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By Mowery

H.J.R. No. 62

A JOINT RESOLUTION

1 proposing a constitutional amendment to eliminate duplicative,
2 executed, obsolete, archaic, and ineffective constitutional
3 provisions.

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

5 SECTION 1. Section 2, Article III, Texas Constitution, is
6 amended to read as follows:

7 Sec. 2. The Senate shall consist of thirty-one members [~~7~~ and
8 shall never be increased above this number]. The House of
9 Representatives shall consist of 150 [~~ninety-three~~] members [~~until~~
10 ~~the first apportionment after the adoption of this Constitution,~~
11 ~~when or at any apportionment thereafter,~~ the number of
12 Representatives may be increased by the Legislature, upon the ratio
13 of not more than one Representative for every fifteen thousand
14 inhabitants, provided, the number of Representatives shall never
15 exceed one hundred and fifty].

16 SECTION 2. Section 3, Article III, Texas Constitution, is
17 amended to read as follows:

18 Sec. 3. The Senators shall be chosen by the qualified voters
19 [~~electors~~] for the term of four years; but a new Senate shall be
20 chosen after every apportionment, and the Senators elected after
21 each apportionment shall be divided by lot into two classes. The
22 seats of the Senators of the first class shall be vacated at the
23 expiration of the first two years, and those of the second class at
24 the expiration of four years, so that one half of the Senators

1 shall be chosen biennially thereafter. Senators shall take office
2 following their election, on the day set by law for the convening
3 of the Regular Session of the Legislature, and shall serve
4 thereafter for the full term of years to which elected [~~and--until~~
5 ~~their-successors-shall-have-been-elected-and-qualified~~].

6 SECTION 3. Section 4, Article III, Texas Constitution, is
7 amended to read as follows:

8 Sec. 4. The Members of the House of Representatives shall be
9 chosen by the qualified voters [~~electors~~] for the term of two
10 years. Representatives shall take office following their election,
11 on the day set by law for the convening of the Regular Session of
12 the Legislature, and shall serve thereafter for the full term of
13 years to which elected [~~and-until-their-successors-shall-have-been~~
14 ~~elected-and-qualified~~].

15 SECTION 4. Section 5, Article III, Texas Constitution, is
16 amended to read as follows:

17 Sec. 5. (a) The Legislature shall meet every two years at
18 such time as may be provided by law and at other times when
19 convened by the Governor.

20 (b) When convened in regular Session, the first thirty days
21 thereof shall be devoted to the introduction of bills and
22 resolutions, acting upon emergency appropriations, passing upon the
23 confirmation of the recess appointees of the Governor and such
24 emergency matters as may be submitted by the Governor in special
25 messages to the Legislature. During [~~provided-that-during~~] the
26 succeeding thirty days of the regular session of the Legislature
27 the various committees of each House shall hold hearings to

1 the question of suspension, and entered upon the journals.

2 SECTION 11. Section 39, Article III, Texas Constitution, is
3 amended to read as follows:

4 Sec. 39. No law passed by the Legislature, except the
5 general appropriation act, shall take effect or go into force until
6 ninety days after the adjournment of the session at which it was
7 enacted, unless [~~in case of an emergency, which emergency must be~~
8 ~~expressed in a preamble or in the body of the act,~~] the Legislature
9 shall, by a vote of two-thirds of all the members elected to each
10 House, otherwise direct; said vote to be taken by yeas and nays,
11 and entered upon the journals.

12 SECTION 12. Section 48-e, Article III, Texas Constitution,
13 is amended to read as follows:

14 Sec. 48-e. Laws may be enacted to provide for the
15 establishment and creation of special districts to provide
16 emergency services and to authorize the commissioners courts of
17 participating counties to levy a tax on the ad valorem property
18 situated in said districts not to exceed Ten Cents (10¢) on the One
19 Hundred Dollars (\$100.00) valuation for the support thereof;
20 provided that no tax shall be levied in support of said districts
21 until approved by a vote of the qualified voters [~~electors~~]
22 residing therein. Such a district may provide emergency medical
23 services, emergency ambulance services, rural fire prevention and
24 control services, or other emergency services authorized by the
25 Legislature.

26 SECTION 13. Section 48-f, Article III, Texas Constitution,
27 is amended to read as follows:

1 Sec. 48-f. The legislature, by law, may provide for the
2 creation, operation, and financing of jail districts and may
3 authorize each district to issue bonds and other obligations and to
4 levy an ad valorem tax on property located in the district to pay
5 principal of and interest on the bonds and to pay for operation of
6 the district. An ad valorem tax may not be levied and bonds secured
7 by a property tax may not be issued until approved by the qualified
8 voters [~~electors~~] of the district voting at an election called and
9 held for that purpose.

10 SECTION 14. Section 49a, Article III, Texas Constitution, is
11 amended to read as follows:

12 Sec. 49a. (a) It shall be the duty of the Comptroller of
13 Public Accounts in advance of each Regular Session of the
14 Legislature to prepare and submit to the Governor and to the
15 Legislature upon its convening a statement under oath showing fully
16 the financial condition of the State Treasury at the close of the
17 last fiscal period and an estimate of the probable receipts and
18 disbursements for the then current fiscal year. There shall also
19 be contained in said statement an itemized estimate of the
20 anticipated revenue based on the laws then in effect that will be
21 received by and for the State from all sources showing the fund
22 accounts to be credited during the succeeding biennium and said
23 statement shall contain such other information as may be required
24 by law. Supplemental statements shall be submitted at any Special
25 Session of the Legislature and at such other times as may be
26 necessary to show probable changes.

27 (b) Except [~~From-and-after-January-17--1945--save~~] in the

1 consider all bills and resolutions and other matters then pending;
2 and such emergency matters as may be submitted by the Governor.
3 During~~[7--provided-further-that-during]~~ the remainder of the session
4 ~~[following-sixty-days]~~ the Legislature shall act upon such bills
5 and resolutions as may be then pending and upon such emergency
6 matters as may be submitted by the Governor in special messages to
7 the Legislature.

8 (c) Either~~[7--provided7-however7-either]~~ House may otherwise
9 determine its order of business by an affirmative vote of
10 four-fifths of its membership.

11 SECTION 5. Section 6, Article III, Texas Constitution, is
12 amended to read as follows:

13 Sec. 6. No person shall be a Senator, unless he be a citizen
14 of the United States, and, at the time of his election a qualified
15 voter ~~[elector]~~ of this State, and shall have been a resident of
16 this State five years next preceding his election, and the last
17 year thereof a resident of the district for which he shall be
18 chosen, and shall have attained the age of twenty-six years.

19 SECTION 6. Section 7, Article III, Texas Constitution, is
20 amended to read as follows:

21 Sec. 7. No person shall be a Representative, unless he be a
22 citizen of the United States, and, at the time of his election, a
23 qualified voter ~~[elector]~~ of this State, and shall have been a
24 resident of this State two years next preceding his election, the
25 last year thereof a resident of the district for which he shall be
26 chosen, and shall have attained the age of twenty-one years.

27 SECTION 7. Section 14, Article III, Texas Constitution, is

1 amended to read as follows:

2 Sec. 14. Senators and Representatives shall, except in cases
3 of treason, felony, or breach of the peace, be privileged from
4 arrest during the session of the Legislature, and in going to and
5 returning from the same [~~allowing one day for every twenty miles~~
6 ~~such member may reside from the place at which the Legislature is~~
7 ~~convened~~].

8 SECTION 8. Section 25, Article III, Texas Constitution, is
9 amended to read as follows:

10 Sec. 25. The State shall be divided into Senatorial
11 Districts of contiguous territory according to the number of
12 qualified voters [~~electors~~], as nearly as may be, and each district
13 shall be entitled to elect one Senator [~~and no single county shall~~
14 ~~be entitled to more than one Senator~~].

15 SECTION 9. Section 33, Article III, Texas Constitution, is
16 amended to read as follows:

17 Sec. 33. All bills for raising revenue shall originate in
18 the House of Representatives [~~but the Senate may amend or reject~~
19 ~~them as other bills~~].

20 SECTION 10. Section 32, Article III, Texas Constitution, is
21 amended to read as follows:

22 Sec. 32. No bill shall have the force of a law, until it has
23 been read on three several days in each House, and free discussion
24 allowed thereon; but [~~in cases of imperative public necessity~~
25 ~~which necessity shall be stated in a preamble or in the body of~~
26 ~~the bill~~] four-fifths of the House, in which the bill may be
27 pending, may suspend this rule, the yeas and nays being taken on

1 case of emergency and imperative public necessity and with a
2 four-fifths vote of the total membership of each House, no
3 appropriation in excess of the cash and anticipated revenue of the
4 funds from which such appropriation is to be made shall be valid.
5 No [~~From--and--after--January--17--1945--no~~] bill containing an
6 appropriation shall be considered as passed or be sent to the
7 Governor for consideration until and unless the Comptroller of
8 Public Accounts endorses his certificate thereon showing that the
9 amount appropriated is within the amount estimated to be available
10 in the affected funds. When the Comptroller finds an appropriation
11 bill exceeds the estimated revenue he shall endorse such finding
12 thereon and return to the House in which same originated. Such
13 information shall be immediately made known to both the House of
14 Representatives and the Senate and the necessary steps shall be
15 taken to bring such appropriation to within the revenue, either by
16 providing additional revenue or reducing the appropriation.

17 [~~For-the-purpose-of-financing-the-outstanding-obligations--of~~
18 ~~the--General--Revenue--Fund--of--the--State-and-placing-its-current~~
19 ~~accounts-on-a-cash-basis-the-Legislature-of-the-State-of--Texas--is~~
20 ~~hereby-authorized-to-provide-for-the-issuance, sale, and retirement~~
21 ~~of--serial--bonds,--equal--in--principal--to-the-total-outstanding,~~
22 ~~valid, and approved obligations owing by said fund on September--17,~~
23 ~~1943,--provided-such-bonds-shall-not-draw-interest-in-excess-of-two~~
24 ~~{2}-per-cent-per-annum-and-shall-mature-within--twenty--{20}--years~~
25 ~~from-date.]~~

26 SECTION 15. Sections 49-b, 49-b-1, 49-b-2, and 49-b-3,
27 Article III, Texas Constitution, are combined, reenacted as Section

1 49-b, and amended to read as follows:

2 Sec. 49-b. (a) The [By-virtue-of-prior-Amendments-to-this
3 Constitution, there has been created a governmental agency of the
4 State of Texas performing governmental duties which has been
5 designated the] Veterans' Land Board [Said Board shall continue
6 to function for the purposes specified in all of the prior
7 Constitutional Amendments except as modified herein, Said Board]
8 shall be composed of the Commissioner of the General Land Office
9 and two (2) citizens of the State of Texas, one (1) of whom shall
10 be well versed in veterans' affairs and one (1) of whom shall be
11 well versed in finances. One (1) such citizen member shall, with
12 the advice and consent of the Senate, be appointed biennially by
13 the Governor to serve for a term of four (4) years. In the event
14 of the resignation or death of any such citizen member, the
15 Governor shall appoint a replacement to serve for the unexpired
16 portion of the term to which the deceased or resigning member had
17 been appointed. The compensation for said citizen members shall be
18 as is now or may hereafter be fixed by the Legislature; and each
19 shall make bond in such amount as is now or may hereafter be
20 prescribed by the Legislature.

21 (b) The Commissioner of the General Land Office shall act as
22 Chairman of said Board and shall be the administrator of the
23 Veterans' Land Program under such terms and restrictions as are now
24 or may hereafter be provided by law. In the absence or illness of
25 said Commissioner, the Chief Clerk of the General Land Office shall
26 be the Acting Chairman of said Board with the same duties and
27 powers that said Commissioner would have if present.

