I certify that the attached is a true and correct copy of HJR 65, which was filed of record on MAR 9 1987 and referred to the committee on: Transportation

Chief Clerk of the House

FILED MAR 9 '87

1987 MAR 16 PM 4:41
HOUSE OF REPRESENTATIVES

By David H. Cain

H.J.R. No. 65

A JOINT RESOLUTION

proposing a constitutional amendment in aid of turnpikes, toll roads, and toll bridges.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article III, Section 52-b, of the Texas Constitution is amended to read as follows:

Sec. 52-b. (a) The Legislature shall have no power or authority to in any manner lend the credit of the State or grant any public money to, or assume any indebtedness, present or future, bonded or otherwise, of any individual, person, firm, partnership, association, corporation, public corporation, public agency, or political subdivision of the State, or anyone else, which is now or hereafter authorized to construct, maintain or operate toll roads and turnpikes within this State, except as specifically authorized by this section.

(b) In addition to the statutory powers of the State Department of Highways and Public Transportation and the Texas Turnpike Authority to contract with respect to joint highway projects, the department may enter into agreements with the authority that permit the department or the State to contribute money, from any source available, to the costs of turnpikes, toll roads, or toll bridges of the authority.

(c) Notwithstanding any provision of this constitution or other law to the contrary, and as additional powers and authority, the commissioners court of each county with a population of more

than 400,000, according to the most recent federal census, or of a county adjoining a county of more than 400,000 population, or the governing body of a political subdivision located wholly or partly in any of those counties, may, after approval of a majority of the qualified voters of the county or other political subdivision, voting at an election called for that purpose by the commissioners court or other governing body, levy, assess, collect, and pledge for the purposes of this subsection a special annual ad valorem tax on all taxable property in the county or other political subdivision. The tax may be levied in addition and without regard to other taxes and without limit as to rate or amount, or within any designated limits, so that sufficient revenue is produced to pay all or any part of the principal of and interest on the bonds issued by the Texas Turnpike Authority or all or any part of the maintenance and operation expenses of projects located wholly or partly in the county or other political subdivision, to the extent that the net operating revenues of the authority pledged to the payment of the bonds or the maintenance and operation expenses are not adequate to pay when due all or any part of the principal and interest or maintenance and operation expenses. An election under this subsection shall be conducted in the same manner as bond elections of the county or other political subdivision. The ballot proposition may designate any limits in the rate or amount of taxes. The commissioners court or other governing body may enter into agreements with the authority or each other and may enter into any other covenants and agreements with a trustee or other person as it determines advisable to exercise the powers authorized by

this section.

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held on November 3, 1987. The ballot shall be printed to provide for voting for or against the proposition: "The constitutional amendment authorizing agreements between the State Department of Highways and Public Transportation and the Texas Turnpike Authority and the governing bodies of counties with a population of more than 400,000, adjoining counties, and cities and other political subdivisions located in those counties to aid turnpikes, toll roads, and toll bridges by guaranteeing bonds issued by the Texas Turnpike Authority."

HOUSE COMMITTEE REPORT

1987 APR -2 PM 8:02
HOUSE OF REPRESENTATIVES

1st. Printing

By Cain H.J.R. No. 65

Substitute the following for H.J.R. No. 65:

By Cain C.S.H.J.R. No. 65

A JOINT RESOLUTION

proposing a constitutional amendment in aid of turnpikes, toll roads, and toll bridges.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article III, Section 52-b of the Texas Constitution is amended to read as follows:

Sec. 52-b. (a) The Legislature shall have no power or authority to in any manner lend the credit of the State or grant any public money to, or assume any indebtedness, present or future, bonded or otherwise, of any individual, person, firm, partnership, association, corporation, public corporation, public agency, or political subdivision of the State, or anyone else, which is now or hereafter authorized to construct, maintain or operate toll roads and turnpikes within this State; provided, however, in addition to the existing powers of the State Department of Highways and Public Transportation (the "Department") and the Texas Turnpike Authority (the "Authority") to contract with respect to joint highway projects, the Department may enter into agreements with the Authority whereby the Department or the State of Texas may contribute money, from any source available, to the costs of turnpikes, toll roads, or toll bridges of the Authority.

