

**National Taxpayers Union  
Presents:**



*General Election Ballot Guide*

**2008**

**THE TAXPAYER'S PERSPECTIVE**

**W**hen it comes to fiscal policy, candidates are only a part of the electoral calculus. Thanks to the initiative and referendum (I&R) process, many important issues can go directly before the voters, and the November 2008 election will feature a large number of state and local tax and spending questions.

Taxpayers can be thankful that tax limitation measures made the ballot in numerous states. Massachusetts residents will consider completely eliminating the state's income tax by 2010, and North Dakota voters could cut their income tax in half. Arizona's "Protect Our Homes" measure would prohibit property transfer taxes, and another Arizona proposition would place a strong majority vote requirement on plans to increase taxes or spending. Maine voters have a chance to repeal the state's new beverage taxes. Oregon residents will decide if they want to deduct all of their federal income taxes from state income tax returns. Simply put, 2008 has the potential to be a banner year for taxpayers.

However, it's not all good news. A series of tax hike questions have qualified or have been legislatively referred to the ballot, including sales tax increases in Colorado and Minnesota. An amendment to gut Colorado's Taxpayer Bill of Rights (the strongest such protection in the country) is up for consideration, and a tax hike on oil and natural gas production also made the ballot in the Centennial State. A Nevada question could open the door to sales and use tax changes without direct voter approval.

Given the unpopularity of broad-based tax hikes, some states are looking to alternative revenue sources. An Arkansas measure would create a state lottery, and a Missouri measure would boost the state's gambling tax.

A hesitancy to increase taxes hasn't diminished the allure of borrowing, and bond issuance questions (cumulatively worth tens of billions of dollars) have made the ballot in Alaska, Arkansas, California, Colorado, Ohio, Maine, and New Mexico. However, New Jersey residents are being offered the chance to approve future bond requests, which could help limit the amount of future indebtedness for questionable spending projects.

"Good-government" reforms are up for consideration. In an attempt to end "pay to play" practices, Colorado voters may prevent winners of no-bid contracts from giving campaign contributions, and they will consider "right to work" and "paycheck protection" measures that guard against union thuggery. South Dakota residents will consider a measure barring taxpayer funds from being used for lobbying purposes; the same proposal would create a "transparency" database of the state's contract spending. Louisiana has a measure on the ballot that would place term limits on members for certain public boards and commissions, thereby discouraging entrenched career politicians. Oregon's Measure 64 would penalize anyone

who uses funds collected with public resources for political purposes like campaigning.

In perhaps the most troubling trend of 2008, the initiative process itself seems to be under attack, with measures making it harder to qualify I&R for the ballot up for consideration in Colorado, Ohio, and Wyoming.

Numerous ballot measures reflecting social and political issues were not included here, owing to the fact that their primary purpose was not fiscal in nature. Also not reported here are measures where the fiscal impact on taxpayers is mixed or unclear.

The following information comprises a guide to some of the most significant ballot measures affecting taxpayers that will be decided this fall. We hope this guide will serve as a useful resource for additional research.

## GUIDE KEY:

The various measures, propositions, initiatives, referenda, proposals, and amendments are listed by state.

Measures that could lower taxes or control government are listed in **GREEN** with a plus sign (+), and measures that could raise taxes or expand government are listed in **RED** with a minus sign (-).

This guide is for informational purposes only; it is not intended to provide endorsements or recommendations to voters.



## ALABAMA

( - ) Statewide Amendment Number One would expand a “rainy day” fund for education spending and relax associated borrowing rules. The measure would allow for an increase in the amount of money borrowed from the fund, and the repayment period would increase to six years instead of the current five-year payback horizon. Taxpayer advocates are concerned that this measure would encourage more state spending at the expense of prudent budgeting practices.

( - ) Statewide Amendment Number Three would allow the City of Madison to levy an ad valorem tax for public schools in Limestone County equal to those currently levied in Madison County. This could have a modest impact on the property tax bills of Limestone County residents.

