individual an equal educational opportunity, but local districts may provide enrichment programs (consistent with law);
2. Bond limit raised to 30% of the Permanent University Fund (from 20%);
3. Bond proceeds (either Permanent University Fund bonds or Higher Education Fund bonds) can be used for repair or construction of permanent improvements, purchase of capital equipment, and library books (instead of construction of permanent improvements only); and
4. Part of Higher Education Fund can be allocated to state-owned vocational and technical institutes.

Proposition No. 5: The constitutional amendment revising the FINANCE PROVISIONS of the Texas Constitution.

1. 2¢ tax for state building funds may be reduced by law;
2. Requires statewide, uniform standards for appraisal of property for ad valorem tax purposes as prescribed by the legislature;
3. Mandates separate formula for the appraisal of farm and ranch lands and allows separate formula for timber land;
4. Each residential homestead receives \$3000 exemption from state ad valorem taxation, and this amount can be increased by the legislature;
5. The residential homestead of persons at least 65 years old receives \$3000 exemption in all taxing political subdivisions (unless that person elects to be excluded), and this amount can be increased by any political subdivision;
6. Legislature authorized to exempt certain entities and persons from ad valorem taxation;
7. Petroleum products manufacturing tax not constitutionally dedicated;
8. Taxpayer can pay ad valorem taxes under protest and sue for refund;

9. State debt defined and requires 2/3 vote of each House of the Legislature and approval by the voters; and
10. Sales tax on agricultural machinery, fertilizer, seeds, prescription drugs, and food (except restaurants) prohibited.

Proposition No. 6: The constitutional amendment revising the LOCAL GOVERNMENT PROVISIONS of the Texas Constitution.

1. County voters may create, eliminate, or combine some county offices;
2. Voters can give ordinance-making powers to county governing body;
3. City and county maximum ad valorem tax rate set at \$2 and \$1.25 per \$100 valuation, respectively, with additional tax allowed to service debt (e.g. interest, etc.);
4. Legislature to set debt ceiling for cities, counties, and special districts;
5. Voter approval required before levy for operating expenses on bonds.

Proposition No. 7: The constitutional amendment revising the GENERAL PROVISIONS of the Texas Constitution.

1. Legislature mandated to protect the quality of the environment;
2. Gulf beaches and offshore dedicated to the public;
3. Legislature to provide for removal of constitutional officers if method is not in the Constitution;
4. Spouses, by written agreement, can change community property into separate property and create a right of survivorship with community property;
5. Discrimination against handicapped persons prohibited; and
6. Goal of adequate health care for every resident is state policy.

Proposition No. 8: The constitutional amendment revising the MODE OF AMENDING PROVISIONS of the Texas Constitution.

1. On 2/3 vote, the legislature can submit to voters a question as to whether to call a Constitutional Convention; and
2. Election as to whether a Constitutional Convention should be called is required once every 30 years.

The Bill of Rights is retained intact. It will not appear on the ballot.

Paid for by the
League of Women Voters of Dallas
Action Committee

Printed by the
League of Women Voters of Dallas
6200 Maple
Dallas, Texas 75235

LEAGUE OF WOMEN VOTERS OF DALLAS
Texas Constitutional Revision

UNIT MEETING PLAN
October 8, 9, 1975

FILE

UNIT MEETING PLAN

Purpose: There are two goals for this meeting: to attain a fuller understanding of the proposed Texas Constitution, and to generate ideas for action to insure its passage on November 4th.

Resource Material:

Proposed Constitution of the State of Texas
This Is Our Stand, League of Women Voters of Texas, 1973

Braden, George D., Citizens Guide to the New Texas Constitution,
Institute for Urban Studies, University of Houston, 1975.
And Now Action, League of Women Voters of Texas, March 1973.
Informational Booklet on the Proposed 1976 Revision of Texas
Constitution, Office of Constitutional Research, Texas Legislative
Council, 1975.

Introduction: (U.L.)

"The voters of Texas have the opportunity to vote on a revised constitution for the first time in 100 years on November 4, 1975."* On page four of the constitutional guide, published by the State of Texas, you can read the long history of attempted revision of the 1876 constitution. These attempts started in 1876 (1) and have resulted in 220 amendments in the last 100 years. (The Constitution of the United States, ratified in 1788, has 26 amendments.) This incredible bulk of 63,000 words results in a cost of \$17,000 just to reprint the constitution each time it is amended. In the last few years we have averaged six amendments a year. (The proposed constitution contains about 18,000 words.)

Briefly, the recent revision process has consisted of four phases: 1) the amendment passed in 1972 calling for the legislature to sit as a constitutional convention in 1974; 2) the Constitutional Study Commission, comprised of 37 citizen-members, which drafted a model constitution for Texas after nine months of study and public input; 3) the Constitutional Convention which reworked the model into several versions, none of which was passed when the Convention dissolved, by law, on July 30, 1974; and 4) the same people, meeting as the Texas Legislature in regular session this year, who passed a proposed constitution on April 16, 1975.