(b) Notwithstanding the provisions of this or any other section of this constitution (including particularly, but not by way of limitation, Article III, Section 52) or other provision of law, and as additional powers and authority, the commissioners

court of each county with a population of more than 400,000 according to the most recent federal census, or of any counties adjoining any such county, or the governing body of a city or defined district located wholly or partially in any of those counties, may, on approval of a majority of the qualified voters of the county, city, or district voting at an election called for that purpose by the commissioners court or the governing body, cause to be assessed and collected and may levy and pledge for the purposes of this subsection a separate and special annual ad valorem tax on all taxable property in the county, city, or district. The tax may be levied in addition and without regard to other taxes and without limit as to rate or amount, or within any designated limits, so that sufficient revenue is produced to pay all or any part of the principal of and interest on the bonds issued by the Texas Turnpike Authority or all or any part of the maintenance and operation expenses of projects located wholly or partially in the county, city, or district, to the extent that the net operating revenues of the Authority pledged to the payment of the bonds and/or maintenance and operation expenses are not adequate to pay when due all or any part of the principal and interest or maintenance and operation expenses. An election under this subsection shall be conducted in the same manner as bond elections of the county, city, or district and may designate any limits in the rate or amount of taxes. The commissioners court or governing body may make and enter into agreements with the Authority or each other and may make and enter into any other covenants and agreements with a trustee or otherwise as it determines advisable to exercise the foregoing

powers.

Because all other matters relating to the issuance of bonds and the levy and collection of taxes authorized by this subsection are subject to the Texas Turnpike Authority Act, Chapter 410, Acts of the 53rd Legislature, Regular Session, 1953, as amended (Article 6674v, Vernon's Texas Civil Statutes), and to other laws, this subsection is self-executing and requires no enabling legislation. Should the Legislature, however, enact enabling laws in anticipation of the adoption of this amendment, such acts shall not be void by reason of their anticipatory nature.

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held on November 3, 1987. The ballot shall be printed to provide for voting for or against the proposition: "The constitutional amendment authorizing agreements between the State Department of Highways and Public Transportation and the Texas Turnpike Authority and the governing bodies of counties with a population of more than 400,000, adjoining counties, and cities and districts located in those counties to aid turnpikes, toll roads, and toll bridges by guaranteeing bonds issued by the Texas Turnpike Authority."

COMMITTEE REPORT

The Honorable Gib Lewis
Speaker of the House of Representatives

March31, 1987
(date)

Sir:

We, your COMMITTEE ON TRANSPORTATION,

to whom was referred HJR 65 (measure) have had the same under consideration and beg to report back with the recommendation that it

( ) do pass, without amendment.
( ) do pass, with amendment(s).
(x) do pass and be not printed; a Complete Committee Substitute is recommended in lieu of the original measure.

A fiscal note was requested. (x) yes ( ) no

An actuarial analysis was requested. ( ) yes (xx) no

An author's fiscal statement was requested. ( ) yes (xx) no

~~The Committee recommends that this measure be placed on the (Local) or (Consent) Calendar.~~

This measure ( ) proposes new law. (xx) amends existing law.

House Sponsor of Senate Measure _____

The measure was reported from Committee by the following vote:

	AYE	NAY	PNV	ABSENT
Cain, Ch.	x			
Russell, V.C.	x			
Williamson, C.B.O.	x			
Carter	x			
Clemons	x			
Edwards	x			
Pierce	x			
Taylor	x			
Wright				x

Total
8 aye
0 nay
0 present, not voting
1 absent

David Cain
CHAIRMAN

Laura Calfee
COMMITTEE COORDINATOR

CSHJR65
By Cain

Committee on Transportation

BILL ANALYSIS

Background Information

The principal and interest on bonds issued by the Texas Turnpike Authority to finance toll road construction are paid off by revenues generated by the tolls paid by users. Ratings for these bonds depend on the amount of revenue that can be expected on a facility, with interest rates on the bonds depending on the ratings. Given that near-term revenue projections for such toll road projects rarely approach 1.2 return ratio which bond underwriters require for premium ratings, toll road issues garner lower ratings and produce long-term state expenditures to offset the high interest rates on the bonds.