( + ) Baldwin County residents can vote on Local Amendment Number One, which would allow for the appointment of additional members to a board that hears objections to property tax assessments. This could allow for more timely hearings for taxpayers pursuing lower valuations.

( - ) Chilton County residents can vote on a measure to levy a special tax on properties outside corporate limits for emergency services.

( + ) DeKalb County residents can vote on Local Amendment Number One, which would prohibit an occupational tax.

( + ) Jackson County residents can vote on an amendment to prohibit an occupational tax.

( - ) Tallapoosa County residents can vote on a measure to authorize a special fire district, to be funded by a new property tax.



## ALASKA

( - ) The Bonding Proposition would authorize \$315,050,000 in bonds for transportation spending. Over the life of the bond, this form of borrowing could cost taxpayers twice the original amount to pay back.



## ARIZONA

( + ) Proposition 100 would prohibit state and local governments from imposing a tax when a home or other property is bought, sold, or transferred. The “Protect Our Homes” measure would guard against future efforts to pass a tax on property transfers.

( + ) Proposition 101 would protect an individual’s choice to pursue private health care coverage. It would also prevent fines from being levied on individuals who decline health care coverage. Proponents believe that the “Freedom of Choice in Health Care Act” would avoid the impositions on personal freedom that are common in socialized health care systems.

( + ) Proposition 105 would place a strong majority vote requirement on plans to increase taxes or spending. Specifically, a vote of support from a majority of qualified electors in Arizona would be necessary to pass an initiative that imposes higher taxes or spending.

( - ) Proposition 201 is a union-backed measure to impose new requirements on home warranties, with the hope of creating more union jobs. Opponents believe the measure would open the door to costly litigation, as well as higher prices for home building and repair.

( - ) Proposition 300 would increase the salary of legislators from \$24,000 a year to \$30,000 annually.



## ARKANSAS

( - ) Referred Question No. 1 would authorize \$300 million in bonds for water, sewer, and pollution projects. Bond borrowing can cost taxpayers twice the original loan amount to pay back.

( - ) Constitutional Amendment No. 2 would shift Arkansas’ state budgeting from a two-year cycle to an “every year” cycle. Biennial budgeting can serve as a good check on overspending, as it allows time for appropriations in one year and oversight in the next.

( - ) Proposed Initiative Amendment No. 3 would change the state constitution to allow for a lottery, with proceeds funding government-provided college scholarships. Proponents argue that lotteries bring in revenue without raising taxes, but opponents point out that lotteries represent a regressive hidden tax and can create new programs whose funding demands outstrip proceeds from the gaming operation.



## CALIFORNIA

( - ) Proposition 1A would issue \$9.95 billion in bonds to partially fund a \$45 billion high-speed rail service project between San Francisco and Los Angeles. Taxpayers would pay \$19.4 billion over 30 years to cover bond costs. Transportation experts have noted that the project has grown increasingly expensive and could cost as much as \$81 billion by 2030.

( - ) Proposition 2 would place additional regulations on how livestock owners must handle their farm animals, which could increase food costs.

( - ) Proposition 3 would authorize \$980 million in bonds for hospitals. Repayment of the bond plus interest is expected to cost California taxpayers \$2 billion over 30 years.

( - ) Proposition 7 would require all utilities to generate 20 percent of their power from renewable energy sources by 2010. Such mandates drive up energy costs for consumers.

( - ) Proposition 10 authorizes \$5 billion in bonds for renewable energy spending. Similar spending elsewhere has resulted in straight-out wastes of taxpayer dollars. Repayment of the bond plus interest is expected to cost California taxpayers \$9.8 billion over 30 years.

( + ) Proposition 11 would reform the redistricting process by establishing a commission (as opposed to a legislatively-driven) procedure. This measure could moderately affect government accountability by making the ballot process somewhat more representative.