(R.P.) The League of Women Voters of Texas also has a long history of attempted constitutional revision. This began in 1948 with a "Know Your State" survey. Based on this survey, in 1954 the League reached consensus supporting general revision of the constitution to be preceded by thorough review and adequate research. In subsequent years, after more study, the League adopted eleven principles as criteria to use in evaluating the merits of a constitution.**

* Proposed Constitution of the State of Texas, published by Mark White, Secretary of State, State of Texas, 1975.

** And Now Action, League of Women Voters of Texas, March 1973, p.2
or
This Is Our Stand, League of Women Voters of Texas, 1973.

of effort.

lead "Purpose," above.

- a) any unanswered questions;
- b) suggestions for action; and
- c) volunteers for a TCR Action Committee

FILE

LEAGUE OF WOMEN VOTERS OF DALLAS
Texas Constitutional Revision

October 8,9, 1975 Unit Meetings

RESOURCE MATERIAL

The following questions are tools to ensure continuing discussion. They can be presented in any order. An effort should be made to elicit comments from all members before the U.L. or R.P. quotes the suggested answers. Try not to spend a long time in discussion of any one article at the exclusion of the others.

*
* Be sure to save the last 15 minutes for this question: *
*
* Q. How can the LWV of Dallas educate and motivate voters for this *
* election? Who would like to volunteer for a TCR Action Committee? *
*
* A. Neighborhood coffees; postcard campaign; volunteering information *
* to other organizations; ? *
*

- Q. What are some of the ways in which the state government may become more efficient?
- A. 1) Gradually decrease number and power of state agencies (now more than 200).
(Article IV, Section 16(a), 16(b); Sec. 24(b))
- 2) Establish "executive department" with governor as "chief executive officer." (Art. IV, Sec. 1)
- 3) Annual sessions allow better consideration of the bills submitted. (There were more than 2000, last session). (Art. III, Sec. 7) John Hannah, of Texas Common Cause, says, ". . . lobbyists. . . benefit from the chaos that every-two-years sessions cause. . . . These are optimum conditions to kill much needed legislation because of time limitations, and to get ill-considered and sometimes un-read amendments and bills for their own special advantage passed."
- 4) There is a comprehensive revision of the prohibition on local and special laws. This saves the legislature from considering hundreds of bills each session which deal with only one special case, and should properly be handled locally. (Art. III, Sec. 13)

- Q. How will the executive be strengthened? (Still will not be "strong" governor.)
- A. 1) Establish "executive department." (Art. IV, Sec. 1)
- 2) The legislature can transform independent agencies into departments with appointed heads accountable to the governor. (Art. IV, Sec. 2(b))
- 3) The governor must submit a budget to the legislature. (Art. IV, Sec. 14) This may lead to a strengthened executive budget office and a weakening of the Legislative Budget Board.

- 4) The governor may control expenditure of appropriations. (Art. IV, Sec. 15)
- 5) The governor will make more appointments to agencies early in his term. (Art. IV, Sec. 2(e))
- 6) Increased removal power (Art. IV, Sec. 2(d))
- 7) Reorganization of the executive branch (Art. IV, Sec. 16)

Q. Will this constitution cause much higher state expenses?

A. No.

- 1) Annual sessions will not necessarily add much additional expense. Legislators are now paid to attend committee meetings in off-session years.
- 2) Although judges will be paid by the state, many are now paid by counties. (Art. V, Sec. 17) Whether the judges are paid by the state or the county, the money comes from the taxpayer.
- 3) If, as hoped, the judicial process is made more efficient, this would result in savings.
- 4) "Gimmick bonds" (more expensive) are eliminated; only bonds secured by the general credit of the state will be legal. (Art. VIII, Sec. 8(b))

Q. Will the legislators' salaries skyrocket?

A. The Salary Commission sets a maximum salary. (Art. III, Sec. 6) New salaries do not take effect until after a general election, thus only those legislators re-elected benefit from their vote. (April 22, 1975, Texas voters approved an increase from the 1960 salary level of \$4,800 to \$7,200, which is less than the cost of living increase for those 15 years.) This is not a particularly large item in the state budget.