This resolution will amend the Texas Constitution to allow counties with populations in excess of 400,000, and cities within these counties, to administer an ad valorem tax with revenues pledged for payments on bonds issued by the Turnpike Authority. This tax is levied in the event toll revenues do not produce sufficient funds to pay principal and interest obligations. This amendment provides the financial backing for Turnpike bonds to receive better ratings and thus, produce savings for the state in the form of lower interest payments.

Purpose

This resolution amends Article III, Sec. 52-b of the Texas Constitution to allow counties with populations in excess of 400,000, and cities within, to wholly or partially guaranty Texas Turnpike Authority revenue bonds.

Section-by-Section Analysis

Section 1 amends the Texas Constitution, Article III, Sec. 52-b(a), and adds subsection (c) which provides for the Texas Turnpike Authority or the State Department of Highways and Public Transportation to enter into agreements with any available source for the purpose of contributing money in aid of turnpikes, toll roads or bridges. The Commissioners Court of a county exceeding 400,000 in population may, after approval of majority vote, levy, assess, collect and pledge an annual ad valorem tax on all taxable property in the county, city or district to pay the principal and interest on bonds issued by the Texas Turnpike Authority. Counties and cities may enter into agreements with the Authority to exercise authority provided in this section. Subsection (b) is self-exempting and requires no enabling legislation.

Section 2 stipulates the election will be held on November 3, 1987, with the following proposition to be voted for or against: "The constitutional amendment authorizing agreements between the State Department of Highways and Public Transportation and the Texas Turnpike Authority and the governing bodies of counties with a population of more than 400,000, adjoining counties, and cities and districts located in those counties to aid turnpikes, toll roads, and toll bridges by guaranteeing bonds issued by the Texas Turnpike Authority.

Rulemaking Authority

Otherwise, it is the opinion of this committee that this bill does not grant any additional rulemaking authority to any state officer, agency, department, or institution.

3/26/87 GC

Summary of Committee Action

Public notice was posted in accordance with Rule 4, Rules of Procedure of the House of Representatives and a public hearing was held on March 31, 1987.

On March 31, 1987 the full committee voted to report HJR65 to the House with a substitute and the recommendation that it do pass by a record vote 8 ayes, 0 nays, 0 present not voting and 1 absent.

On March 31, 1987 the full committee voted to report CSHJR65 to the House with the recommendation that it do pass by a record vote of 8 ayes, 0 nays, 0 present not voting and 1 absent.

The following persons testified at the public hearing in favor of the bill: Robert Neely, representing the Texas Turnpike Authority; R.J. Lindley, Jr.; Eguene W. Robbins, representing the Texas Good Roads/Transportation Association; William J. Roberts, Judge, Collin county, representing the Collin County Commissioners Court; John Davis Worley, representing the Metropolitan Transportation Coalition. The following were recognized as being on record in favor of the bill: J.Frank Holt, representing the Texas Turnpike Authority; Walter Mischer, Jr., representing the Texas Turnpike Authority; Daniel Becker, representing Howard Needles Tammen Bergendoff; Charles G. Purnell; Robert Randolph, representing the Texas Turnpike Authority; Vesta Rea-Gaubert, representing Howard Needles Tammen Bergendoff; John Wight, representing Howard Needles Tammen Bergendoff; Robert Lewis; Glenn T. Johnson; Ronald Kirk, representing A. Starke Taylor, Mayor, City of Dallas; Harry Kabler, representing the Texas Turnpike Authority; John W. Fainter, Jr., representing the Texas Turnpike Authority; Lee Jackson, County Judge, Dallas County; Craig Pardue, representing Dallas County; Luther DeBerry; Donald M. Ward, representing the Texas Good Roads/Transportation Association; Gilbert Turrieta, representing the Houston Chamber of Commerce and Bill Coody. There were no other witnesses present to testify for, against or on the bill.