( - ) Proposition 12 would issue bonds worth \$900 million for aid to veterans, with 30-year repayment costs of \$1.8 billion. Taxpayer advocates would prefer that funding requests for aid go through the general appropriation process, due to the high payback costs for bonds.

Many Californians will also have the chance to vote on telecommunications tax increase questions put on the ballot by their localities. In most instances, voters will be asked to approve a local 911 tax or a Utility Users Tax. Even though many of these questions will be framed as a way to increase emergency services funding or pass a “tax cut,” most are nothing of the sort.

- **911 Tax:** Many of the existing local 911 taxes are of dubious legality because they were established without a necessary two-thirds vote from residents. Approving the 911 taxes now would kill future efforts to remove them on constitutional grounds. Revenues from general local 911 taxes are often not dedicated to emergency services; many localities can spend the money on any pet project or program. Customers already pay a state-level 911 tax on each monthly bill.
- **Utility Users Tax (UUT):** In the case of UUTs, the existing tax is linked to a federal tax that is no longer collected with respect to most telecommunications services. Should voters approve a measure to “delink” their UUT from the federal tax – even if the rate appears to be slightly lower – they’ll effectively be cementing the imposition of an unnecessary and potentially illegal tax on their service. The array of taxable products is often being expanded to include services like texting, paging, caller ID, call waiting, call forwarding, conference calling/bridging, directory assistance, 800 service, 900 service, IP-TV and IP video, voicemail, private communications services and instant messaging (even though federal law prohibits the taxation of instant messaging).

( - ) Residents of Los Angeles County will have the opportunity to vote on a half-cent sales tax increase that is expected to raise \$40 billion over the next 30 years. Money from the tax would be used to fund mass-transit projects in the Los Angeles area.



## COLORADO

( + ) Amendment 47 contains “right to work” protections that would prevent the mandatory joining of a union as a condition to work.

( + ) Amendment 49 contains “paycheck protection” standards that would prohibit union dues from being deducted from government workers’ paychecks.

( - ) Amendment 51 would hike the state sales tax by two-tenths of a cent (estimated to increase taxes by \$186 million annually) to expand services for programs aimed at the developmentally disabled.

( + ) Amendment 52 would direct a portion of current severance tax proceeds to a new Colorado Transportation Trust Fund, with related spending solely dedicated to transportation projects. The measure does not call for an increase in tax rates.

( + ) Amendment 54 would end the practice of “pay to play.” Holders of contracts worth \$100,000 or more that were awarded without competitive bidding would be prohibited from contributing to political parties or candidates for elected office for the term of the contract plus two years thereafter.

( - ) Amendment 58 would raise taxes on oil and natural gas production. Opponents note that the initiative would have the effect of increasing energy prices on consumers and discouraging growth in Colorado’s economy. Amendment 58’s supporters seem to suggest that this punitive tax will somehow redress record profits of oil and gas companies, but the ultimate effect of measure is to double the tax rate on oil and gas production in Colorado. According to one study, Amendment 58 would cause Colorado’s oil and natural gas projects to suffer the second-highest production tax burden among top energy-producing states.

( - ) Amendment 59 (otherwise known as the Savings Account for Education plan, or SAFE) would effectively undo Colorado’s Taxpayer Bill of Rights (TABOR). TABOR restricts the annual growth of state tax revenue to inflation plus population increases, and requires that any funds collected in excess of this formula be returned to taxpayers. SAFE would eliminate the tax refunds from TABOR and instead funnel that money into a state education fund. SAFE also would repeal Amendment 23, which requires the state to spend increasing amounts on public

schools. Though Amendment 23 is problematic, reforms should focus on addressing its minimum-spending requirement rather than scrapping TABOR altogether.

( - ) Referendum O would make it harder for citizens – and taxpayers – to place a constitutional amendment on the ballot by boosting signature requirements (some 20 percent) and establishing geographic distribution mandates.

**The following amendments will be on the ballot, but votes will not be tallied:**

( - ) Amendment 55 would impose major new requirements on businesses’ employee termination decisions. More government regulation could lead to higher operating costs, which increases consumer prices and reduces shareholder value.