1 (c) The Veterans' Land Board may provide for, issue and sell
2 [~~not--to--exceed--Nine-Hundred-Fifty-Million-Dollars-(\$950,000,000)~~
3 in] bonds or obligations of the State of Texas as authorized by
4 constitutional amendment or by a debt proposition under Section 49
5 of this article for the purpose of creating a fund to be known as
6 the Veterans' Land Fund [~~7---Seven---Hundred---Million---Dollars~~
7 ~~(\$700,000,000)-of-which--have--heretofore--been--authorized---~~Such
8 ~~bonds--or-obligations--shall-be-sold-for-not-less-than-par-value-and~~
9 ~~accrued-interest,--shall-be-issued-in--such--forms,--denominations,~~
10 ~~and-upon-such-terms-as-are-now-or-may-hereafter-be-provided-by-law,~~
11 ~~shall-be-issued-and-sold-at-such-times,--at-such-places,--and-in-such~~
12 ~~installments--as--may-be-determined-by-said-Board,--and-shall-bear-a~~
13 ~~rate-or-rates-of-interest-as-may-be-fixed-by--said--Board--but--the~~
14 ~~weighted--average--annual-interest-rate,--as-that-phrase-is-commonly~~
15 ~~and-ordinarily-used-and-understood-in-the-municipal-bond-market,--of~~
16 ~~all-the-bonds-issued-and-sold-in-any-installment-of-any--bonds--may~~
17 ~~not--exceed--the-rate-specified-in-Section-65-of-this-Article---~~All
18 ~~bonds--or--obligations--issued--and--sold--hereunder--shall,--after~~
19 ~~execution-by-the-Board,--approval-by-the-Attorney-General-of--Texas,~~
20 ~~registration--by-the-Comptroller-of-Public-Accounts-of-the-State-of~~
21 ~~Texas,--and--delivery--to--the---purchaser---or---purchasers,---be~~
22 ~~incontestable-and-shall-constitute-general-obligations-of-the-State~~
23 ~~of--Texas-under-the-Constitution-of-Texas,--and-all-bonds-heretofore~~
24 ~~issued-and-sold-by-said-Board-are-hereby-in-all-respects--validated~~
25 ~~and--declared-to-be-general-obligations-of-the-State-of-Texas].~~ In
26 order to prevent default in the payment of principal or interest on
27 any such bonds or obligations, the Legislature shall appropriate a

1 sufficient amount to pay the same.

2 (d) In the sale of any such bonds or obligations, a
3 preferential right of purchase shall be given to the administrators
4 of the various Teacher Retirement Funds, the Permanent University
5 Funds, and the Permanent School Funds.

6 [Said--Veterans--Bond--Fund--shall--consist--of--any--lands
7 heretofore--or--hereafter--purchased--by--said--Board--until--the--sale
8 price--therefor--together--with--any--interest--and--penalties--due--have
9 been--received--by--said--Board--(although--nothing--herein--shall--be
10 construed--to--prevent--said--Board--from--accepting--full--payment--for--a
11 portion--of--any--tract)--and--of--the--moneys--attributable--to--any--bonds
12 heretofore--or--hereafter--issued--and--sold--by--said--Board--which--moneys
13 so--attributable--shall--include--but--shall--not--be--limited--to--the
14 proceeds--from--the--issuance--and--sale--of--such--bonds--the--moneys
15 received--from--the--sale--or--resale--of--any--lands--or--rights--therein--
16 purchased--with--such--proceeds--the--moneys--received--from--the--sale--or
17 resale--of--any--lands--or--rights--therein--purchased--with--other--moneys
18 attributable--to--such--bonds--the--interest--and--penalties--received
19 from--the--sale--or--resale--of--such--lands--or--rights--therein--the
20 bonuses--income--rents--royalties--and--any--other--pecuniary--benefit
21 received--by--said--Board--from--any--such--lands--sums--received--by--way
22 of--indemnity--or--forfeiture--for--the--failure--of--any--bidder--for--the
23 purchase--of--any--such--bonds--to--comply--with--his--bid--and--accept--and
24 pay--for--such--bonds--or--for--the--failure--of--any--bidder--for--the
25 purchase--of--any--lands--comprising--a--part--of--said--Fund--to--comply--with
26 his--bid--and--accept--and--pay--for--any--such--lands--and--interest
27 received--from--investments--of--any--such--moneys--The--principal--and

1 interest-on-the-bonds-heretofore-and-hereafter-issued-by-said-Board
2 shall-be-paid-out-of-the-moneys-of-said-Fund-in-conformance-with
3 the-Constitutional-provisions-authorizing-such-bonds,--but--the
4 moneys--of--said--Fund--which--are-not-immediately-committed-to-the
5 payment-of-principal-and-interest-on-such-bonds,--the--purchase--of
6 lands--as--herein--provided,--or--the-payment-of-expenses-as-herein
7 provided-may-be-invested-as-authorized-by-law-until-such-moneys-are
8 needed-for-such-purposes.

9 [All-moneys-comprising-a-part-of-said-Fund-and--not--expended
10 for-the-purposes-herein-provided-shall-be-a-part-of-said-Fund-until
11 there--are--sufficient--moneys--therein--to-retire-fully-all-of-the
12 bonds-heretofore-or-hereafter-issued-and-sold--by--said--Board,--at
13 which--time--all--such--moneys--remaining-in-said-Fund,--except-such
14 portion-thereof-as-may-be-necessary-to-retire-all-such-bonds--which
15 portion--shall--be--set--aside--and--retained--in-said-Fund-for-the
16 purpose-of-retiring-all-such--bonds,--shall--be--deposited--to--the
17 credit--of--the--General--Revenue--Fund--to-be-appropriated-to-such
18 purposes-as-may-be-prescribed-by-law.--All-moneys-becoming--a--part
19 of--said--Fund-thereafter-shall-likewise-be-deposited-to-the-credit
20 of-the-General-Revenue-Fund.

21 [When-a-Division-of-said-Fund-(each--Division--consisting--of
22 the--moneys-attributable-to-the-bonds-issued-and-sold-pursuant-to-a
23 single--Constitutional--authorization--and--the--lands--purchased
24 therewith)--contains--sufficient--moneys-to-retire-all-of-the-bonds
25 secured-by-such-Division,--the-moneys-thereof,--except--such--portion
26 as--may--be--needed--to--retire--all--of--the-bonds-secured-by-such
27 Division-which-portion-shall-be-set-aside-and-remain-a-part-of-such

1 which-have-been-first-offered-for-sale-to-veterans-and--which--have
2 not--been--sold--may--be-sold-or-resold-to-such-purchasers,--in-such
3 quantities,--and-on-such-terms,--and-at--such--prices--and--rates--of
4 interest,--and--under--such-rules-and-regulations-as-are-now-or-may
5 hereafter-be-provided-by-law.]

6 (e) Said Veterans' Land Fund, to the extent of the moneys
7 attributable to any bonds hereafter issued and sold by said Board
8 may be used by said Board, as is now or may hereafter be provided
9 by law, for the purpose of paying the expenses of surveying,
10 monumenting, road construction, legal fees, recordation fees,
11 advertising and other like costs necessary or incidental to the
12 purchase and sale, or resale, of any lands purchased with any of
13 the moneys attributable to such additional bonds, such expenses to
14 be added to the price of such lands when sold, or resold, by said
15 Board; for the purpose of paying the expenses of issuing, selling,
16 and delivering any such additional bonds; and for the purpose of
17 meeting the expenses of paying the interest or principal due or to
18 become due on any such additional bonds.

19 [All-of-the--moneys--attributable--to--any--series--of--bonds
20 hereafter--issued-and-sold-by-said-Board-(a-"series-of-bonds"-being
21 all-of-the-bonds-issued-and-sold--in--a--single--transaction--as--a
22 single--installment-of-bonds)--may-be-used-for-the-purchase-of-lands
23 as-herein-provided,--to-be-sold-as-herein--provided,--for--a--period
24 ending--eight--(8)--years--after-the-date-of-sale-of-such-series-of
25 bonds,--provided,--however,--that-so-much-of-such-moneys--as--may--be
26 necessary--to-pay-interest-on-bonds-hereafter-issued-and-sold-shall
27 be-set-aside-for-that-purpose-in--accordance--with--the--resolution

1 recognition-of-their-service-to-their-state-and-country.]

2 (f) [(b)] For purposes of this section, "veteran" means a
3 person who satisfies the definition of "veteran" as [is-now-or-may
4 hereafter-be] set forth by the laws of the State of Texas.

5 [(c)--The-bonds-shall-be-sold-for-not-less-than-par-value-and
6 accrued-interest, shall-be-issued-in-such-forms-and--denominations,
7 upon-such-terms, at-such-times-and-places, and-in-such-installments
8 as-may-be-determined-by-the-board, and, notwithstanding-the-rate-of
9 interest--specified--by--any--other-provision-of-this-constitution,
10 shall-bear-a-rate-or-rates-of-interest-fixed--by--the--board.---All
11 bonds--issued--and--sold-pursuant-to-Subsections-(a)-through-(f)-of
12 this-section-shall, after-execution-by-the-board, approval--by--the
13 Attorney--General--of--Texas, registration--by--the-Comptroller-of
14 Public-Accounts--of--the--State--of--Texas, and--delivery--to--the
15 purchaser--or--purchasers, be--incontestable--and-shall-constitute
16 general-obligations-of-the-state-under-the-Constitution-of-Texas.

17 [(d)--Three--hundred--million--dollars--of--the--state--bonds
18 authorized-by-this-section-shall-be-used-to-augment--the--Veterans+
19 Land--Fund.---The-Veterans+Land-Fund-shall-be-used-by-the-board-for
20 the-purpose-of-purchasing-lands-situated--in--the--State--of--Texas
21 owned--by--the--United-States-government-or-any-agency-thereof, the
22 State-of-Texas-or-any-subdivision-or-agency-thereof, or-any-person,
23 firm, or-corporation.---The-lands-shall-be-sold-to-veterans-in--such
24 quantities, on--such--terms, at--such--prices, at--such-rates-of
25 interest, and-under-such-rules-and-regulations-as-may-be-authorized
26 by-law.---The-expenses-of-the-board-in-connection-with-the--issuance
27 of--the--bonds--and--the-purchase-and-sale-of-the-lands-may-be-paid

1 out-of-the-money-of-the-fund, but the money of the fund which is
2 not immediately committed to the payment of principal and interest
3 on such bonds, the purchase of lands as herein provided, or the
4 payment of expenses as herein provided may be invested as
5 authorized by law until the money is needed for such purposes.]

6 (g) [(e)] The Veterans' Housing Assistance Fund [is created,
7 and \$1 billion of the state bonds authorized by this section shall
8 be used for the Veterans' Housing Assistance Fund, \$500 million of
9 which have heretofore been authorized. Money in the Veterans'
10 Housing Assistance Fund] shall be administered by the Veterans'
11 Land Board and shall be used for the purpose of making home
12 mortgage loans to veterans for housing within the State of Texas in
13 such quantities, on such terms, at such rates of interest, and
14 under such rules and regulations as may be authorized by law. The
15 expenses of the board in connection with the issuance of the bonds
16 and the making of the loans may be paid from money in the fund.
17 [The Veterans' Housing Assistance Fund shall consist of any
18 interest of the board in all home mortgage loans made to veterans
19 by the board pursuant to a Veterans' Housing Assistance Program
20 which the legislature may establish by appropriate legislation
21 until, with respect to any such home mortgage loan, the principal
22 amount, together with any interest and penalties due, have been
23 received by the board, the money attributable to any bonds issued
24 and sold by the board to provide money for the fund, which money so
25 attributable shall include but shall not be limited to the proceeds
26 from the issuance and sale of such bonds, income, rents, and any
27 other pecuniary benefit received by the board as a result of making

1 such loans, sums received by way of indemnity or forfeiture for the
2 failure of any bidder for the purchase of any such bonds to comply
3 with his bid and accept and pay for such bonds and interest
4 received from investments of any such money.] The principal of and
5 interest on the general obligation bonds authorized by this section
6 for the benefit of the Veterans' Housing Assistance Fund shall be
7 paid out of the money of the fund, but the money of the fund which
8 is not immediately committed to the payment of principal and
9 interest on such bonds, the making of home mortgage loans as herein
10 provided, or the payment of expenses as herein provided may be
11 invested as authorized by law until the money is needed for such
12 purposes.

13 [(f) To the extent there is not money in either the
14 Veterans' Bond Fund or the Veterans' Housing Assistance Fund as the
15 case may be, available for payment of principal and interest on
16 the general obligation bonds authorized by this section to provide
17 money for either of the funds, there is hereby appropriated out of
18 the first money coming into the treasury in each fiscal year, not
19 otherwise appropriated by this constitution, an amount which is
20 sufficient to pay the principal and interest on such general
21 obligation bonds that mature or become due during that fiscal year.

22 [(g) Receipt of all kinds of the funds determined by the
23 board not to be required for the payment of principal and
24 interest on the general obligation bonds herein authorized,
25 heretofore authorized, or hereafter authorized by this constitution
26 to be issued by the board to provide money for either of the funds
27 may be used by the board to the extent not inconsistent with the

1 proceedings-authorizing-such-bonds, to-pay--the--principal--of--and
2 interest--on--general--obligation-bonds-issued-to-provide-money-for
3 the-other-fund, or-to-pay-the-principal-of-and-interest-on--revenue
4 bonds--of--the-board-issued-for-the-purposes-of-providing-funds-for
5 the-purchasing-of-lands-and-making-the-sale-thereof-to-veterans--or
6 making-home-mortgage-loans-to-veterans-as-provided-by-this-section.
7 The--revenue--bonds--shall--be-special-obligations-and-payable-only
8 from-the-receipt-of-the-funds-and-shall-not-constitute-indebtedness
9 of-the-state-or-the-Veterans'-Land-Board.--The-board-is--authorized
10 to--issue--such--revenue--bonds--from--time-to-time-which-shall-not
11 exceed-an-aggregate-principal-amount-that-can-be-fully-retired-from
12 the-receipts-of--the--funds--and--other--revenues--pledged--to--the
13 retirement-of-the-revenue-bonds.--The-revenue-bonds-shall-be-issued
14 in-such-forms-and-denominations, upon-such-terms, at-such-times-and
15 places, and-in-such-installments-as-may-be-determined-by-the-board,
16 and, notwithstanding--the--rate-of-interest-specified-by-any-other
17 provision-of-the-constitution, shall--bear--a--rate--or--rates--of
18 interest-fixed-by-the-board.