Comparison of original bill to substitute

CSHJR65 does not include subsection 52-b(c), but combines the language into subsection (a) and (b). It also provides that this new subsection (b) is self-executing and requires no enabling legislation.

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE

March 31, 1987

TO: Honorable David H. Cain, Chair
Committee on Transportation
House of Representatives
Austin, Texas

In Re: House Joint Resolution No. 65
By: Cain

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on House Joint Resolution No. 65 (proposing a constitutional amendment in aid of turnpikes, toll roads, and toll bridges) this office has determined the following:

The resolution proposes a constitutional amendment which, if adopted, would allow the State Department of Highways and Public Transportation, counties with population over 400,000 and their adjacent counties, or political subdivisions in counties with population over 400,000 to contribute to the cost of turnpikes, toll roads, and toll bridges. The proposed amendment would be submitted to the voters on November 3, 1987.

The cost of publication of the resolution to the State is estimated to be $45,000.

The constitutional amendment would be implemented by House Bill No. 1364 or similar legislation.

House bill No. 1364 would allow the State Department of Highways and Public Transportation to participate with the Texas Turnpike Authority in constructing, operating, and maintaining turnpikes, toll roads and toll bridges. The bill would authorize the Texas Turnpike Authority to issue bonds, the repayment of which could be from sources subject to legislative appropriations.

Fiscal implications of the bill to the State cannot be determined because they depend on future actions of the State Department of Highways and Public Transportation and the Legislature.

The bill would also authorize counties to issue bonds and local governmental entities to issue bonds or pledge other revenues for the construction, operation, or maintenance of Texas Turnpike Authority projects. Fiscal implications of this bill to counties and local governmental entities cannot be determined because issuance of bonds require approval of the qualified voters in an affected jurisdiction and other agreements depend on future actions by local governmental officials.

Source: Secretary of State;
State Department of Highways and Public Transportation;
LBB Staff: JO, HES, JWH, SM, PA

ADOPTED

APR 29 1987

Betty Murray
Chief Clerk
House of Representatives

By Cain H.J.R. No. 65

Substitute the following for H.J.R. No. 65:

By Cain C.S.H.J.R. No. 65

A JOINT RESOLUTION

proposing a constitutional amendment in aid of turnpikes, toll roads, and toll bridges.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article III, Section 52-b of the Texas Constitution is amended to read as follows:

Section 52-b. (a) The Legislature shall have no power or authority to in any manner lend the credit of the State or grant any public money to, or assume any indebtedness, present or future, bonded or otherwise, of any individual, person, firm, partnership, association, corporation, public corporation, public agency, or political subdivision of the State, or anyone else, which is now or hereafter authorized to construct, maintain or operate toll roads and turnpikes within this State; provided, however, in addition to the existing powers of the State Department of Highways and Public Transportation (the "Department") and the Texas Turnpike Authority (the "Authority") to contract with respect to joint highway projects, the Department may enter into agreements with the Authority whereby the Department or the State of Texas may contribute money, from any source available, to the costs of turnpikes, toll roads, or toll bridges of the Authority.

(b) Notwithstanding the provisions of this or any other section of this constitution (including particularly, but not by

way of limitation, Article III, Section 52) or other provision of law, and as additional powers and authority, the commissioners court of each county with a population of more than 400,000 according to the most recent federal census, or of any counties adjoining any such county, or the governing body of a city or defined district located wholly or partially in any of those counties, may, on approval of a majority of the qualified voters of the county, city, or district voting at an election called for that purpose by the commissioners court or the governing body, cause to be assessed and collected and may levy and pledge for the purposes of this subsection a separate and special annual ad valorem tax on all taxable property in the county, city, or district. The tax may be levied in addition and without regard to other taxes and without limit as to rate or amount, or within any designated limits, so that sufficient revenue is produced to pay all or any part of the principal of and interest on the bonds issued by the Texas Turnpike Authority or all or any part of the maintenance and operation expenses of projects located wholly or partially in the county, city, or district, to the extent that the net operating revenues of the Authority pledged to the payment of the bonds and/or maintenance and operation expenses are not adequate to pay when due all or any part of the principal and interest or maintenance and operation expenses. An election under this subsection shall be conducted in the same manner as bond elections of the county, city, or district and may designate any limits in the rate or amount of taxes. The commissioners court or governing body may make and enter into agreements with

the Authority or each other and may make and enter into any other covenants and agreements with a trustee or otherwise as it determines advisable to exercise the foregoing powers.