( - ) Amendment 56 would impose mandates on businesses with 20 employees or more to provide health care coverage and pay most of the related costs. Businesses would also be required to fund a state agency to administer this requirement. Opponents of Amendment 56 have likened the measure to an “economy killer.”

( - ) Amendment 57 would require every Colorado employer to provide its employees with a “safe and healthy workplace,” but the measure fails to spell out what this means. Businesses could face expensive lawsuits if they failed to meet a vague “safe and healthy” standard.



## CONNECTICUT

( + ) Amendment 1 would provide a meeting to discuss reforms to Connecticut’s constitution. Potential revisions could include tax and expenditure limitations, government accountability reforms, and provisions to allow citizen-driven ballot measures.



## FLORIDA

( + ) Amendment 3 would shield home improvements for wind damage protection and renewable energy installations from property tax assessments. While taking steps to protect property from natural disasters is a prudent choice, carving out exemptions for certain activities could ultimately require higher tax rates on other behavior.

( + ) Amendment 6 would apply a “current use” assessment method for working waterfront property. This would be used in place of a “highest and best use” assessment system, which can mean high assessments for small businesses (e.g., fisheries) if their property could be used for other, more expensive purposes (e.g., luxury condos).

( - ) Amendment 8 would authorize local sales tax options to fund community colleges. Even though the tax hikes would require voter approval and sunset after 5 years, this amendment would open the door to yet more taxes.





## GEORGIA

(+) Proposed Amendment 1 would allow the state to assess and tax certain privately owned tracts of timberland according to their “current use,” rather than to assess and tax based on a property’s highest-valued use, in order to encourage forest conservation. This “conservation use” is only available to landowners who agree not to develop the land for 15 years. The state has agreed to provide funds for counties whose revenues might decrease significantly as a result. Despite this provision, Amendment 1 could result in a nominal tax cut for certain property owners.

(-) Proposed Amendment 2 would allow schools to vote to participate in Tax Allocation Districts (TADs). Tax Allocation Districts enable local governments to fund developing a property because of the anticipated higher tax revenues that the development is expected to generate. The impact of this measure is highly debatable, and could be positive in some cases. Nonetheless, some of the measure’s opponents are concerned that overuse of TADs can lead to subsidies for development that might have occurred on its own.

(+) Proposed Amendment 3 would allow Infrastructure Development Districts to be created in rural areas. If this amendment is adopted, an area’s landowner could agree to pay a developer a specific fee that would then fund the infrastructure necessary for development to take place.



## HAWAII

(+) The Constitutional Convention Amendment would provide such a meeting to discuss changes to the state’s constitution. Potential revisions could include tax and expenditure limitations, government accountability reforms, and provisions to allow citizen-driven ballot measures.

(-) Oahu residents will have a chance to vote on whether a new \$4 billion transit system should have a “steel wheel on steel rail” construction. While a “no” vote would not end the rail project, opponents believe voting the measure down would show a lack of public support for “tax-for-rail” plans.



## ILLINOIS

(+) The Constitutional Convention Proposal would provide such a meeting to discuss reforms to Illinois’ constitution. Potential revisions could include tax and expenditure limitations, government accountability reforms, and provisions to allow citizen-driven ballot measures.

(-) Voters in parts of Will, Grundy, Kendall, LaSalle, Kankakee, Livingston, and Cook counties will vote on an \$89 million bond to pay for campus improvements to the Joliet Junior College.



## INDIANA

(-) Vanderburgh County residents will vote on a \$149 million bond request for school construction, which will increase debt that is paid back through property taxes.



## LOUISIANA

(+) Proposed Amendment No. 1 would place term limits on members for certain public boards and commissions. Term limits can have an important role in checking the growth of government.