19 [(h) --This-Amendment-being-intended-only-to-establish-a-basic
20 framework--and-not-to-be-a-comprehensive-treatment-of-the-Veterans'-
21 Housing-Assistance-Program-and-the-Veterans'-Land-Program, there-is
22 hereby-reposed-in-the--Legislature--full--power--to--implement--and
23 effectuate--the-design-and-objects-of-this-Amendment, including-the
24 power-to-delegate-such--duties, responsibilities, functions, and
25 authority-to-the-Veterans'-Land-Board-as-it-believes-necessary.

26 [Sec. 49-b-2.----(a) ---In--addition-to-the-general-obligation
27 bonds-authorized-to-be-issued-and-to-be-sold-by-the-Veterans'-Land

1 Board--by--Sections--49-b-and-49-b-1-of-this-article, the Veterans'
2 Land Board may provide for,--issue,--and--sell--general--obligation
3 bonds--of--the--state--in--an amount not to exceed \$750 million, to
4 provide financing to veterans of the state in recognition of--their
5 service to their state and the United States of America.]

6 (h) The [(b)] Two--hundred--fifty--million--dollars--of the
7 general obligation bonds authorized by this section shall--be--used
8 to--augment the Veterans' Land Fund. Notwithstanding any provision
9 of Section 49-b or 49-b-1 of this article--to--the--contrary,--the]
10 Veterans' Land Fund shall be used by the Veterans' Land Board to
11 purchase lands situated in the state owned by the United States
12 government, an agency of the United States government, this state,
13 a political subdivision or agency of this state, or a person, firm,
14 or corporation.

15 (i) Lands purchased and comprising a part of the Veterans'
16 Land Fund are declared to be held for a governmental purpose, but
17 the individual purchasers of those lands shall be subject to
18 taxation to the same extent and in the same manner as are
19 purchasers of lands dedicated to the Permanent Free Public School
20 Fund. The lands shall be sold to veterans in quantities, on terms,
21 at prices, and at fixed, variable, floating, or other rates of
22 interest, determined by the Board and in accordance with rules of
23 the Board. Notwithstanding any provisions of this section to the
24 contrary, lands in the Veterans' Land Fund that are offered for
25 sale to veterans and that are not sold may be sold or resold to the
26 purchasers in quantities, on terms, at prices, and at rates of
27 interest determined by the Board and in accordance with rules of

1 the Board.

2 (j) The expenses of the Board in connection with the
3 issuance of the bonds and the purchase and sale of the lands may be
4 paid from money in the Veterans' Land Fund.

5 (k) [~~(e)~~] The Veterans' Land Fund shall consist of:

6 (1) lands heretofore or hereafter purchased by the
7 Board;

8 (2) money attributable to bonds heretofore or
9 hereafter issued and sold by the Board for the fund, including
10 proceeds from the issuance and sale of the bonds;

11 (3) money received from the sale or resale of lands or
12 rights in lands purchased from those proceeds;

13 (4) money received from the sale or resale of lands or
14 rights in lands purchased with other money attributable to the
15 bonds;

16 (5) proceeds derived from the sale or other
17 disposition of the Board's interest in contracts for the sale or
18 resale of lands or rights in lands;

19 (6) interest and penalties received from the sale or
20 resale of lands or rights in lands;

21 (7) bonuses, income, rents, royalties, and other
22 pecuniary benefits received by the Board from lands;

23 (8) money received by way of indemnity or forfeiture
24 for the failure of a bidder for the purchase of bonds to comply
25 with the bid and accept and pay for the bonds or for the failure of
26 a bidder for the purchase of lands comprising a part of the
27 Veterans' Land Fund to comply with the bid and accept and pay for

1 the lands;

2 (9) payments received by the Board under a bond
3 enhancement agreement with respect to the bonds; and

4 (10) interest received from investments of money in
5 the fund.

6 (l) [~~(d)~~] The principal of and interest on the general
7 obligation bonds [~~authorized--by--this--section~~] for the benefit of
8 the Veterans' Land Fund, including payments by the Board under a
9 bond enhancement agreement with respect to principal of or interest
10 on the bonds, shall be paid out of the money of the Veterans' Land
11 Fund, but the money in the fund that is not immediately committed
12 to the payment of principal and interest on the bonds, the purchase
13 of lands, or the payment of expenses may be invested as authorized
14 by law until the money is needed for those purposes.

15 (m) [~~(e)~~] The Veterans' Housing Assistance Fund II [~~is~~
16 ~~created,--and--\$500--million--of--the--general--obligation--bonds~~
17 ~~authorized--by--this--section--shall--be--used--for--the--Veterans'--Housing~~
18 ~~Assistance--Fund--II--The--Veterans'--Housing--Assistance--Fund--II~~] is a
19 separate and distinct fund from the Veterans' Housing Assistance
20 Fund [~~established--under--Section--49--b--1--of--this--article~~]. Money in
21 the Veterans' Housing Assistance Fund II shall be administered by
22 the Veterans' Land Board and shall be used to make home mortgage
23 loans to veterans for housing within this state in quantities, on
24 terms, and at fixed, variable, floating, or other rates of
25 interest, determined by the Board and in accordance with rules of
26 the Board. The expenses of the Board in connection with the
27 issuance of the bonds and the making of the loans may be paid from

1 money in the Veterans' Housing Assistance Fund II.

2 (n) [~~f~~] The Veterans' Housing Assistance Fund II shall
3 consist of:

4 (1) the Board's interest in home mortgage loans the
5 Board makes to veterans from money in the fund under the Veterans'
6 Housing Assistance Program established by law;

7 (2) proceeds derived from the sale or other
8 disposition of the Board's interest in home mortgage loans;

9 (3) money attributable to bonds issued and sold by the
10 Board to provide money for the fund, including the proceeds from
11 the issuance and sale of bonds;

12 (4) income, rents, and other pecuniary benefits
13 received by the Board as a result of making loans;

14 (5) money received by way of indemnity or forfeiture
15 for the failure of a bidder for the purchase of bonds to comply
16 with the bid and accept and pay for the bonds;

17 (6) payments received by the Board under a bond
18 enhancement agreement with respect to the bonds; and

19 (7) interest received from investments of money.

20 (o) [~~g~~] The principal of and interest on the general
21 obligation bonds [~~authorized--by--this--section~~] for the benefit of
22 the Veterans' Housing Assistance Fund II, including payments by the
23 Board under a bond enhancement agreement with respect to principal
24 of or interest on the bonds, shall be paid out of the money of the
25 Veterans' Housing Assistance Fund II, but the money in the fund
26 that is not immediately committed to the payment of principal and
27 interest on the bonds, the making of home mortgage loans, or the

1 payment of expenses may be invested as authorized by law until the
2 money is needed for those purposes.

3 (p) ~~The [th]--Notwithstanding--the--provisions--of--Section~~
4 ~~49-b-1--of--this--article--to--the--contrary--the]~~ Veterans' Housing
5 Assistance Fund shall consist of:

6 (1) the Board's interest in home mortgage loans the
7 Board makes to veterans from money in the fund under the Veterans'
8 Housing Assistance Program established by law;

9 (2) proceeds derived from the sale or other
10 disposition of the Board's interest in home mortgage loans;

11 (3) money attributable to bonds issued and sold by the
12 Board to provide money for the fund, including proceeds from the
13 issuance and sale of bonds;

14 (4) income, rents, and other pecuniary benefits
15 received by the Board as a result of making loans;

16 (5) money received by way of indemnity or forfeiture
17 for the failure of a bidder for the purchase of bonds to comply
18 with the bid and accept and pay for the bonds;

19 (6) payments received by the Board under a bond
20 enhancement agreement with respect to the bonds; and

21 (7) interest received from investments of money.

22 (q) ~~[th]~~ The principal of and interest on the general
23 obligation bonds ~~[authorized-by-Section-49-b-1-of-this-article]~~ for
24 the benefit of the Veterans' Housing Assistance Fund, including
25 payments by the Board under a bond enhancement agreement with
26 respect to principal of or interest on the bonds, shall be paid out
27 of money in the Veterans' Housing Assistance Fund.

1 (r) [~~(j)~~] If there is not enough money in the Veterans' Land
2 Fund, the Veterans' Housing Assistance Fund, or the Veterans'
3 Housing Assistance Fund II, as the case may be, available to pay
4 the principal of and interest on the general obligation bonds
5 benefiting those funds [~~authorized-by-this-section-or-by-Section~~
6 ~~49-b-or-49-b-1-of-this-article~~], including money to make payments
7 by the Board under a bond enhancement agreement with respect to
8 principal of or interest on the bonds, there is appropriated out of
9 the first money coming into the treasury in each fiscal year, not
10 otherwise appropriated by this constitution, an amount that is
11 sufficient to pay the principal of and interest on the general
12 obligation bonds that mature or become due during that fiscal year
13 or to make bond enhancement payments with respect to those bonds.

14 (s) Receipts [~~(k)~~--~~Notwithstanding-any-provisions-of-Section~~
15 ~~49-b-or-49-b-1-of-this-article-to-the-contrary,~~--~~receipts~~] of all
16 kinds of the Veterans' Land Fund, the Veterans' Housing Assistance
17 Fund, or the Veterans' Housing Assistance Fund II that the Board
18 determines are not required for the payment of principal of and
19 interest on the general obligation bonds benefiting those funds,
20 including payments by the Board under a bond enhancement agreement
21 with respect to principal of or interest on the bonds, [~~authorized~~
22 ~~by--this--section--or--by-Section-49-b-or-49-b-1-of-this-article-or~~
23 ~~otherwise-authorized-by-this-constitution-to-be-issued-by-the-Board~~
24 ~~to-provide-money-for-the-fund,~~] may be used by the Board, to the
25 extent not inconsistent with the proceedings authorizing the bonds
26 to:

27 (1) make temporary transfers to another of those funds

1 to avoid a temporary cash deficiency in that fund or make a
2 transfer to another of those funds for the purposes of that fund;

3 (2) pay the principal of and interest on general
4 obligation bonds issued to provide money for another of those funds
5 or make bond enhancement payments with respect to the bonds; or

6 (3) pay the principal of and interest on revenue bonds
7 of the Board or make bond enhancement payments with respect to the
8 bonds if the bonds are issued to provide funds to purchase lands
9 and sell lands to veterans or make home mortgage loans to veterans.

10 (t) [~~l~~] If the Board determines that assets from the
11 Veterans' Land Fund, the Veterans' Housing Assistance Fund, or the
12 Veterans' Housing Assistance Fund II are not required for the
13 purposes of the fund, the Board may transfer the assets to another
14 of those funds or use the assets to secure revenue bonds issued by
15 the Board under this section.

16 (u) [~~m~~] The revenue bonds shall be special obligations of
17 the Board and payable only from and secured only by receipts of the
18 funds, assets transferred from the funds, and other revenues and
19 assets as determined by the Board and shall not constitute
20 indebtedness of the state or the Veterans' Land Board. The Board
21 may issue revenue bonds from time to time, which bonds may not
22 exceed an aggregate principal amount that the Board determines can
23 be fully retired from the receipts of the funds, the assets
24 transferred from the funds, and the other revenues and assets
25 pledged to the retirement of the revenue bonds. [~~The revenue bonds~~
26 ~~shall be issued and sold in forms and denominations, in the manner,~~
27 ~~on terms, at times, and places, and in installments, the Board~~

1 ~~determines.]~~ Notwithstanding the rate of interest specified by any
2 other provision of this constitution, [the] revenue bonds shall
3 bear a rate or rates of interest the Board determines. A
4 determination made by the Board under this subsection shall be
5 binding and conclusive as to the matter determined.

6 (v) ~~The [({n})--Notwithstanding-any-provisions-of-Section-49-b~~
7 ~~or-49-b-1-of-this-article-to-the-contrary,--the]~~ bonds authorized to
8 be issued and sold by the Veterans' Land Board [~~by-this-section-or~~
9 ~~by-Sections-49-b-and-49-b-1-of-this-article]~~ shall be issued and
10 sold in forms and denominations, on terms, at times, in the manner,
11 at places, and in installments the Board determines. The bonds
12 shall bear a rate or rates of interest the Board determines, not to
13 exceed the maximum prescribed by Section 65 of this article. The
14 bonds shall be incontestable after execution by the Board, approval
15 by the Attorney General of Texas, and delivery to the purchaser or
16 purchasers of the bonds.