Because all other matters relating to the issuance of bonds and the levy and collection of taxes authorized by this subsection are subject to ~~the Texas~~ Turnpike Authority Act, Chapter 410, Acts of the 53rd Legislature, Regular Session, 1953, ~~as amended~~ (Article 6674v, Vernon's Texas Civil Statutes), and to other laws, this subsection is self-executing and requires no enabling legislation. Should the Legislature, however, enact enabling laws in anticipation of the adoption of this amendment, such acts shall not be void by reason of their anticipatory nature.

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held on November 3, 1987. The ballot shall be printed to provide for voting for or against the proposition: "The constitutional amendment authorizing agreements between the State Department of Highways and Public Transportation and the Texas Turnpike Authority and the governing bodies of counties with a population of more that 400,000, adjoining counties, and cities and districts located in those counties to aid turnpikes, toll roads, and toll bridges by guaranteeing bonds issued by the Texas Turnpike Authority."

HOUSE ENGROSSMENT

1997 APR 29 PM 11:06
HOUSE OF REPRESENTATIVES

By Cain H.J.R. No. 65

A JOINT RESOLUTION

proposing a constitutional amendment in aid of turnpikes, toll roads, and toll bridges.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article III, Section 52-b, of the Texas Constitution is amended to read as follows:

Sec. 52-b. (a) The Legislature shall have no power or authority to in any manner lend the credit of the State or grant any public money to, or assume any indebtedness, present or future, bonded or otherwise, of any individual, person, firm, partnership, association, corporation, public corporation, public agency, or political subdivision of the State, or anyone else, which is now or hereafter authorized to construct, maintain or operate toll roads and turnpikes within this State; provided, however, in addition to the existing powers of the State Department of Highways and Public Transportation (the "Department") and the Texas Turnpike Authority (the "Authority") to contract with respect to joint highway projects, the Department may enter into agreements with the Authority whereby the Department or the State of Texas may contribute money, from any source available, to the costs of turnpikes, toll roads, or toll bridges of the Authority.

(b) Notwithstanding the provisions of this or any other section of this constitution (including particularly, but not by way of limitation, Article III, Section 52) or other provision of law, and as additional powers and authority, the commissioners

court of each county with a population of more than 400,000 according to the most recent federal census, or of any counties adjoining any such county, or the governing body of a city or defined district located wholly or partially in any of those counties, may, on approval of a majority of the qualified voters of the county, city, or district voting at an election called for that purpose by the commissioners court or the governing body, cause to be assessed and collected and may levy and pledge for the purposes of this subsection a separate and special annual ad valorem tax on all taxable property in the county, city, or district. The tax may be levied in addition and without regard to other taxes and without limit as to rate or amount, or within any designated limits, so that sufficient revenue is produced to pay all or any part of the principal of and interest on the bonds issued by the Texas Turnpike Authority or all or any part of the maintenance and operation expenses of projects located wholly or partially in the county, city, or district, to the extent that the net operating revenues of the Authority pledged to the payment of the bonds and/or maintenance and operation expenses are not adequate to pay when due all or any part of the principal and interest or maintenance and operation expenses. An election under this subsection shall be conducted in the same manner as bond elections of the county, city, or district and may designate any limits in the rate or amount of taxes. The commissioners court or governing body may make and enter into agreements with the Authority or each other and may make and enter into any other covenants and agreements with a trustee or otherwise as it determines advisable to exercise the foregoing

powers. Because all other matters relating to the issuance of bonds and the levy and collection of taxes authorized by this subsection are subject to Chapter 410, Acts of the 53rd Legislature, Regular Session, 1953 (Article 6674v, Vernon's Texas Civil Statutes), and to other laws, this subsection is self-executing and requires no enabling legislation. Should the Legislature, however, enact enabling laws in anticipation of the adoption of this amendment, such Acts shall not be void by reason of their anticipatory nature.