(+) Proposed Amendment No. 5 would allow residents to transfer their fixed property tax assessment level with them to a new home if the relocation was made necessary by the government’s expropriation of the resident’s original property. If this amendment is enacted, the expropriated property’s tax assessment level would transfer to the new property (assuming the new property was assessed at less than 200 percent the value of the old property).

(-) Proposed Amendment No. 6 would take away the right of “first refusal” to homeowners whose property is taken away for reasons of blight or safety. Under current law, if government expropriates property and then places it on the market or declares it as surplus property, the government must first offer the property back to the original owner before selling it to anyone else.



## MAINE

(+) Question 1 would repeal new taxes on malt, liquor, wine, and soft drinks. It would also repeal a fixed fee that is charged to health insurance companies on paid claims. The new laws were enacted by the state legislature in April 2008 to help fund the state’s Dirigo health program.

(-) Question 3 would authorize Maine to issue \$3.4 million in bonds to support drinking water programs and to support the construction of wastewater treatment facilities.



## MASSACHUSETTS

(+) Question 1, otherwise known as the Small Government Act to End the Income Tax, would reduce the state individual income tax from 5.3 percent to 2.65 percent for all Massachusetts taxpayers beginning in 2009. The state income tax would be completely eliminated in 2010. Average taxpayers would save \$3,700 a year once the income tax is repealed.

(-) Brockton residents will consider three tax increase requests totaling \$3.59 million. Approval of these measures would override the provisions of Proposition 2 - 1/2, which limits property tax increases to 2.5 percent a year plus new growth.

(-) East Bridgewater residents will consider a \$1.25 million tax increase to create a capital projects fund. This would override the provisions of Proposition 2 - 1/2, which limits property tax increases to 2.5 percent a year plus new growth.

(-) Mattapoisett residents will consider a tax increase request to pay for a fire station construction project. This would override the provisions of Proposition 2 - 1/2, which limits property tax increases to 2.5 percent a year plus new growth.

(-) Walpole residents will consider a \$7 million tax increase request to pay for a library construction project. This would override the provisions of Proposition 2 - 1/2, which limits property tax increases to 2.5 percent a year plus new growth.

(-) Needham residents will consider a \$1.9 million tax increase request to pay for a school project. This would override the provisions of Proposition 2 - 1/2, which limits property tax increases to 2.5 percent a year plus new growth.



## MINNESOTA

( - ) The Minnesota Sales Tax Increase for Natural Resources and the Arts constitutional amendment would increase the state sales tax by three-eighths of 1 percent for a 25-year period, with the new revenues dedicated to additional spending on natural resources and the arts. If approved, the amendment is estimated to cost \$300 million in higher taxes per year, with a 25-year total of \$11 billion.



## MISSOURI

( - ) Proposition A, otherwise known as the Schools First Initiative/Casino Gambling Tax initiative, would increase the gambling tax from 20 percent to 21 percent.

( - ) Proposition B would place additional requirements on home care service providers operating under the Medicaid program. It has an estimated cost greater than \$510,000 annually for state governmental agencies. Critics say this measure could increase overall health care costs.

( - ) Proposition C would require investor-owned electric utilities to generate 15 percent of their total power from renewable resources (such as solar and wind power) by 2021. At the same time, it would establish a price ceiling by preventing utility companies from increasing rates by more than 1 percent. Mandating higher costs and imposing price controls is an unsustainable public policy.

( - ) Residents of North Kansas City may vote on a half-cent sales tax increase to pay for new light-rail construction costs.



## MONTANA

( - ) Initiative No. 155 would offer government-provided health coverage to uninsured children by expanding eligibility for Medicaid and the Children's Health Insurance Program. Funding for I-155 will come from a share of the insurance premium tax and federal matching funds, with an estimated cost to the state of \$22 million.

( - ) Legislative Referendum No. 118 asks Montana's voters to continue a special 6-mill levy on all real estate and personal property, with the funds going to support the university system. If voters reauthorize this existing law, the current 6-mill levy will stay in effect between January 2009 and January 2019.