17 (w) ~~[({o})]~~ This Amendment being intended only to establish a
18 basic framework and not to be a comprehensive treatment of the
19 Veterans' Housing Assistance Program and the Veterans' Land
20 Program, there is hereby reposed in the Legislature full power to
21 implement and effectuate the design and objects of this Amendment,
22 including the power to delegate such duties, responsibilities,
23 functions, and authority to the Veterans' Land Board as it believes
24 necessary.

25 ~~[({p})--In-this-section,--"veteran"--has-the-meaning-assigned--by~~
26 ~~Section-49-b-1-of-this-article.~~

27 ~~[Sec.-49-b-3.----({a})--In--addition-to-the-general-obligation~~

1 49-d-7, and 49-d-8, Article III, Texas Constitution, are amended to
2 read as follows:

3 Sec. 49-c. (a) The Texas Water Development Board, [~~There-is~~
4 ~~hereby-created-as~~] an agency of the State of Texas, shall [~~the~~
5 ~~Texas-Water-Development-Board-to~~] exercise such powers as necessary
6 under this provision together with such other duties and
7 restrictions as may be prescribed by law. The qualifications,
8 compensation, and number of members of said Board shall be
9 determined by law. They shall be appointed by the Governor with
10 the advice and consent of the Senate in the manner and for such
11 terms as may be prescribed by law.

12 (b) The Texas Water Development Board shall have the
13 authority to provide for, issue and sell general obligation bonds
14 of the State of Texas as authorized by constitutional amendment or
15 by a debt proposition under Section 49 of this article [~~in--an~~
16 ~~amount--not--to-exceed-One-Hundred-Million-Dollars-(\$100,000,000)~~].
17 The Legislature of Texas, upon two-thirds (2/3) vote of the elected
18 Members of each House, may authorize the Board to issue additional
19 bonds in an amount not exceeding One Hundred Million Dollars
20 (\$100,000,000). The bonds [~~authorized-herein-or--permitted--to--be~~
21 ~~authorized--by--the--Legislature~~] shall be called "Texas Water
22 Development Bonds," shall be executed in such form, denominations
23 and upon such terms as may be prescribed by law, and [~~provided,~~
24 ~~however,-that-the-bonds-shall-not-bear-more-than-four-per-cent-(4%)~~
25 ~~interest-per-annum,-they~~] may be issued in such installments as the
26 Board finds feasible and practical in accomplishing the purpose set
27 forth herein.

1 (c) All moneys received from the sale of the [State] bonds
2 shall be deposited in a fund hereby created in the State Treasury
3 to be known as the Texas Water Development Fund to be administered
4 (without further appropriation) by the Texas Water Development
5 Board in such manner as prescribed by law.

6 (d) Such fund shall be used only for the purpose of aiding
7 or making funds available upon such terms and conditions as the
8 Legislature may prescribe, to the various political subdivisions or
9 bodies politic and corporate of the State of Texas including river
10 authorities, conservation and reclamation districts and districts
11 created or organized or authorized to be created or organized under
12 Article XVI, Section 59 or Article III, Section 52, of this
13 Constitution, interstate compact commissions to which the State of
14 Texas is a party and municipal corporations, in the conservation
15 and development of the water resources of this State, including the
16 control, storing and preservation of its storm and flood waters and
17 the waters of its rivers and streams, for all useful and lawful
18 purposes by the acquisition, improvement, extension, or
19 construction of dams, reservoirs and other water storage projects,
20 including any system necessary for the transportation of water from
21 storage to points of treatment and/or distribution, including
22 facilities for transporting water therefrom to wholesale
23 purchasers, or for any one or more of such purposes or methods.

24 (e) Any or all financial assistance as provided herein shall
25 be repaid with interest upon such terms, conditions and manner of
26 repayment as may be provided by law.

27 (f) While any of the Texas Water Development Bonds [bonds

1 ~~authorized by this provision or while any of the bonds that may be~~
2 ~~authorized by the Legislature under this provision],~~ or any
3 interest on any of such bonds, is outstanding and unpaid, there is
4 hereby appropriated out of the first moneys coming into the
5 Treasury in each fiscal year, not otherwise appropriated by this
6 Constitution, an amount which is sufficient to pay the principal
7 and interest on such bonds that mature or become due during such
8 fiscal year, less the amount in the sinking fund at the close of
9 the prior fiscal year.

10 (g) The Legislature may provide for the investment of moneys
11 available in the Texas Water Development Fund, and the interest and
12 sinking funds established for the payment of bonds issued by the
13 Texas Water Development Board. Income from such investment shall
14 be used for the purposes prescribed by the Legislature. The
15 Legislature may also make appropriations from the General Revenue
16 Fund for paying administrative expenses of the Board.

17 (h) From the moneys received by the Texas Water Development
18 Board as repayment of principal for financial assistance or as
19 interest thereon, there shall be deposited in the interest and
20 sinking fund for the bonds [~~authorized by this Section~~] sufficient
21 moneys to pay the interest and principal to become due during the
22 ensuing year and sufficient to establish and maintain a reserve in
23 said fund equal to the average annual principal and interest
24 requirements on all outstanding bonds [~~issued under this Section~~].
25 [~~If any year prior to December 31, 1982 moneys are received in~~
26 ~~excess of the foregoing requirements then such excess shall be~~
27 ~~deposited to the Texas Water Development Fund, and may be used for~~

1 administrative expenses of the Board and for the same purposes and
2 upon the same terms and conditions prescribed for the proceeds
3 derived from the sale of such State bonds. No grant of financial
4 assistance shall be made under the provisions of this Section after
5 December 31, 1957 and all moneys thereafter received as repayment
6 of principal for financial assistance or as interest thereon shall
7 be deposited in the interest and sinking fund for the State bonds
8 except that such amount as may be required to meet the
9 administrative expenses of the Board may be annually set aside and
10 provided that after all State bonds have been fully paid with
11 interest or after there are on deposit in the interest and sinking
12 fund sufficient moneys to pay all future maturities of principal
13 and interest, additional moneys so received shall be deposited to
14 the General Revenue Fund.]

15 (i) All Texas Water Development Bonds [bonds issued
16 hereunder] shall after approval by the Attorney General,
17 registration by the Comptroller of Public Accounts of the State of
18 Texas, and delivery to the purchasers, be incontestable and shall
19 constitute general obligations of the State of Texas under the
20 Constitution of Texas.

21 [Should the Legislature enact enabling laws in anticipation
22 of the adoption of this amendment, such acts shall not be void by
23 reason of their anticipatory nature.]

24 Sec. 49-d. (a) It is hereby declared to be the policy of
25 the State of Texas to encourage the optimum development of the
26 limited number of feasible sites available for the construction or
27 enlargement of dams and reservoirs for conservation of the public

1 waters of the state, which waters are held in trust for the use and
2 benefit of the public, and to encourage the optimum regional
3 development of systems built for the filtration, treatment, and
4 transmission of water and wastewater. The proceeds from the sale
5 of ~~[the-additional]~~ bonds ~~[authorized-hereunder]~~ deposited in the
6 Texas Water Development Fund ~~[and-the-proceeds-of-bonds-previously~~
7 ~~authorized-by--Article-III, Section-49-c-of-this-Constitution]~~ may
8 be used by the Texas Water Development Board, under such provisions
9 as the Legislature may prescribe by General Law, including the
10 requirement of a permit for storage or beneficial use, for the
11 additional purposes of acquiring and developing storage facilities,
12 and any system or works necessary for the filtration, treatment and
13 transportation of water or wastewater, or for any one or more of
14 such purposes or methods, whether or not such a system or works is
15 connected with a reservoir in which the state has a financial
16 interest; provided, however, the Texas Water Development Fund or
17 any other state fund provided for water development, transmission,
18 transfer or filtration shall not be used to finance any project
19 which contemplates or results in the removal from the basin of
20 origin of any surface water necessary to supply the reasonably
21 foreseeable future water requirements for the next ensuing
22 fifty-year period within the river basin of origin, except on a
23 temporary, interim basis.

24 (b) Under such provisions as the Legislature may prescribe
25 by General Law the Texas Water Development Fund may be used for the
26 conservation and development of water for useful purposes by
27 construction or reconstruction or enlargement of reservoirs

1 constructed or to be constructed or enlarged within the State of
2 Texas or on any stream constituting a boundary of the State of
3 Texas, together with any system or works necessary for the
4 filtration, treatment and/or transportation of water, by any one or
5 more of the following governmental agencies: by the United States
6 of America or any agency, department or instrumentality thereof; by
7 the State of Texas or any agency, department or instrumentality
8 thereof; by political subdivisions or bodies politic and corporate
9 of the state; by interstate compact commissions to which the State
10 of Texas is a party; and by municipal corporations. The
11 Legislature shall provide terms and conditions under which the
12 Texas Water Development Board may sell, transfer or lease, in whole
13 or in part, any reservoir and associated system or works which the
14 Texas Water Development Board has financed in whole or in part.

15 (c) Under such provisions as the Legislature may prescribe
16 by General Law, the Texas Water Development Board may also execute
17 long-term contracts with the United States or any of its agencies
18 for the acquisition and development of storage facilities in
19 reservoirs constructed or to be constructed by the Federal
20 Government. Such contracts when executed shall constitute general
21 obligations of the State of Texas in the same manner and with the
22 same effect as state bonds issued under the authority of [the
23 preceding] Section 49-c of this Constitution, and the provisions of
24 [in-said] Section 49-c with respect to payment of principal and
25 interest on state bonds issued shall likewise apply with respect to
26 payment of principal and interest required to be paid by such
27 contracts. If storage facilities are required for a term of years,

1 such contracts shall contain provisions for renewal that will
2 protect the state's investment.

3 [~~The--aggregate--of--the--bonds--authorized--hereunder--shall--not
4 exceed--\$200,000,000--and--shall--be--in--addition--to--the--aggregate--of
5 the--bonds--previously--authorized--by--said--Section--49--c--of--Article--III
6 of--this--Constitution;--The--Legislature--upon--two--thirds--(2/3)--vote
7 of--the--elected--members--of--each--House;--may--authorize--the--Board--to
8 issue--all--or--any--portion--of--such--\$200,000,000--in--additional--bonds
9 herein--authorized;]~~

10 (d) The Legislature shall provide terms and conditions for
11 the Texas Water Development Board to sell, transfer or lease, in
12 whole or in part, any acquired facilities or the right to use such
13 facilities at a price not less than the direct cost of the Board in
14 acquiring same; and the Legislature may provide terms and
15 conditions for the Board to sell any unappropriated public waters
16 of the state that might be stored in such facilities. As a
17 prerequisite to the purchase of such storage or water, the
18 applicant therefor shall have secured a valid permit from the state
19 [~~Texas--Water--Commission--or--its--successor~~] authorizing the
20 acquisition of such storage facilities or the water impounded
21 therein. The money received from any sale, transfer or lease of
22 facilities shall be used to pay principal and interest on state
23 bonds issued or contractual obligations incurred by the Texas Water
24 Development Board, provided that when moneys are sufficient to pay
25 the full amount of indebtedness then outstanding and the full
26 amount of interest to accrue thereon, any further sums received
27 from the sale, transfer or lease of such facilities shall be

1 deposited and used as provided by law. Money received from the
2 sale of water, which shall include standby service, may be used for
3 the operation and maintenance of acquired facilities, and for the
4 payment of principal and interest on debt incurred.

5 ~~[Should the legislature enact enabling laws in anticipation~~
6 ~~of the adoption of this Amendment, such Acts shall not be void by~~
7 ~~reason of their anticipatory character.]~~

8 Sec. 49-d-1. (a) The Texas Water Development Board shall
9 upon direction of an ~~[the Texas Water Quality Board, or any~~
10 ~~successor]~~ agency designated by the Legislature, issue ~~[additional]~~
11 Texas Water Development Bonds as authorized by constitutional
12 amendment or by a debt proposition under Section 49 of this article
13 ~~[up to an additional aggregate principal amount of \$200,000,000]~~ to
14 provide grants, loans, or any combination of grants and loans for
15 water quality enhancement purposes as established by the
16 Legislature. The ~~[Texas Water Quality Board or any successor]~~
17 agency designated by the Legislature may make such grants and loans
18 to political subdivisions or bodies politic and corporate of the
19 State of Texas, including municipal corporations, river
20 authorities, conservation and reclamation districts, and districts
21 created or organized or authorized to be created or organized under
22 Article XVI, Section 59, or Article III, Section 52, of this
23 Constitution, State agencies, and interstate agencies and compact
24 commissions to which the State of Texas is a party, and upon such
25 terms and conditions as the Legislature may authorize by general
26 law. The bonds shall be issued for such terms, in such
27 denominations, form and installments, and upon such conditions as

1 the Legislature may authorize.