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held on November 3, 1987. The ballot shall be printed to provide for voting for or against the proposition: "The constitutional amendment authorizing agreements between the State Department of Highways and Public Transportation and the Texas Turnpike Authority and the governing bodies of counties with a population of more than 400,000, adjoining counties, and cities and districts located in those counties to aid turnpikes, toll roads, and toll bridges by guaranteeing bonds issued by the Texas Turnpike Authority."

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE

March 31, 1987

TO: Honorable David H. Cain, Chair
Committee on Transportation
House of Representatives
Austin, Texas

In Re: House Joint Resolution No. 65
By: Cain

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on House Joint Resolution No. 65 (proposing a constitutional amendment in aid of turnpikes, toll roads, and toll bridges) this office has determined the following:

The resolution proposes a constitutional amendment which, if adopted, would allow the State Department of Highways and Public Transportation, counties with population over 400,000 and their adjacent counties, or political subdivisions in counties with population over 400,000 to contribute to the cost of turnpikes, toll roads, and toll bridges. The proposed amendment would be submitted to the voters on November 3, 1987.

The cost of publication of the resolution to the State is estimated to be $45,000.

The constitutional amendment would be implemented by House Bill No. 1364 or similar legislation.

House bill No. 1364 would allow the State Department of Highways and Public Transportation to participate with the Texas Turnpike Authority in constructing, operating, and maintaining turnpikes, toll roads and toll bridges. The bill would authorize the Texas Turnpike Authority to issue bonds, the repayment of which could be from sources subject to legislative appropriations.

Fiscal implications of the bill to the State cannot be determined because they depend on future actions of the State Department of Highways and Public Transportation and the Legislature.

The bill would also authorize counties to issue bonds and local governmental entities to issue bonds or pledge other revenues for the construction, operation, or maintenance of Texas Turnpike Authority projects. Fiscal implications of this bill to counties and local governmental entities cannot be determined because issuance of bonds require approval of the qualified voters in an affected jurisdiction and other agreements depend on future actions by local governmental officials.

Source: Secretary of State;
State Department of Highways and Public Transportation;
LBB Staff: JO, HES, JWH, SM, PA

SENATE FAVORABLE COMMITTEE REPORT

Lt. Governor William P. Hobby
President of the Senate

5/19/87
(date)/(time)

Sir:

We, your Committee on STATE AFFAIRS to which was referred HJR 65 (measure) by Cain (sponsor) have on 5/18 (hearing date), 1987, had the same under consideration and I am instructed to report it back with the recommendation (s) that it

(✓) do pass and be printed

( ) do pass and be ordered not printed

( ) and is recommended for placement on the Local and Uncontested Bills Calendar.

A fiscal note was requested.	(✓) yes	( ) no
A revised fiscal note was requested.	( ) yes	(✓) no
An actuarial analysis was requested.	( ) yes	(✓) no
Considered by subcommittee.	( ) yes	(✓) no

Senate Sponsor of House Measure [illegible]

The measure was reported from Committee by the following vote:

	YEA	NAY	PNV	ABSENT
Farabee, Chairman	✓			
Blake, Vice Chairman	✓			
Barrientos	✓			
Caperton	✓			
Edwards				✓
Harris	✓			
Henderson	✓			
Leedom	✓			
Lyon				✓
McFarland	✓			
Parmer				✓
Sarpalius				✓
Washington				✓
TOTAL VOTES	8			5

[signature]
COMMITTEE CLERK

[signature]
CHAIRMAN

Paper clip the original and one copy of this form to the original bill and retain one copy for your file.