## NEBRASKA

( - ) The Nebraska Municipal Economic Development Amendment would enable cities and villages, subject to voter approval, to draw from additional sources of funding (whether local, state or federal) for local economic development projects. Currently, Nebraska cities and villages may only use funds from local property and sales taxes to support certain local economic development programs. Despite the voter approval safeguard, this proposal could still encourage additional government spending liabilities.



## NEVADA

( + ) Question 2 would revise Nevada's constitution as it relates to eminent domain. Among other things, it would strengthen private property rights by specifying that property merely taken from one private party and given to another private party falls outside the definition of "public use."

( - ) Question 3 would require that, before Nevada's legislature may enact a tax exemption, it must assess the social or economic purpose and benefits of the exemption, make the grounds for claiming that exemption similar for similar classes of taxpayers, and establish a date after which the exemption will expire. Although some argue that this measure would encourage the legislature to pursue tax simplification and reform, the likelier near-term impact is to prevent tax relief proposals from being enacted.

( - ) Question 4 would amend the Sales and Use Tax Act of 1955 so that the Nevada legislature could amend or repeal certain provisions of this Act without obtaining direct voter approval (which is currently required). This amendment would authorize the legislature to alter the administration, collection, and enforcement of sales and use taxes to conform to questionable federal mandates and interstate agreements (such as the anti-taxpayer Streamlined Sales and Use Tax Agreement). The rate of the tax under this Act could not be raised without voter approval.



## NEW HAMPSHIRE

( + ) If allowed on the ballot, a proposed tax cap in Concord would allow the city council to raise the property tax rate by no more than the rate of change in the Consumer Price Index. The cap could be overridden with a two-thirds vote.



## NEW JERSEY

( + ) Public Question 1 is an amendment to the state constitution mandating that any legislation that issues state authority bonds would require voter approval prior to its passage and execution, thereby injecting taxpayer oversight into the budgetary process.



## NEW MEXICO

( - ) Constitutional Amendment 2 would allow incumbent county commissioners to vote to give themselves a mid-term pay raise. Currently, the New Mexico Constitution, similar to other states in the U.S., prevents county officers from receiving pay raises (or decreases) in the middle of their terms of office.

( - ) Bond Question A would authorize the issuance and sale of general obligation bonds up to \$14,725,000, funds from which would be used for senior citizen facility development. The Question also provides for a general property tax imposition to fund repayment of these bonds.

( - ) Bond Question B would authorize the issuance and sale of general obligation bonds up to \$11,019,000, funds from which would be used for library acquisitions. The Question also provides for a general property tax imposition to fund repayment of these bonds.

*New Mexico continued next page.*



## NEW MEXICO CONTINUED

( - ) Bond Question C would authorize the issuance and sale of general obligation bonds up to \$57,925,000, funds from which would be used for health facility improvements. The Question also provides for a general property tax imposition to fund repayment of these bonds.

( - ) Bond Question D would authorize the issuance and sale of general obligation bonds up to \$140,133,000, funds from which would be used for higher education and special schools. The Question also provides for a general property tax imposition to fund repayment of these bonds.

( - ) Santa Fe residents will vote on a measure to levy a one-eighth-cent gross receipts tax (estimated to cost \$4.5 million annually) to fund mass transit projects. Gross receipts taxes are particularly damaging to the economy because they tax all business transactions (not just final sales to consumers), which drives up final product costs for consumers.



## NORTH CAROLINA

( - ) Residents in Durham County will have the opportunity to vote against a 1 percent sales tax on prepared foods. If passed, the tax is expected to cost from \$5 million to \$7 million annually.

( - ) City of Charlotte residents will vote on three separate bond measures to borrow \$170.2 million for roads, \$10 million for housing programs, and \$47 million for neighborhood improvement spending. Bond borrowing increases the debt that is paid back through taxes.

( - ) Mecklenburg County residents will vote on a bond measure to borrow \$250 million over 10 years for parks and recreation spending. Bond borrowing can cost taxpayers twice the original loan amount to pay back.