2 ~~[(b)--The proceeds from the sale of such bonds shall be~~
3 ~~deposited in the Texas Water Development Fund to be invested and~~
4 ~~administered as prescribed by law.~~

5 ~~[(c)--The bonds authorized in this Section 49-d-1 and all~~
6 ~~bonds authorized by Sections 49-c and 49-d of Article III shall~~
7 ~~bear interest at not more than 6% per annum and mature as the Texas~~
8 ~~Water Development Board shall prescribe, subject to the limitations~~
9 ~~as may be imposed by the Legislature.]~~

10 (b) [(d)] The Texas Water Development Fund shall be used for
11 the purposes heretofore permitted by, and subject to the
12 limitations in this Section and Sections 49-c and[7] 49-d [and
13 49-d-1]; provided, however, that the financial assistance may be
14 made [pursuant to the provisions of Sections 49-c, 49-d and 49-d-1]
15 subject only to the availability of funds [and without regard to
16 the provisions in Section 49-c that such financial assistance
17 shall terminate after December 31, 1982].

18 ~~[(e)--Texas Water Development Bonds are secured by the~~
19 ~~general credit of the State and shall after approval by the~~
20 ~~Attorney General, registration by the Comptroller of Public~~
21 ~~Accounts of the State of Texas, and delivery to the purchasers, be~~
22 ~~incontestable and shall constitute general obligations of the State~~
23 ~~of Texas under the Constitution of Texas.]~~

24 ~~[(f)--Should the Legislature enact enabling laws in~~
25 ~~anticipation of the adoption of this amendment, such Acts shall not~~
26 ~~be void by reason of their anticipatory character.]~~

27 Sec. 49-d-5. For the purpose of any program established or

1 authorized by Sections [Section] 49-c through [7--49-d7--49-d-17
2 49-d-27--or] 49-d-4 of this article, the legislature by law may
3 extend any benefits to nonprofit water supply corporations that it
4 may extend to a district created or organized under Article XVI,
5 Section 59, of this constitution.

6 Sec. 49-d-6. [(a)--The-Texas--Water--Development--Board--may
7 issue--additional--Texas-Water-Development-Bonds-up-to-an-additional
8 aggregate-principal-amount-of--\$400--million,--of--the--additional
9 bonds-authorized-to-be-issued--\$200-million-of-these-bonds-shall-be
10 used--for--purposes--provided-by-Section-49-c-of-this-article7--\$150
11 million-of-these-bonds-shall--be--used--for--purposes--provided--by
12 Section--49-d-1--of--this--article7--and--\$50-million-of-these-bonds
13 shall-be-used-for-flood-control-as-provided-by-law.

14 [(b)] The legislature may require review and approval of the
15 issuance of Texas Water Development Bonds [the-bonds], of the use
16 of the bond proceeds, or of the rules adopted by an agency to
17 govern use of the bond proceeds. Notwithstanding any other
18 provision of this constitution, any entity created or directed to
19 conduct this review and approval may include members or appointees
20 of members of the executive, legislative, and judicial departments
21 of state government.

22 [(c)--The--Texas--Water--Development--Board--shall--issue--the
23 additional-bonds-authorized-by-this-section-for-the-terms7--in--the
24 denominations7--form7--and--installments7--on--the--conditions7--and
25 subject-to-the-limitations-provided-by-Sections-49-c-and-49-d-1--of
26 this--article--and--by-laws-adopted-by-the-legislature-implementing
27 this-section.

1 [~~(d)~~--Subsections-(c)-through-(e)-of-Section-49-d-2--of--this
2 article-apply-to-the-bonds-authorized-by-this-section.]

3 Sec. 49-d-7. (a) [~~The--Texas-Water-Development-Board-may
4 issue-additional-Texas-water-development-bonds-up-to-an--additional
5 aggregate--principal--amount--of--\$500--million.--Of-the-additional
6 bonds-authorized-to-be-issued,--\$250-million-of-those-bonds-shall-be
7 used-for-purposes-provided-by-Section-49-c-of--this--article,--\$200
8 million--of--those--bonds--shall--be--used-for-purposes-provided-by
9 Section-49-d-1-of-this-article,--and--\$50--million--of--those--bonds
10 shall-be-used-for-flood-control--as-provided-by-law.~~

11 [~~(b)~~] The Texas Water Development Board may use the proceeds
12 of Texas water development bonds issued for the purposes provided
13 by Section 49-c of this article for the additional purpose of
14 providing financial assistance, on terms and conditions provided by
15 law, to various political subdivisions and bodies politic and
16 corporate of the state and to nonprofit water supply corporations
17 to provide for acquisition, improvement, extension, or construction
18 of water supply projects that involve the distribution of water to
19 points of delivery to wholesale or retail customers.

20 [~~(c)~~--The-legislature-may-require-review-and-approval-of--the
21 issuance--of--the-bonds,--the-use-of-the-bond-proceeds,--or-the-rules
22 adopted--by--an--agency--to--govern--use--of--the--bond---proceeds.
23 Notwithstanding--any--other--provision--of--this--constitution,--any
24 entity-created-or-directed-to-conduct-this-review-and-approval--may
25 include---members--or--appointees--of--members--of--the--executive,
26 legislative,--and-judicial--departments-of-state-government.

27 [~~(d)~~--Except-as-specifically-provided-by--Subsection--(e)--of

1 this section, the Texas Water Development Board shall issue the
2 additional bonds authorized by this section for the terms, in the
3 denominations, form, and instruments, on the conditions, and
4 subject to the limitations provided by Sections 49-c and 49-d of
5 this article and by laws adopted by the legislature implementing
6 this section.]

7 (b) [†] The legislature may provide by law for subsidized
8 loans and grants from the proceeds of Texas water development bonds
9 [authorized by this section] to provide wholesale and retail water
10 and wastewater facilities to economically distressed areas of the
11 state as defined by law, provided, the principal amount of bonds
12 that may be issued for the purposes under this subsection may not
13 exceed \$250 million [50 percent of the total amount of bonds
14 authorized by this section]. Separate accounts shall be
15 established in the water development fund for administering the
16 proceedings of bonds issued for purposes under this subsection, and
17 an interest and sinking fund separate from and not subject to the
18 limitations of the interest and sinking fund created [pursuant to
19 Section 49-c] for other Texas water development bonds is
20 established in the State Treasury to be used for paying the
21 principal of and interest on bonds for the purposes of the
22 subsection. [While any of the bonds authorized for the purposes of
23 this subsection or any of the interest on those bonds is
24 outstanding and unpaid, there is appropriated out of the first
25 money coming into the State Treasury in each fiscal year, not
26 otherwise appropriated by this constitution, an amount that is
27 sufficient to pay the principal of and interest on those bonds

1 issued-for-the-purposes-under-this-subsection-that-mature-or-become
2 due-during-that-fiscal-year.

3 [~~f~~]-Subsections-(c)-through-(e)-of-Section-49-d-2--of--this
4 article-apply-to-the-bonds-authorized-by-this-section.]

5 Sec. 49-d-8. (a) The Texas Water Development Fund II is
6 [created] in the state treasury as a fund separate and distinct
7 from the Texas Water Development Fund established under Section
8 49-c of this article. Money in the Texas Water Development Fund II
9 shall be administered without further appropriation by the Texas
10 Water Development Board and shall be used for any one or more of
11 the purposes authorized by Sections 49-c through[~~7--49-d,--49-d-1,~~
12 ~~49-d-2,--49-d-5,49-d-6,--and~~] 49-d-7 of this article, as determined
13 by the Texas Water Development Board. Separate accounts shall be
14 established in the Texas Water Development Fund II for
15 administering proceedings related to the purposes described in
16 Section 49-d of this article, the purposes described in Subsection
17 (b) [~~e~~] of Section 49-d-7 of this article, and all other
18 authorized purposes. The Texas Water Development Board is hereby
19 authorized, at its determination, to issue general obligation bonds
20 for one or more accounts of the Texas Water Development Fund II in
21 an aggregate principal amount equal to the amount of bonds
22 previously authorized pursuant to former Section 49-d-2 and
23 Sections [49-d-2,] 49-d-6[7] and 49-d-7 of this article less the
24 amount of bonds issued pursuant to those sections to augment the
25 Texas Water Development Fund. Nothing in this section, however,
26 shall grant to the Texas Water Development Board the authority to
27 issue bonds [~~under-this-section-and-under-Sections-49-d-2,--49-d-6,~~

1 ~~and--49-d-7-of-this-article~~] in excess of the total amount of those
2 previously authorized bonds [~~described-in-Sections-49-d-27--49-d-67~~
3 ~~and--49-d-7--of--this--article~~] or to issue bonds for purposes
4 described in Subsection (b) [~~(c)~~] of Section 49-d-7 of this article
5 in excess of \$250 million. The expenses of the Texas Water
6 Development Board in connection with the issuance of bonds for an
7 account of the Texas Water Development Fund II and administration
8 of such account may be paid from money in such account.

9 (b) The Texas Water Development Board is hereby authorized,
10 at its determination, to issue general obligation bonds for one or
11 more accounts of the Texas Water Development Fund II in order to
12 refund outstanding bonds previously issued to augment the Texas
13 Water Development Fund, as long as the principal amount of the
14 refunding bonds does not exceed the outstanding principal amount of
15 the refunded bonds, and to refund the general obligation of the
16 State of Texas under long-term contracts entered into by the Texas
17 Water Development Board with the United States or any of its
18 agencies under authority granted by Section 49-d of this article,
19 as long as the principal amount of the refunding bonds does not
20 exceed the principal amount of the contractual obligation of the
21 Texas Water Development Board. Money and assets in the Texas Water
22 Development Fund attributable to such refunding bonds shall be
23 transferred to the appropriate account of the Texas Water
24 Development Fund II, as determined by the Texas Water Development
25 Board, to the extent not inconsistent with the proceedings
26 authorizing any outstanding bonds issued to augment the Texas Water
27 Development Fund and the terms of any long-term contracts entered

1 into by the Texas Water Development Board with the United States or
2 any of its agencies. Further, at such time as all bonds issued to
3 augment the Texas Water Development Fund and all such contractual
4 obligations have been paid or otherwise discharged, all money and
5 assets in the Texas Water Development Fund shall be transferred to
6 the credit of the Texas Water Development Fund II and deposited to
7 the accounts therein, as determined by the Texas Water Development
8 Board.

9 (c) Subject to the limitations set forth in Section 49-d of
10 this article, the legislature shall provide terms and conditions
11 under which the Texas Water Development Board may sell, transfer,
12 or lease, in whole or in part, facilities held for the account
13 established within the Texas Water Development Fund II for
14 administering proceedings related to the purposes described in
15 Section 49-d of this article, and the legislature may provide terms
16 and conditions under which the Texas Water Development Board may
17 sell any unappropriated public waters of the state that may be
18 stored in such facilities. Money received from any sale, transfer,
19 or lease of such facilities or water shall be credited to the
20 account established within the Texas Water Development Fund II for
21 the purpose of administering proceedings related to the purposes
22 described in Section 49-d of this article.

23 (d) Each account of the Texas Water Development Fund II
24 shall consist of:

25 (1) the Texas Water Development Board's rights to
26 receive repayment of financial assistance provided from such
27 account, together with any evidence of such rights;

1 (2) money received from the sale or other disposition
2 of the Texas Water Development Board's rights to receive repayment
3 of such financial assistance;

4 (3) money received as repayment of such financial
5 assistance;

6 (4) money and assets attributable to bonds issued and
7 sold by the Texas Water Development Board for such account,
8 including money and assets transferred from the Texas Water
9 Development Fund pursuant to this section;

10 (5) money deposited in such account pursuant to
11 Subsection (c) of this section;

12 (6) payments received by the Texas Water Development
13 Board under a bond enhancement agreement as authorized by law with
14 respect to bonds issued for such account; and

15 (7) interest and other income received from investment
16 of money in such account.

17 (e) Notwithstanding the other provisions of [Sections
18 49-d-27--49-d-67--and-49-d-7-of] this article, the principal of and
19 interest on the general obligation bonds issued for an account of
20 the Texas Water Development Fund II, including payments by the
21 Texas Water Development Board under a bond enhancement agreement as
22 authorized by law with respect to principal of or interest on such
23 bonds, shall be paid out of such account, but the money in such
24 account that is not immediately committed to the purposes of such
25 account or the payment of expenses may be invested as authorized by
26 law until the money is needed for those purposes. If there is not
27 enough money in any account available to pay the principal of and

1 interest on the general obligation bonds issued for such account,
2 including money to make payments by the Texas Water Development
3 Board under a bond enhancement agreement as authorized by law with
4 respect to principal of or interest on such bonds, there is
5 appropriated out of the first money coming into the state treasury
6 in each fiscal year not otherwise appropriated by this constitution
7 an amount that is sufficient to pay the principal of and interest
8 on such general obligation bonds that mature or become due during
9 that fiscal year or to make bond enhancement payments with respect
10 to those bonds.

