

I&R TALKING POINTS

Select the ones pertinent to your audience.

"... Governments are instituted among Men, deriving their just Powers
from the Consent of the Governed, ..."

The DECLARATION OF INDEPENDENCE, 1776

"All political power is inherent in the people, and all free governments are founded
on their authority, and instituted for their benefit."

THE TEXAS CONSTITUTION, Article 1, Section 2

1. I&R is the people's check on government. In Texas, we don't have it.

2. Sometimes it is claimed that if Texans had the Initiative and Referendum (I&R) it would be used to hurt minorities. This objection is not a valid because:

- A. The U.S. Constitution prohibits laws that discriminate against minorities;
- B. Proposed initiatives will be scrutinized by the Attorney-General's office for constitutionality,
- C. A bad law can always be reversed by another Initiative, or stayed by the Court.

D. If a proposed law doesn't inherently benefit voters, it probably won't pass. In 100-year of initiative activity, in 24 states only 1,902 initiatives have been placed on the ballot; and voters approved only 787 of the proposals.

Citizens are far more cautious than Legislators. Every session in just 140 days, Texas Legislators impose over 1,000 new laws on Texans.

3. False arguments opposing I&R rights for Texans are common. They include:

A. Representative government in Texas would end. (Not so, the TX legislature would still pass over 99% of the laws. I&R is simply our constitutional right of petition enumerated in the First Amendment of the Bill of Rights.)

B. Special Interests would gain advantage. (No, actually, Special Interests would lose their advantage of monopolizing legislative activity thru their lobbyists. That's why Special Interests so uniformly oppose I&R.)

C. Texas would be flooded with elections. (Not true, qualifying initiatives would appear on the ballot only at the next state-wide general election in November of an even-numbered year.)

D. The ballot would be flooded with propositions. (Unlikely, but it's a non-problem. See *The Dallas Morning News*, 3/17/96 , editorial page under INITIATIVE REFORM: the largest example of ballot flooding in California , 1990: 28 propositions; politicians placed 19 on the ballot; the citizens initiated only 9. Voters voted for 6 of the 9 initiatives, rejecting the remaining 22.)

E. Prop 13 ruined California, etc. (This is a claim frequently made, but to be brief, 3 studies cited in *The Austin American-Statesman* editorial page, "Proposition 13 defended," (10/10/94), concluded: Prop 13 didn't cause the California "mess." A recession and a withdrawal of government defense contracts caused the drastic shortfall in revenue.)

4. The consolidated ownership of the news media creates false perceptions within the citizenry. The competitive, free-market era of media's critical oversight of government is practically non-existent. I&R powers are needed to offset this governmental and Special Interests' distortion of issues and conditions (and to propose appropriate reforms).

5. John Talley, retired legislator from Longview , TX , states: "There are those occasions under our form of government when the interests of the represented --- and the interests of the representatives are at odds. The Initiative is the means by which the represented assure their interests ultimately prevail. The Trans-TX Corridor land grab and toll road menace and our unconstitutional Public School Finance Bill are examples of the legislature and the citizenry being "at odds." I&R

powers are needed to "assure" that our "interests ultimately prevail."

6. INITIATIVE AND REFERENDUM IS **NOT** ABOUT POLITICS. IT'S ABOUT **FREEDOM**:

A. *Freedom from an abusive government*: Milton Friedman, Nobel Prize-winning economist states: "I believe our present predicament exists because we have gradually developed governmental institutions in which the people effectively have no voice." THRU I&R, TEXANS WOULD POSSESS THAT VOICE!

B. *Freedom to exercise our constitutional right*: Jerry Patterson, Land Commissioner and former State Senator, states, "The first amendment to the U.S. Constitution enumerates the right of the people "to petition the government for redress of grievances.' . . .The legislature should pass I&R and enact this right guaranteed by both the U.S. and the Texas constitutions."

C. *Freedom from government corruption*: President Woodrow Wilson in 1913 stated: "We are cleaning house, and in order to clean house the one thing we need is a good broom. Initiative and referendum are good brooms."

7. Two separate polls show that the majority of Texans favor I&R: 1) the National Federation of Independent Business poll --- 62% favored I&R with 21% opposed, and 2) A Rasmussen Research random sample of 500 adult Texans in 1998 found that Texans want initiative rights by a margin of 74% to 12%.

8. New York Public Interest Research Group Research studied voter turnout during the years 1976 to 1996. Voter turnout was 6% higher in I&R states.

9. Prof. John Matsusaka, University of Southern California studied government spending over a 30-year period. Spending in I&R states was 4% lower than in non-I&R states.

10. Initiative and Referendum was in the platform of the Republican Party of Texas (RPT) from 1979 to 1996. It had the support of people such as William Clements, Walter Mengden, Waggoner Carr, Dick Armey, George W. Bush, Tom Craddick and Jerry Patterson. Furthermore, 2 separate advisory referendums on the Republican Party primary ballots showed rank and file Republicans to favor I&R by margins of 7 to 1 and 5 to 1. In the mid-90s, as the Republican Party came into control of all branches of the Texas State government, the platform plank favoring I&R was replaced with one opposing I&R.

11. I&R is a tool of reform available to citizens when elected officials disappoint, as they regularly do. Taxes and regulation are on the rise. Government growth has accelerated. The remedy is to implement a tool (I&R) by which people can actually check government.

12. The recent state laws creating the Trans-Texas Corridor, which is opposed in the party platform, and allowing local officials in several urban areas to quickly convert free roads to toll roads, and build new ones, with minimal citizen participation is an excellent indicator of why I & R is needed – **to correct the effects of bad government decisions**. The last session showed Republican voters the weaknesses in a process that leaves all power in the hands of elected and appointed officials.

13. In sum...I&R offers Texans the only tool powerful enough to roll back government peacefully. Its risks are so small as to be inconsequential.

“Men by their makeup are naturally divided into two camps: those who fear and distrust the people and wish to draw all powers from them into the hands of higher classes; and those who identify themselves with the people, have confidence in them, cherish and consider them the safest and most honest, if not always the wisest repository of the public interest.....These two camps exist in every country, and wherever men are free to think, speak, and write, they will identify themselves.”

— Thomas Jefferson