## NORTH DAKOTA

( + ) Constitutional Measure No. 1 would create a protected, permanent “oil tax trust fund” for oil and gas taxes received in excess of \$100 million. An existing “statutory” trust fund often gets raided during the legislative session because spending only requires a 51 percent vote. The stronger trust fund would require a three-fourths vote of the legislature to spend up to 20 percent of the balance.

( + ) Statutory Measure No. 2 would lower the state corporate income tax by 15 percent and cut the state personal income tax in half beginning in 2009. North Dakota is projected to have a \$1.3 billion budget surplus, and this measure could save taxpayers over \$415 million over the next two years.

( - ) Statutory Measure No. 3 would require North Dakota to fund smoking cessation programs “at a level equal to or greater than the Centers for Disease Control recommended funding level.” If there is not enough money in the tobacco settlement fund to cover this mandate, resources would be siphoned away from a state water projects fund.



## OHIO

( - ) Issue #1 would force initiative and referendum petitions to be submitted earlier (125 days out instead of the current 90). This could hamper future efforts to limit taxes and spending via the I&R process by giving petitioners less time to gather signatures.

( - ) Issue #2 would allow the state to issue up to \$200 million in debt for nature conservation purposes, including “land, forest, water, and other natural resource management projects.” It authorizes up to another \$200 million for environmental-revitalization of land. Taxpayers will be responsible for paying back these bonds.

( + ) Issue #3 would guarantee the right of a property owner to groundwater underlying the property owner’s land.

( - ) Issue #5 asks voters to approve a law that effectively puts payday lending services and their employees out of business in Ohio by making it unprofitable to offer these loans. If payday loans are driven out of existence, there could be additional political pressure to boost government assistance programs when Ohioans can no longer help themselves because the most common – and often only – method to help cover unplanned expenses has been eliminated.



## OKLAHOMA

( + ) State Question No. 735 is a constitutional amendment that would create an exemption from personal property taxes for honorably discharged injured veterans. To qualify, the veteran would have to be an Oklahoma resident, the head of the household, permanently disabled, and certified by the U.S. Department of Veterans Affairs. Injuries must have been sustained as a result of military service.

( - ) State Question No. 741 is a constitutional amendment that would require a person or business to file an application in order to be considered for a property tax exemption. Adding bureaucratic hassles to the tax burden already faced by small businesses could sap time that would be better spent on growing an operation.



## OREGON

( - ) Measure 56 would change the state constitution to have property tax elections decided by a majority of voters voting. This measure would weaken the “double majority” rule (which has stopped numerous tax hikes) requiring 50 percent of registered voters to turn out and 50 percent of the votes be in favor of a potential tax hike before it can take effect.

( + ) Measure 59 would create a “prohibition on double taxation,” making all federal income taxes fully deductible on state income tax returns for tax years beginning on or after January 1, 2010. Currently, Oregonians can only deduct federal taxes up to \$5,600. This measure would save taxpayers an estimated \$1.3 billion over the next two years.

( + ) Measure 60 would require that teachers’ “classroom performance” determine pay increases and retention.

( + ) Measure 63 would eliminate some of the bureaucratic interference involved with small property improvements by exempting specified property owners from building permit requirements for improvements valued at or under \$35,000.

( + ) Measure 64 would penalize anyone who uses funds collected with public resources (including money, public employee hours, buildings, and equipment) for a political purpose (such as campaigning).



## SOUTH DAKOTA

( - ) Constitutional Amendment G would repeal certain reimbursement restrictions for travel by legislators to and from a legislative session. Legislators are currently reimbursed 5 cents per mile traveled to and from the legislature on the first and last day of session. All other travel days are reimbursed at the state rate per mile. Passage of Amendment G would result in higher reimbursement costs.