11 (f) The general obligation bonds authorized by this section
12 may be issued as bonds, notes, or other obligations as permitted by
13 law and shall be sold in forms and denominations, on terms, at
14 times, in the manner, at places, and in installments, all as
15 determined by the Texas Water Development Board. The bonds shall
16 bear a rate or rates of interest the Texas Water Development Board
17 determines, not to exceed the maximum prescribed by Section 65 of
18 this article. The bonds authorized by this section shall be
19 incontestable after execution by the Texas Water Development Board,
20 approval by the attorney general, and delivery to the purchaser or
21 purchasers of the bonds.

22 (g) This section being intended only to establish a basic
23 framework and not to be a comprehensive treatment of the Texas
24 Water Development Fund II, there is hereby reposed in the
25 legislature full power to implement and effectuate the design and
26 objects of this section, including the power to delegate such
27 duties, responsibilities, functions, and authority to the Texas

1 Water Development Board as it believes necessary.

2 (h) The Texas Water Development Fund II, including any
3 account in that fund, may not be used to finance or aid any project
4 that contemplates or results in the removal from the basin of
5 origin of any surface water necessary to supply the reasonably
6 foreseeable future water requirements for the next ensuing 50-year
7 period within the river basin of origin, except on a temporary,
8 interim basis.

9 SECTION 17. Section 49-e, Article III, Texas Constitution,
10 is amended to read as follows:

11 Sec. 49-e. (a) The Parks and Wildlife Department, or its
12 successor vested with the powers, duties, and authority which deals
13 with the operation, maintenance, and improvement of State Parks,
14 shall have the authority to provide for, issue and sell general
15 obligation bonds of the State of Texas in an amount authorized by
16 constitutional amendment or by a debt proposition under Section 49
17 of this article [~~not--to--exceed--Seventy-Five--Million--Dollars~~
18 ~~{\\$75,000,000}~~]. The bonds [~~authorized--herein~~] shall be called
19 "Texas Park Development Bonds," shall be executed in such form,
20 denominations, and upon such terms as may be prescribed by law,
21 [~~provided,--however,--that--the--bonds~~] shall bear a rate or rates of
22 interest as may be fixed by the Parks and Wildlife Department or
23 its successor, not to exceed the maximum prescribed by Section 65
24 of this article, and [~~but--the--weighted--average--annual--interest~~
25 ~~rate--as--that--phrase--is--commonly--and--ordinarily--used--and--understood~~
26 ~~in--the--municipal--bond--market,--of--all--the--bonds--issued--and--sold--in~~
27 ~~any--installment--of--any--bonds,--shall--not--exceed--four--and--one--half~~

1 percent--(~~4--1/2%~~)--interest-per-annum,--they] may be issued in such
2 installments as said Parks and Wildlife Department, or its said
3 successor, finds feasible and practical in accomplishing the
4 purpose set forth herein.

5 (b) All moneys received from the sale of said bonds shall be
6 deposited in a fund hereby created with the Comptroller of Public
7 Accounts of the State of Texas to be known as the Texas Park
8 Development Fund to be administered (without further appropriation)
9 by the said Parks and Wildlife Department, or its said successor,
10 in such manner as prescribed by law.

11 (c) Such fund shall be used by said Parks and Wildlife
12 Department, or its said successor, under such provisions as the
13 Legislature may prescribe by general law, for the purposes of
14 acquiring lands from the United States, or any governmental agency
15 thereof, from any governmental agency of the State of Texas, or
16 from any person, firm, or corporation, for State Park Sites and for
17 developing said sites as State Parks.

18 (d) While any of the bonds [~~authorized-by-this-provision~~],
19 or any interest on any such bonds, is outstanding and unpaid, there
20 is hereby appropriated out of the first moneys coming into the
21 Treasury in each fiscal year, not otherwise appropriated by this
22 Constitution, an amount which is sufficient to pay the principal
23 and interest on such bonds that mature or become due during such
24 fiscal year, less the amount in the interest and sinking fund at
25 the close of the prior fiscal year, which includes any receipts
26 derived during the prior fiscal year by said Parks and Wildlife
27 Department, or its said successor, from admission charges to State

1 Parks, as the Legislature may prescribe by general law.

2 (e) The Legislature may provide for the investment of moneys
3 available in the Texas Park Development Fund and the interest and
4 sinking fund established for the payment of bonds issued by said
5 Parks and Wildlife Department, or its said successor. Income from
6 such investment shall be used for the purposes prescribed by the
7 Legislature.

8 (f) From the moneys received by said Parks and Wildlife
9 Department, or its said successor, from the sale of the bonds
10 issued hereunder, there shall be deposited in the interest and
11 sinking fund for the bonds authorized by this section sufficient
12 moneys to pay the interest to become due during the State fiscal
13 year in which the bonds were issued. After all bonds have been
14 fully paid with interest, or after there are on deposit in the
15 interest and sinking fund sufficient moneys to pay all future
16 maturities of principal and interest, additional moneys received
17 from admission charges to State Parks shall be deposited to the
18 State Parks Fund, or any successor fund which may be established by
19 the Legislature as a depository for Park revenue earned by said
20 Parks and Wildlife Department, or its said successor.

21 (g) All bonds issued hereunder shall after approval by the
22 Attorney General, registration by the Comptroller of Public
23 Accounts of the State of Texas, and delivery to the purchasers, be
24 incontestable and shall constitute general obligations of the State
25 of Texas under the Constitution of Texas.

26 [~~Should the Legislature enact enabling laws in anticipation~~
27 ~~of the adoption of this amendment, such acts shall not be void by~~

1 ~~reason-of-their-anticipatory-nature-]~~

2 SECTION 18. Section 49-h, Article III, Texas Constitution,
3 is amended to read as follows:

4 Sec. 49-h. (a) In amounts authorized by constitutional
5 amendment or by a debt proposition under Section 49 of this
6 article, the [The] legislature may provide for [authorize] the
7 issuance of [~~up-to-\$500-million-in~~] general obligation bonds and
8 the use of the bond proceeds for acquiring, constructing, or
9 equipping new facilities or for major repair or renovation of
10 existing facilities of corrections institutions, including youth
11 corrections institutions, and mental health and mental retardation
12 institutions. The legislature may require the review and approval
13 of the issuance of the bonds and the projects to be financed by the
14 bond proceeds. Notwithstanding any other provision of this
15 constitution, the issuer of the bonds or any entity created or
16 directed to review and approve projects may include members or
17 appointees of members of the executive, legislative, and judicial
18 departments of state government.

19 (b) Bonds issued under this section constitute a general
20 obligation of the state. While any of the bonds or interest on the
21 bonds is outstanding and unpaid, there is appropriated out of the
22 first money coming into the treasury in each fiscal year, not
23 otherwise appropriated by this constitution, the amount sufficient
24 to pay the principal of and interest on the bonds that mature or
25 become due during the fiscal year, less any amount in any sinking
26 fund at the end of the preceding fiscal year that is pledged to
27 payment of the bonds or interest.

1 (c) In addition to the purposes authorized under Subsection
2 (a), the [~~(1)~~-The] legislature may authorize the issuance of the
3 [~~up-to--\$400-million-in~~] general obligation bonds [~~7-in-addition-to~~
4 ~~the-amount-authorized-by-Subsection-(a)-of-this-section,--and--use~~
5 ~~the--proceeds--of--the--bonds~~] for acquiring, constructing, or
6 equipping:

7 (1) new [~~corrections-institutions, mental--health--and~~
8 ~~mental--retardation--institutions,--youth-corrections-institutions,~~
9 and] statewide law enforcement facilities and for major repair or
10 renovation of existing facilities; and [~~of-these-institutions-~~

11 [~~(2)--The--provisions-of-Subsection-(a)-of-this-section~~
12 ~~relating-to-the-review-and-approval-of-bonds-and-the-provisions--of~~
13 ~~Subsection--(b)-of-this-section-relating-to-the-terms-of-the-bonds~~
14 ~~as-a-general-obligation-of-the-state-and-to-the-manner-in-which-the~~
15 ~~principal-and-interest--on--the--bonds--are--paid--apply--to--bonds~~
16 ~~authorized-under-this-subsection.~~

17 [(d)~~(1)~~--The--legislature--may--authorize--the--issuance--of--up-to
18 \$1-billion-in-general-obligation-bonds,--in-addition-to-the-amount
19 authorized-by-Subsections-(a)--and-(c)-of-this-section,--and--may--use
20 the--proceeds--of--the--bonds--for--acquiring,--constructing,--or
21 equipping]

22 (2) new prisons and substance abuse felony punishment
23 facilities to confine criminals [~~7--mental--health--and--mental~~
24 ~~retardation--institutions,~~] and [~~youth--corrections-institutions,~~
25 for] major repair or renovation of existing facilities of those
26 institutions, and for the acquisition of, major repair to, or
27 renovation of other facilities for use as state prisons or

1 substance abuse felony punishment facilities. [~~Proceeds of general~~
2 ~~obligation bonds issued under this subdivision may not be~~
3 ~~appropriated by any session of the legislature other than the 2nd~~
4 ~~Called Session of the 72nd legislature or any subsequent session of~~
5 ~~the legislature.~~

6 [~~(2) The provisions of Subsection (a) of this section~~
7 ~~relating to the review and approval of bonds and the provisions of~~
8 ~~Subsection (b) of this section relating to the status of the bonds~~
9 ~~as a general obligation of the state and to the manner in which the~~
10 ~~principal and interest on the bonds are paid apply to bonds~~
11 ~~authorized under this subsection.~~

12 [~~(e)(1) The legislature may authorize the issuance of up to~~
13 ~~\$1 billion in general obligation bonds, in addition to the amounts~~
14 ~~authorized by Subsections (a), (c), and (d) of this section, and~~
15 ~~use the proceeds of the bonds for acquiring, constructing, or~~
16 ~~equipping new corrections institutions, including youth corrections~~
17 ~~institutions, and mental health and mental retardation institutions~~
18 ~~and for major repair or renovation of existing facilities of those~~
19 ~~corrections and mental health and mental retardation institutions.~~

20 [~~(2) The provisions of Subsection (a) of this section~~
21 ~~relating to the review and approval of bonds and the provisions of~~
22 ~~Subsection (b) of this section relating to the status of the bonds~~
23 ~~as a general obligation of the state and to the manner in which the~~
24 ~~principal and interest on the bonds are paid apply to bonds~~
25 ~~authorized under this subsection.]~~

26 SECTION 19. Section 50b, Article III, Texas Constitution, is
27 amended to read as follows:

1 Sec. 50b. (a) The Legislature may provide that the Texas
2 Higher Education Coordinating Board, [~~Texas-College-and--University~~
3 ~~System~~7] or its successor or successors, shall have the authority
4 to provide for, issue and sell general obligation bonds of the
5 State of Texas in an amount authorized by constitutional amendment
6 or by a debt proposition under Section 49 of this article [~~not--to~~
7 ~~exceed--Eighty-five--Million--Dollars--(\$85,000,000)~~]. The bonds
8 authorized herein shall be called "Texas College Student Loan
9 Bonds," shall be executed in such form, denominations and upon such
10 terms as may be prescribed by law, provided, however, that the
11 bonds shall not bear more than the maximum interest rate prescribed
12 by Section 65 of this article [~~four-per-cent-(4%)--interest-per~~
13 ~~annum~~]; they may be issued in such installments as the Board finds
14 feasible and practical in accomplishing the purposes of this
15 Section.

16 (b) All moneys received from the sale of such bonds shall be
17 deposited in a fund hereby created in the State Treasury to be
18 known as the Texas Opportunity Plan Fund to be administered by the
19 [~~Coordinating~~] Board[~~7-Texas-College-and-University-System~~7] or its
20 successor or successors to make loans to students who have been
21 admitted to attend any institution of higher education within the
22 State of Texas, public or private, including Junior Colleges, which
23 are recognized or accredited under terms and conditions prescribed
24 by the Legislature, and to pay interest and principal on such bonds
25 and provide a sinking fund therefor under such conditions as the
26 Legislature may prescribe.

27 (c) While any of the bonds, or interest on said bonds

1 authorized by this Section is outstanding and unpaid, there is
2 hereby appropriated out of the first moneys coming into the
3 Treasury in each fiscal year, not otherwise appropriated by this
4 Constitution, an amount sufficient to pay the principal and
5 interest on such bonds that mature or become due during such fiscal
6 year, less the amount in the sinking fund at the close of the prior
7 fiscal year.

8 (d) The Legislature may provide for the investment of moneys
9 available in the Texas Opportunity Plan Fund, and the interest and
10 sinking funds established for the payment of bonds issued by the
11 [~~Coordinating~~] Board[~~7-Texas-College-and-University-System7~~] or its
12 successor or successors. Income from such investment shall be used
13 for the purposes prescribed by the Legislature.