Q. Are there any changes in voting rights?

- 1) Felons will be allowed to vote (per LWV consensus). (Art. VI, Sec. 1)
- 2) Redistricting every 10 years (Art. III, Sec. 5)
- 3) Single-member districts required (Art. III, Sec. 5)

Q. What are the potential changes in county government?

- 1) Commissioners Court will be removed from the judiciary and renamed the County Commission.
- 2) Can increase or decrease size of County Commission. (Art. IX, Sec. 3(e))
- 3) Can have county manager or executive, either elected or appointed. (Art. IX, Sec. 3(e))

- 4) Voters can grant ordinance-making powers. (Art. IX, Sec. 4)
- 5) Voters may eliminate or combine offices. (Art. IX, Sec. 3(e))

Q. Under the unified judicial system, what will become of the Court of Criminal Appeals?

A. It will be merged with the civil court into "Court of Appeals," with further appeal to the State Supreme Court. (More flexible) (Art. V, Sec. 3)

Q. What happens to the existing courts not included in the unified system? (Justice of peace, county, and municipal)

- A. 1) Justice of the peace courts must be continued, but the number may be reduced. (Art. V, Sec. 6)
- 2) County courts and municipal courts are not constitutionally required, and may be phased out. (Art. V, Sec. 6(a) & (c))

Q. Why allow the state to appeal a reversed conviction?

A. This allows the Supreme Court to carry out its supervisory function, and insures statewide uniform interpretation of laws. (Art. V, Sec. 14)

Q. Who administers this court system?

A. Supreme Court (Art. 5, Sec. 7)

Q. If Proposition 1 passes (Articles II, III, and IV) the legislature will meet in a regular session of 90 days, convening in January 1976, to effect implementation of the new constitution. (Transition Schedule, Sec. 10). What if Proposition 1 fails, but some of the other propositions pass?

- A. 1) The governor will call a special session prior to September 1, 1976.
- 2) "Laws may be enacted in anticipation of the date of revised articles, but those laws may not become effective prior to September 1, 1976." (Trans. Sched., Sec. 6)
- 3) There is a technical "what if" amendment schedule which deletes from the 1876 constitution portions which correspond to the approved articles.

Q. Will there be any changes in the administration of the property tax?

- A. 1) "... property. . . must be taxed equally and uniformly in proportion to market value." (Art. VIII, Sec. 2(a))
- 2) The legislature shall establish and enforce uniform standards. (Art. VIII, Sec. 2(b))
- 3) Any taxing authority may call for county-wide enforcement of these standards. (Art. VIII, Sec. 2(b))
- 4) The county will provide for appraisal county-wide to be used by all taxing authorities with costs to be shared. (Art. VIII, Sec. 2(c))

5) Mandatory exemptions:

- a) Elderly (Art. VIII, Sec. 4(c))
- b) Farmland with high market value (due to potential development) will be taxed at a lower rate. (Art. VIII, Sec. 3(a))
- c) Similarly, for timberland (Art. VIII, Sec. 3(a))
- d) Owners "in need" (Art. VIII, Sec. 5(a))
- e) Relief to encourage historic preservation (Art. VIII, Sec. 5(b))

Q. Are there many changes in the Education Article?

A. No. It does require "equal educational opportunity," and allows local enrichment. (Art. VII, Sec. 1)

Q. Are the environmental quality sections strengthened?

A. (Not a great deal) See Article X, Sections 7, 8, 9, and 10.

Q. Are there any other provisions which would coincide with League positions?

- A. 1) There is a new state goal for health care. (Art. X, Sec. 24)
- 2) Requires equal rights for the mentally and physically handicapped (not just against government, but against business, etc.). (Art. X, Sec. 23)

1) The governor will call a special session prior to September 1, 1976.

2) "Laws may be enacted in anticipation of the date of revised articles, but those laws may not become effective prior to September 1, 1976." (Trans. Sched., Sec. 6)

3) There is a technical amendment schedule which dates from the 1976 constitution portions which correspond to the approved articles.

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2) The legislature shall establish and enforce uniform standards. (Art. VII, Sec. 2(b))

3) Any taxing authority may call for county-wide enforcement of these standards. (Art. VII, Sec. 2(b))

4) The county will provide for special county-wide to be used by all taxing authorities with costs to be shared. (Art. VII, Sec. 2(c))

File
TCR

FOR IMMEDIATE RELEASE:

OCTOBER 21, 1975

DALLAS, TEXAS

Reaction to Governor Briscoe's announced opposition to the proposed new constitution has been one of intense disappointment to members of the League of Women Voters of Dallas.

The League in Dallas joins other Leagues across the state in a top-priority commitment to passage of the constitution. We consider the Governor's action particularly puzzling in light of the fact that he ignored every opportunity to contribute his opinions during the drafting of the constitution, choosing instead to adopt what many interpreted as an attitude of benign neglect on this gravely important matter.

The Governor's apparent distrust of the people of Texas who wisely voted to revise the constitution is not shared by the League of Women Voters. Therefore, the League will intensify its campaign to accurately inform the voters on the genuine issues involved.

League members are confident that accurate information, not scare tactics, will best assist the people of Texas in reaching decisions on this most important issue.

-END-