( - ) Constitutional Amendment I would provide for an increase in the maximum number of legislative days per year from 35 to 40. Longer legislative sessions can mean more time for legislative mischief. According to Senator Jerry Apa, Chair of the Senate Appropriations Committee, the extra days in session will cost taxpayers at least \$115,000.

( - ) Constitutional Amendment J would eliminate the term limits for state legislators that were first passed by voters in 1992. Passage of this amendment would mean putting more power in the hands of incumbent politicians and the lobbyists who know them well.

( - ) Initiated Measure 9 aims to prohibit the practice of “short selling” in the financial securities trade. Short sellers “sell high” with the intention of “buying back low.” The Securities and Exchange Commission, which sets rules and regulations for financial markets, has traditionally allowed this type of trading activity. It is not clear that Measure 9 would stand up to legal scrutiny if passed.

( + ) Initiated Measure 10 would prohibit taxpayer funds from being used for lobbying, bar legislators and their staff from being able to use their positions to secure state-contracted jobs, outlaw the process of trading state contracts for campaign donations, and create an online database of state contracts exceeding \$500.



## TENNESSEE

City of Memphis residents will consider the following charter amendments:

( + ) Referendum No. 1 would institute term limits for the mayor, city council, and city court clerk. No person would serve more than two consecutive four-year terms.

( - ) Referendum No. 4 would suspend any elected or appointed official charged with or indicted for official malfeasance with pay pending resolution of the charge.

Knox County residents will consider the following charter amendments:

( + ) The Making County Commission Accountable amendments (the “orange” petition) would prohibit nepotism in county hiring decisions; require officials and employees to disclose conflicts of interest and remove themselves from related decision-making processes; prohibit county commissioners from being employed by any other branch of county government; and stagger commissioner terms while increasing the number of commissioners selected by each voter.

( + ) The Making Future County Mayors and the Executive Branch Accountable amendments (the “white” petition) would establish an independent Office of Inspector General to detect and prevent fraud, waste and abuse; require officials to disclose conflicts of interest and remove themselves from related decision-making processes; and align control over \$9 million in fees with the regular county budget.



## UTAH

( + ) Constitutional Amendment B, the Utah State Trust Fund Amendment, would allow the permanent state trust fund set up for the 1998 tobacco settlement to receive other forms of money, including severance tax revenues gained from natural resource extraction. Three-fourths of the legislature and the governor must agree to spend money from this trust fund, and expanding the scope of the fund could provide a “rainy day” account that prevents future tax hikes during tight budgetary times.



## VIRGINIA

( - ) Loudoun County residents will vote on a measure to levy a 4 percent “meals tax” on prepared food and beverages.



## WASHINGTON

( + ) Initiative Measure No. 985, the Reduce Traffic Congestion Initiative, would open carpool lanes for everyone during non-rush hours and would mandate the synchronization of traffic lights. It would also redirect existing funds (including 15 percent of state sales and use taxes on vehicles, along with certain traffic ticket fines and tolls) to congestion relief. Supporters argue this will direct up to \$668.6 million to traffic-reduction programs over the first five years.

( - ) Initiative Measure No. 1029, the Long-Term Care Initiative, would require those who work with the elderly and disabled to receive more training and become formally certified. It would apply to people hired after January 1, 2010 and cost \$23 million to implement from 2010 to 2012. Critics say this measure would increase out-of-pocket care costs for individuals and families.



## WISCONSIN

( - ) The Wisconsin Health Care Guarantee Referendum (on the ballot in selected cities) would declare that the state legislature should enact reforms that guarantee every Wisconsin resident affordable health care. Government guarantees could result in socialized medicine with high taxpayer costs.



## WYOMING

( - ) Constitutional Amendment B would make getting initiatives on the ballot harder by changing the petition qualification requirements from 15 percent of voters in two-thirds of counties to 15 percent of voters in two-thirds of state senate districts. Taxpayers have used ballot initiatives to pass many important tax and spending limitation measures in recent decades, and many believe that access to this form of direct democracy should be promoted, not made more difficult.

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