14 (e) All bonds issued hereunder shall, after approval by the
15 Attorney General, registration by the Comptroller of Public
16 Accounts of the State of Texas, and delivery to the purchasers, be
17 incontestable and shall constitute general obligations of the State
18 of Texas under this Constitution.

19 [~~(f)--Should---the---Legislature---enact---enabling---laws---in~~
20 ~~anticipation-of-the-adoption-of-this-Amendment7--such-acts-shall-not~~
21 ~~be-void-because-of-their-anticipatory-nature-]~~

22 SECTION 20. Section 51, Article III, Texas Constitution, is
23 amended to read as follows:

24 Sec. 51. The Legislature shall have no power to make any
25 grant or authorize the making of any grant of public moneys to any
26 individual, association of individuals, municipal or other
27 corporations whatsoever; [~~provided7-however7--the--Legislature--may~~

1 grant-aid-to-indigent-and-disabled-Confederate-soldiers-and-sailors
2 under--such--regulations--and--limitations--as-may-be-deemed-by-the
3 legislature--as--expedient,--and--to--their--widows---in---indigent
4 circumstances--under--such--regulations--and--limitations--as-may-be
5 deemed--by--the--legislature--as--expedient,] provided that the
6 provisions of this Section shall not be construed so as to prevent
7 the grant of aid in cases of public calamity.

8 SECTION 21. Section 51-a, Article III, Texas Constitution,
9 is amended to read as follows:

10 Sec. 51-a. (a) The Legislature shall have the power, by
11 General Laws, to provide, subject to limitations herein contained,
12 and such other limitations, restrictions and regulations as may by
13 the Legislature be deemed expedient, for assistance grants to needy
14 dependent children and the caretakers of such children, needy
15 persons who are totally and permanently disabled because of a
16 mental or physical handicap, needy aged persons and needy blind
17 persons.

18 (b) The Legislature may provide by General Law for medical
19 care, rehabilitation and other similar services for needy persons.
20 The Legislature may prescribe such other eligibility requirements
21 for participation in these programs as it deems appropriate and may
22 make appropriations out of state funds for such purposes. The
23 maximum amount paid out of state funds for assistance grants, to or
24 on behalf of needy dependent children and their caretakers shall
25 not exceed [the-amount--of--Eighty--Million--Dollars--(\$80,000,000)
26 during--any--fiscal--year,--except--that--the--limit--shall--be--One--Hundred
27 Sixty--Million--Dollars--(\$160,000,000)--for--the--two--years--of--the

1 ~~1982-1983-biennium,--For-the-two-years-of-each-subsequent-biennium,~~
2 ~~the--maximum--amount--shall--not--exceed]~~ one percent of the state
3 budget. The Legislature by general statute shall provide for the
4 means for determining the state budget amounts, including state and
5 other funds appropriated by the Legislature, to be used in
6 establishing the biennial limit.

7 (c) Provided further, that if the limitations and
8 restrictions herein contained are found to be in conflict with the
9 provisions of appropriate federal statutes, as they now are or as
10 they may be amended to the extent that federal matching money is
11 not available to the state for these purposes, then and in that
12 event the Legislature is specifically authorized and empowered to
13 prescribe such limitations and restrictions and enact such laws as
14 may be necessary in order that such federal matching money will be
15 available for assistance and/or medical care for or on behalf of
16 needy persons.

17 (d) Nothing in this Section shall be construed to amend,
18 modify or repeal Section 31 of Article XVI of this Constitution;
19 provided further, however, that such medical care, services or
20 assistance shall also include the employment of objective or
21 subjective means, without the use of drugs, for the purpose of
22 ascertaining and measuring the powers of vision of the human eye,
23 and fitting lenses or prisms to correct or remedy any defect or
24 abnormal condition of vision. Nothing herein shall be construed to
25 permit optometrists to treat the eyes for any defect whatsoever in
26 any manner nor to administer nor to prescribe any drug or physical
27 treatment whatsoever, unless such optometrist is a regularly

1 licensed physician or surgeon under the laws of this state.

2 SECTION 22. Subsections (b) and (c), Section 52, Article
3 III, Texas Constitution, are amended to read as follows:

4 (b) Under Legislative provision, any county, [any] political
5 subdivision of a county, [any] number of adjoining counties, [or
6 any] political subdivision of the State, or [any] defined district
7 now or hereafter to be described and defined within the State of
8 Texas, and which may or may not include, towns, villages or
9 municipal corporations, upon a vote of two-thirds majority of the
10 [~~resident--property--taxpayers~~] voting [~~thereon--who--are~~] qualified
11 voters [~~electors~~] of such district or territory to be affected
12 thereby, [~~in--addition--to--all--other--debts~~] may issue bonds or
13 otherwise lend its credit in any amount not to exceed one-fourth of
14 the assessed valuation of the real property of such district or
15 territory, except that the total bonded indebtedness of any city or
16 town shall never exceed the limits imposed by other provisions of
17 this Constitution, and levy and collect taxes to pay the interest
18 thereon and provide a sinking fund for the redemption thereof, as
19 the Legislature may authorize, and in such manner as it may
20 authorize the same, for the following purposes to wit:

21 (1) The improvement of rivers, creeks, and streams to
22 prevent overflows, and to permit of navigation thereof, or
23 irrigation thereof, or in aid of such purposes.

24 (2) The construction and maintenance of pools, lakes,
25 reservoirs, dams, canals and waterways for the purposes of
26 irrigation, drainage or navigation, or in aid thereof.

27 (3) The construction, maintenance and operation of

1 macadamized, graveled or paved roads and turnpikes, or in aid
2 thereof.

3 (c) Notwithstanding the provisions of Subsection (b) of this
4 Section, bonds may be issued by any county in an amount not to
5 exceed one-fourth of the assessed valuation of the real property in
6 the county, for the construction, maintenance, and operation of
7 macadamized, graveled, or paved roads and turnpikes, or in aid
8 thereof, upon a vote of a majority of the [~~resident--property~~
9 ~~taxpayers~~] voting [~~thereon-who-are~~] qualified voters [~~electors~~] of
10 the county, and without the necessity of further or amendatory
11 legislation. The county may levy and collect taxes to pay the
12 interest on the bonds as it becomes due and to provide a sinking
13 fund for redemption of the bonds.

14 SECTION 23. Section 52d, Article III, Texas Constitution, is
15 amended to read as follows:

16 Sec. 52d. (a) Upon the vote of a majority of the [~~resident~~]
17 qualified voters [~~electors--owning--rendered--taxable--property~~
18 ~~therein~~] so authorizing, a county or road district may collect an
19 annual tax for a period not exceeding five (5) years to create a
20 fund for constructing lasting and permanent roads and bridges or
21 both. No contract involving the expenditure of any of such fund
22 shall be valid unless, when it is made, money shall be on hand in
23 such fund.

24 (b) At such election, the Commissioners' Court shall submit
25 for adoption a road plan and designate the amount of special tax to
26 be levied; the number of years said tax is to be levied; the
27 location, description, and character of the roads and bridges; and

1 the estimated cost thereof. The funds raised by such taxes shall
2 not be used for purposes other than those specified in the plan
3 submitted to the voters. Elections may be held from time to time
4 to extend or discontinue said plan or to increase or diminish said
5 tax. The Legislature shall enact laws prescribing the procedure
6 hereunder.

7 (c) The provisions of this section shall apply only to
8 Harris County and road districts therein.

9 SECTION 24. Section 52g, Article III, Texas Constitution, is
10 amended to read as follows:

11 Sec. 52g. Bonds to be issued by Dallas County under Section
12 52(b)(3) [52] of Article III of this Constitution [~~for--the~~
13 ~~construction--maintenance-and-operation-of-macadamized--graveled-or~~
14 ~~paved-roads-and-turnpikes--or-in-aid--thereof~~] may, without the
15 necessity of further or amendatory legislation, be issued upon a
16 vote of a majority of the [residents] voting [thereon--who--are]
17 qualified voters [electors] of said county, and bonds heretofore or
18 hereafter issued under Subsections (a) and (b) of said Section 52
19 shall not be included in determining the debt limit prescribed in
20 said Section.

21 SECTION 25. Section 7, Article IV, Texas Constitution, is
22 amended to read as follows:

23 Sec. 7. He shall be Commander-in-Chief of the military
24 forces of the State, except when they are called into actual
25 service of the United States. He shall have power to call forth
26 the militia to execute the laws of the State, to suppress
27 insurrections, and to repel invasions [~~--and-protect-the-frontier~~

1 ~~from-hostile-incursions-by-Indians-or-other-predatory-bands~~].

2 SECTION 26. Section 16, Article IV, Texas Constitution, is
3 amended to read as follows:

4 Sec. 16. There shall also be a Lieutenant Governor, who
5 shall be chosen at every election for Governor by the same voters
6 [~~electors~~], in the same manner, continue in office for the same
7 time, and possess the same qualifications. The voters [~~electors~~]
8 shall distinguish for whom they vote as Governor and for whom as
9 Lieutenant Governor. The Lieutenant Governor, shall by virtue of
10 his office, be President of the Senate, and shall have, when in
11 Committee of the Whole, a right to debate and vote on all
12 questions; and when the Senate is equally divided to give the
13 casting vote. In case of the death, resignation, removal from
14 office, inability or refusal of the Governor to serve, or of his
15 impeachment or absence from the State, the Lieutenant Governor
16 shall exercise the powers and authority appertaining to the office
17 of Governor until another be chosen at the periodical election, and
18 be duly qualified; or until the Governor impeached, absent or
19 disabled, shall be acquitted, return, or his disability be removed.

20 SECTION 27. Section 22, Article IV, Texas Constitution, is
21 amended to read as follows:

22 Sec. 22. The Attorney General [~~elected--at--the--general~~
23 ~~election--in-1974,-and-thereafter,-shall-hold-office-for-four-years~~
24 ~~and-until-his-successor-is-duly-qualified.--He~~] shall represent the
25 State in all suits and pleas in the Supreme Court of the State in
26 which the State may be a party, and shall especially inquire into
27 the charter rights of all private corporations, and from time to

1 time, in the name of the State, take such action in the courts as
2 may be proper and necessary to prevent any private corporation from
3 exercising any power or demanding or collecting any species of
4 taxes, tolls, freight or wharfage not authorized by law. He shall,
5 whenever sufficient cause exists, seek a judicial forfeiture of
6 such charters, unless otherwise expressly directed by law, and give
7 legal advice in writing to the Governor and other executive
8 officers, when requested by them, and perform such other duties as
9 may be required by law. [~~He shall reside at the seat of government~~
10 ~~during his continuance in office. He shall receive for his~~
11 ~~services an annual salary in an amount to be fixed by the~~
12 ~~legislature.]~~

13 SECTION 28. Section 23, Article IV, Texas Constitution, is
14 amended to read as follows:

15 Sec. 23. The Comptroller of Public Accounts, the
16 Commissioner of the General Land Office, the Attorney General, and
17 any statutory State officer who is elected by the electorate of
18 Texas at large, unless a term of office is otherwise specifically
19 provided in this Constitution, shall each hold office for the term
20 of four years [~~and until his successor is qualified. The four-year~~
21 ~~term applies to these officers who are elected at the general~~
22 ~~election in 1974 or thereafter]. Each shall receive an annual~~
23 salary in an amount to be fixed by the Legislature; reside at the
24 Capital of the State during his continuance in office, and perform
25 such duties as are or may be required by law. They and the
26 Secretary of State shall not receive to their own use any fees,
27 costs or perquisites of office. All fees that may be payable by

1 law for any service performed by any officer specified in this
2 section or in his office, shall be paid, when received, into the
3 State Treasury.

4 SECTION 29. Section 9, Article V, Texas Constitution, is
5 amended to read as follows:

6 Sec. 9. There shall be a Clerk for the District Court of
7 each county, who shall be elected by the qualified voters [~~for~~
8 ~~State-and-county-officers,~~] and who shall hold his office for four
9 years, subject to removal by information, or by indictment of a
10 grand jury, and conviction of a petit jury. In case of vacancy,
11 the Judge of the District Court shall have the power to appoint a
12 Clerk, who shall hold until the office can be filled by election.

13 SECTION 30. Section 2, Article VI, Texas Constitution, is
14 amended to read as follows:

15 Sec. 2. Every person subject to none of the foregoing
16 disqualifications [~~who shall have attained the age of 18 years and~~
17 who shall be a citizen of the United States and who is a resident
18 of this state shall be deemed a qualified voter [~~elector~~];
19 provided, however, that before offering to vote at an election a
20 voter shall have registered, but such requirement for registration
21 shall not be considered a qualification of a voter [~~an elector~~]
22 within the meaning of the term "qualified voter [~~elector~~]" as used
23 in any other Article of this Constitution in respect to any matter
24 except qualification and eligibility to vote at an election. The
25 Legislature may authorize absentee voting.