F

ENROLLED

H.J.R. No. 65

A JOINT RESOLUTION

proposing a constitutional amendment in aid of turnpikes, toll roads, and toll bridges.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article III, Section 52-b, of the Texas Constitution is amended to read as follows:

Sec. 52-b. (a) The Legislature shall have no power or authority to in any manner lend the credit of the State or grant any public money to, or assume any indebtedness, present or future, bonded or otherwise, of any individual, person, firm, partnership, association, corporation, public corporation, public agency, or political subdivision of the State, or anyone else, which is now or hereafter authorized to construct, maintain or operate toll roads and turnpikes within this State; provided, however, in addition to the existing powers of the State Department of Highways and Public Transportation (the "Department") and the Texas Turnpike Authority (the "Authority") to contract with respect to joint highway projects, the Department may enter into agreements with the Authority whereby the Department or the State of Texas may contribute money, from any source available, to the costs of turnpikes, toll roads, or toll bridges of the Authority.

(b) Notwithstanding the provisions of this or any other section of this constitution (including particularly, but not by way of limitation, Article III, Section 52) or other provision of law, and as additional powers and authority, the commissioners

1 court of each county with a population of more than 400,000
2 according to the most recent federal census, or of any counties
3 adjoining any such county, or the governing body of a city or
4 defined district located wholly or partially in any of those
5 counties, may, on approval of a majority of the qualified voters of
6 the county, city, or district voting at an election called for that
7 purpose by the commissioners court or the governing body, cause to
8 be assessed and collected and may levy and pledge for the purposes
9 of this subsection a separate and special annual ad valorem tax on
10 all taxable property in the county, city, or district. The tax may
11 be levied in addition and without regard to other taxes and without
12 limit as to rate or amount, or within any designated limits, so
13 that sufficient revenue is produced to pay all or any part of the
14 principal of and interest on the bonds issued by the Texas Turnpike
15 Authority or all or any part of the maintenance and operation
16 expenses of projects located wholly or partially in the county,
17 city, or district, to the extent that the net operating revenues of
18 the Authority pledged to the payment of the bonds and/or
19 maintenance and operation expenses are not adequate to pay when due
20 all or any part of the principal and interest or maintenance and
21 operation expenses. An election under this subsection shall be
22 conducted in the same manner as bond elections of the county, city,
23 or district and may designate any limits in the rate or amount of
24 taxes. The commissioners court or governing body may make and
25 enter into agreements with the Authority or each other and may make
26 and enter into any other covenants and agreements with a trustee or
27 otherwise as it determines advisable to exercise the foregoing

powers. Because all other matters relating to the issuance of bonds and the levy and collection of taxes authorized by this subsection are subject to Chapter 410, Acts of the 53rd Legislature, Regular Session, 1953 (Article 6674v, Vernon's Texas Civil Statutes), and to other laws, this subsection is self-executing and requires no enabling legislation. Should the Legislature, however, enact enabling laws in anticipation of the adoption of this amendment, such Acts shall not be void by reason of their anticipatory nature.

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held on November 3, 1987. The ballot shall be printed to provide for voting for or against the proposition: "The constitutional amendment authorizing agreements between the State Department of Highways and Public Transportation and the Texas Turnpike Authority and the governing bodies of counties with a population of more than 400,000, adjoining counties, and cities and districts located in those counties to aid turnpikes, toll roads, and toll bridges by guaranteeing bonds issued by the Texas Turnpike Authority."

H.J.R. No. 65

President of the Senate

Speaker of the House

I certify that H.J.R. No. 65 was passed by the House on April 29, 1987, by the following vote: Yeas 139, Nays 0, 1 present, not voting.

Chief Clerk of the House

I certify that H.J.R. No. 65 was passed by the Senate on May 22, 1987, by the following vote: Yeas 30, Nays 0.

Secretary of the Senate

RECEIVED:

Date

Secretary of State

President of the Senate

Speaker of the House

I certify that H.J.R. No. 65 (1) was passed by the House on April 29 (2), 1987, by the following vote:

Yeas 139 (3), Nays 0, 1 present, not voting (4).

