

SUBJECT: Eliminating duplication and obsolete provisions from the Texas Constitution

COMMITTEE: State Affairs — favorable, with amendment

VOTE: 13 ayes — Wolens, Turner, Brimer, Carter, Counts, Craddick, Danburg,
Hilbert, Hunter, D. Jones, Longoria, McCall, Ramsay

0 nays

2 absent — Alvarado, Stiles

WITNESSES: None

DIGEST: HJR 104, as amended, would amend the Texas Constitution to:

- allow all residents, not just resident property taxpayers, of Dallas County to vote on the issuance of bonds;
- delete language to reflect changes in election laws at the federal level;
- amend voting requirements to delete references to paupers, change reference to idiots and lunatics to persons determined mentally incompetent, and replace the voting age of 21 with 18; and
- delete obsolete and unconstitutional language relating to qualified electors, poll taxes, property ownership requirements and provisions relating to a nonexistent state property tax.

The joint resolution also would also repeal three provisions relating to an appropriation to John Tarleton Agricultural College, funding for the superconducting super collider project, and abolition of the office of county surveyor in Jackson County, and renumber several duplicated provisions.

The proposed amendment would be presented to voters at an election on November 4, 1997. The ballot proposal would read: “The constitutional amendment eliminating duplicate numbering in and certain obsolete provisions of the Texas Constitution.”

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SUPPORTERS
SAY: HJR 104 would make several technical changes to the Texas Constitution by deleting obsolete and unconstitutional provisions to reflect changes in federal law, deleting moot provisions no longer needed, and renumbering provisions with duplicate numbering. It would make no substantive change but would just update and clean up the state's fundamental law.

OPPONENTS
SAY: No apparent opposition.

NOTES: The committee amendment would replace language relating to the collection of occupation taxes and public school funding.