Chief Clerk of the House

I certify that H.J.R. No. 65 was passed by the Senate on May 22 (5), 1987, by the following vote:

Yeas 30 (6), Nays 0 (7).

Secretary of the Senate

RECEIVED:

Date

Secretary of State

**** Preparation: 'A;CT47;

H. J. R. No. 65

By Cain

HOUSE JOINT RESOLUTION

proposing a constitutional amendment in aid of turnpikes, toll roads, and toll bridges.

MAR 9 1987 — 1. Filed with the Chief Clerk.

MAR 16 1987 — 2. Read first time and referred to Committee on Transportation

MAR 31 1987 — 3. Reported favorably ~~(as amended)~~ (as substituted) and sent to Printer at 6:45 pm APR 1 1987

APR 2 1987 — 4. Printed and distributed at 8:02 pm

APR 3 1987 — 5. Sent to Committee on Calendars at 2:33 pm

APR 29 1987 — 6. Read second time (~~amended~~ as subs.) and (finally) passed ~~to Third Reading~~ by a Record Vote of 139 yeas, 0 nays, 1 present, not voting.

_____ 7. Motion to reconsider and table the vote by which H.J.R. _____ was ordered engrossed prevailed (failed) by (Non-Record Vote) (Record Vote of _____ yeas, _____ nays, _____ present, not voting).

_____ 8. Read third time (amended) and finally adopted (failed of adoption) by a Record Vote of _____ yeas, _____ nays, _____ present, not voting.

_____ 9. Caption ordered amended to conform to body of resolution.

_____ 10. Motion to reconsider and table the vote by which H.J.R. _____ was finally adopted prevailed (failed) by a (Non-Record Vote) Record Vote of _____ yeas, _____ nays, and _____ present, not voting).

APR 29 1987 — 11. Ordered Engrossed at 1:30 pm

APR 29 1987 — 12. Engrossed.

~~APR 29 1987~~ — 13. Returned to Chief Clerk at 11:06 pm

APR 30 1987 — 14. Sent to the Senate.

Betty Murray
Chief Clerk of the House

APR 30 1987 — 15. Received from the House

APR 30 1987 — 16. Read, referred to Committee on STATE AFFAIRS

MAY 19 1987 — 17. Reported favorably

_____ 18. Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.

_____ 19. Ordered not printed.

MAY 22 1987 — 20. Regular order of business suspended by unanimous consent ~~(a viva voce vote)~~ (_____ yeas, _____ nays.)

_____ 21. To permit consideration, reading and passage, Senate and Constitutional Rules suspended by vote of _____ yeas, _____ nays.

MAY 22 1987 — 22. Read second time _____ passed to third reading by: (a viva voce vote.) (_____ yeas, _____ ~~nays.)~~

_____ 23. Caption ordered amended to conform to body of bill.

MAY 22 1987 24. Senate and Constitutional 3-Day Rules suspended by vote of 29 yeas, 1 nays to place bill on third reading and final passage.

MAY 22 1987 25. Read third time and passed by ~~(a viva voce vote.)~~ (30 yeas, 0 nays.)

OTHER ACTION: OTHER ACTION:

Betty King
Secretary of the Senate

5-22-87 26. Returned to the House.

MAY 22 1987 27. Received from the Senate ~~(with amendments.)~~ ~~(as substituted.)~~

_____ 28. House (Concurred) (Refused to Concur) in Senate (Amendments) (Substitute) by a (Non-Record Vote) (Record Vote of _____ yeas, _____ nays, _____ present, not voting).

_____ 29. Conference Committee Ordered.

_____ 30. Conference Committee Report Adopted (Rejected) by a (Non-Record Vote) (Record Vote of _____ yeas, _____ nays, and _____ present, not voting).

MAY 22 1987 31. Ordered Enrolled at 4:19 pm

HOUSE OF REPRESENTATIVES
1987 APR -2 PM 8:02
HOUSE OF REPRESENTATIVES
1987 APR 30 PM 11:06

59