26 SECTION 31. Subsections (a) and (b), Section 2a, Article VI,
27 Texas Constitution, are amended to read as follows:

1 (a) Notwithstanding any other provision of this
2 Constitution, the Legislature may enact laws and provide a method
3 of registration, including the time of such registration,
4 permitting any person who is qualified to vote in this State except
5 for the residence requirements within a county or district, as set
6 forth in Section 2 of this Article, to vote for (1) electors for
7 President and Vice President of the United States and (2) all
8 offices, questions or propositions to be voted on by all voters
9 [~~electors~~] throughout this State.

10 (b) Notwithstanding any other provision of this
11 Constitution, the Legislature may enact laws and provide for a
12 method of registration, including the time for such registration,
13 permitting any person (1) who is qualified to vote in this State
14 except for the residence requirements of Section 2 of this Article,
15 and (2) who shall have resided anywhere within this State at least
16 thirty (30) days next preceding a General Election in a
17 presidential election year, and (3) who shall have been a qualified
18 voter [~~elector~~] in another state immediately prior to his removal
19 to this State or would have been eligible to vote in such other
20 state had he remained there until such election, to vote for
21 electors for President and Vice President of the United States in
22 that election.

23 SECTION 32. Section 3, Article VI, Texas Constitution, is
24 amended to read as follows:

25 Sec. 3. All qualified voters [~~electors~~] of the State, as
26 herein described, who reside within the limits of any city or
27 corporate town, shall have the right to vote for Mayor and all

1 other elective officers.

2 SECTION 33. Section 3a, Article VI, Texas Constitution, is
3 amended to read as follows:

4 Sec. 3a. When an election is held by any county, or any
5 number of counties, or any political sub-division of the State, or
6 any political sub-division of a county, or any defined district now
7 or hereafter to be described and defined within the State and which
8 may or may not include towns, villages or municipal corporations,
9 or any city, town or village, for the purpose of issuing bonds or
10 otherwise lending credit, or expending money or assuming any debt,
11 only qualified voters of [~~electors-who-own-taxable-property-in~~] the
12 State, county, political sub-division, district, city, town or
13 village where such election is held[~~,-and-who-have-duly-rendered~~
14 ~~the-same-for--taxation,~~] shall be qualified to vote [~~and--all~~
15 ~~electors-shall-vote-in-the-election-precinct-of-their-residence~~].

16 SECTION 34. Section 3, Article VII, Texas Constitution, is
17 amended to read as follows:

18 Sec. 3. (a) One-fourth of the revenue derived from the
19 State occupation taxes [~~and--poll--tax--of--one--dollar-on-every~~
20 ~~inhabitant-of-the-State,-between-the-ages-of-twenty-one--and--sixty~~
21 ~~years,~~] shall be set apart annually for the benefit of the public
22 free schools.

23 (b) It[~~,-and-in-addition-thereto,-there-shall-be-levied--and~~
24 ~~collected--an--annual-ad-valorem-State-tax-of-such-an-amount-not-to~~
25 ~~exceed-thirty-five-cents--on--the--one--hundred--(\$100.00)--dollars~~
26 ~~valuation,-as-with-the-available-school-fund-arising-from-all-other~~
27 ~~sources,-will--be--sufficient--to--maintain-and-support-the-public~~

1 schools-of-this-State-for-a-period-of-not-less-than-six--months--in
2 each--year7--and--it] shall be the duty of the State Board of
3 Education to set aside a sufficient amount of available funds [out
4 of-the-said-tax] to provide free text books for the use of children
5 attending the public free schools of this State.

6 (c) Should[7--provided7-however7-that-should] the [limit-of]
7 taxation herein named be insufficient the deficit may be met by
8 appropriation from the general funds of the State. [and-the]

9 (d) The Legislature may [also] provide for the formation of
10 school districts [district] by general laws, [7] and all such school
11 districts may embrace parts of two or more counties.

12 (e) The[7-and-the] Legislature shall be authorized to pass
13 laws for the assessment and collection of taxes in all school
14 [said] districts and for the management and control of the public
15 school or schools of such districts, whether such districts are
16 composed of territory wholly within a county or in parts of two or
17 more counties, and the Legislature may authorize an additional ad
18 valorem tax to be levied and collected within all school districts
19 [heretofore---formed---or---hereafter---formed7] for the further
20 maintenance of public free schools, and for the erection and
21 equipment of school buildings therein; provided that a majority of
22 the qualified [property-taxpaying] voters of the district voting at
23 an election to be held for that purpose, shall approve the [vote
24 such] tax [not-to-exceed-in-any-one-year-one-(\$1.00)-dollar-on--the
25 one--hundred--dollars-valuation-of-the-property-subject-to-taxation
26 in-such-district7-but-the-limitation--upon--the--amount--of--school
27 district--tax--herein--authorized--shall--not--apply--to--incorporated

1 cities--or--towns--constituting--separate--and--independent--school
2 districts, nor to independent or common school districts created by
3 general or special law].

4 SECTION 35. Sections 10 and 13, Article VII, Texas
5 Constitution, are combined, reenacted as Section 10, and amended
6 to read as follows:

7 Sec. 10. The Legislature shall [as--soon--as--practicable
8 establish,--organize--and] provide for the maintenance, support and
9 direction of universities [a--University] of the first class,
10 including [to-be-located-by-a-vote-of-the-people-of-this-State, and
11 styled] "The University of Texas", for the promotion of
12 literature, and the arts and sciences, and [including--an
13 Agricultural, and Mechanical department.

14 [Sec.--13.---The-Agricultural-and-Mechanical-College-of] Texas
15 A&M University, [established-by-an-Act-of--the--Legislature--passed
16 April--17th,--1871] located in the county of Brazos, [is-hereby
17 made, and constituted a Branch of the--University--of--Texas] for
18 instruction in Agriculture, the Mechanic Arts, and the Natural
19 Sciences connected therewith. [And-the-Legislature--shall--at--its
20 next--session,--make-an-appropriation, not-to-exceed-forty-thousand
21 dollars, for-the-construction-and-completion-of-the--buildings--and
22 improvements, and-for-providing-the-furniture-necessary-to-put-said
23 College-in-immediate-and-successful-operation.]

24 SECTION 36. Section 14, Article VII, Texas Constitution, is
25 amended to read as follows:

26 Sec. 14. Prairie View A&M University in Waller County is an
27 institution of the first class under the direction of the same

1 governing board as Texas A&M University [referred--to--in--Article
2 VII--Section--13--of--this--constitution--as--the--Agriclutural--and
3 Mechanical--College--of--Texas].

4 SECTION 37. Section 1-a, Article VIII, Texas Constitution,
5 is amended to read as follows:

6 Sec. 1-a. No [From-and-after-January-17-1957-no] State ad
7 valorem tax shall be levied upon any property within this State
8 [for--general--revenue--purposes]. The [From-and-after-January-17
9 1957-the] several counties of the State are authorized to levy ad
10 valorem taxes upon all property within their respective boundaries
11 for county purposes, except the first Three Thousand Dollars
12 (\$3,000) value of residential homesteads of married or unmarried
13 adults, male or female, including those living alone, not to exceed
14 thirty cents (30¢) on each One Hundred Dollars (\$100) valuation, in
15 addition to all other ad valorem taxes authorized by the
16 Constitution of this State, provided the revenue derived therefrom
17 shall be used for construction and maintenance of Farm to Market
18 Roads or for Flood Control, except as herein otherwise provided.

19 [Provided-that-in-these-counties-or-political-subdivisions-or
20 areas--of--the--State--from--which--tax--donations--have--heretofore--been
21 granted--the--State--Automatic--Tax--Board--shall--continue--to--levy--the
22 full--amount--of--the--State--ad--valorem--tax--for--the--duration--of--such
23 donation--or--until--all--legal--obligations--heretofore--authorized--by
24 the--law--granting--such--donation--or--donations--shall--have--been--fully
25 discharged--whichever--shall--first--occur--provided--that--if--such
26 donation--to--any--such--county--or--political--subdivision--is--for--less
27 than--the--full--amount--of--State--ad--valorem--taxes--so--levied--the

1 ~~portion--of--such--taxes--remaining--over--and--above--such--donation--shall~~
2 ~~be--retained--by--said--county--or--subdivision.]~~

3 SECTION 38. Subsection (b), Section 1-b, Article VIII, Texas
4 Constitution, is amended to read as follows:

5 (b) The governing body of any county, city, town, school
6 district, or other political subdivision of the State[~~7--other--than~~
7 ~~a--county--education--district,~~] may exempt by its own action not less
8 than Three Thousand Dollars (\$3,000) of the market value of
9 residence homesteads of persons, married or unmarried, including
10 those living alone, who are under a disability for purposes of
11 payment of disability insurance benefits under Federal Old-Age,
12 Survivors, and Disability Insurance or its successor or of married
13 or unmarried persons sixty-five (65) years of age or older,
14 including those living alone, from all ad valorem taxes thereafter
15 levied by the political subdivision. As an alternative, upon
16 receipt of a petition signed by twenty percent (20%) of the voters
17 who voted in the last preceding election held by the political
18 subdivision, the governing body of the subdivision shall call an
19 election to determine by majority vote whether an amount not less
20 than Three Thousand Dollars (\$3,000) as provided in the petition,
21 of the market value of residence homesteads of disabled persons or
22 of persons sixty-five (65) years of age or over shall be exempt
23 from ad valorem taxes thereafter levied by the political
24 subdivision. [~~In--the--manner--provided--by--law,~~~~--the--voters--of--a~~
25 ~~county--education--district--at--an--election--held--for--that--purpose--may~~
26 ~~exempt--an--amount--not--less--than--Three--Thousand--Dollars--(\$3,000),~~~~--as~~
27 ~~provided--in--the--petition,~~~~--of--the--market--value--of--residence~~

1 homesteads--of--disabled--persons--or--of--persons--sixty--five--(65)--years
2 of--age--or--over--from--ad--valorem--taxes--thereafter--levied--by--the
3 county--education--district.] An eligible disabled person who is
4 sixty-five (65) years of age or older may not receive both
5 exemptions from the same political subdivision in the same year but
6 may choose either if the subdivision has adopted both. Where any
7 ad valorem tax has theretofore been pledged for the payment of any
8 debt, the taxing officers of the political subdivision shall have
9 authority to continue to levy and collect the tax against the
10 homestead property at the same rate as the tax so pledged until the
11 debt is discharged, if the cessation of the levy would impair the
12 obligation of the contract by which the debt was created. [An
13 exemption--adopted--under--this--subsection--based--on--assessed--value--is
14 increased--effective--January--1--1979--to--an--amount--that--when
15 converted--to--market--value--provides--the--same--reduction--in--taxes
16 except--that--the--market--value--exemption--shall--be--rounded--to--the
17 nearest--\$100.]

18 SECTION 39. Subsection (b), Section 1-j, Article VIII, Texas
19 Constitution, is amended to read as follows:

20 (b) [Tangible--personal--property--exempted--from--taxation--in
21 Subsection--(a)--of--this--section--is--subject--to--the--following:

22 [(1)--A--county,--common--or--independent--school--district,
23 junior--college--district--or--municipality,--including--a--home--rule
24 city,--may--tax--such--property--otherwise--exempt,--if--the--governing--body
25 of--the--county,--common--or--independent--school--district--junior
26 college--district--or--municipality--takes--official--action--as--provided
27 in--this--section--and--in--the--manner--provided--by--law--to--provide--for

1 the-taxation-of-such-property.

2 [(2)--Any--official--action-to-tax-such-exempt-property
3 must-be-taken-before-April-17-1990.--If-official-action-is-taken-to
4 tax-such-exempt-property-before-January-17-1990,--such--property--is
5 taxable-effective-for-the-tax-year-1990.--However,--if-such-official
6 action-to-tax-such-exempt-property-is-taken-prior-to-April-17-1990,
7 but--after--January--17--1990,--the-official-action-shall-not-become
8 effective-to-tax-such-property-until-the-1991-tax-year.

9 [(3)--Any-of--the--above-named--political--subdivisions
10 shall--have--the--authority-to-exempt-from-payment-of-taxation-such
11 property-located-in-such-above-named-political-subdivisions-for-the
12 taxing-year-1989.--If-a-governing-body-exempts--the--property--from
13 1989--taxes,--the--governing--body--shall--waive-1989-taxes-already
14 imposed-and-refund-1989-taxes-already-paid--on--such--property--for
15 that-year.

16 [(4)] The governing body of a county, common, or
17 independent school district, junior college district, or
18 municipality that, acting under previous constitutional authority,
19 taxes [~~acts under Subdivision (2) of Subsection (b) of this section~~
20 ~~to tax the~~] property otherwise exempt by Subsection (a) of this
21 section may subsequently exempt the property from taxation by
22 rescinding its action to tax the property. The exemption applies
23 to each tax year that begins after the date the action is taken and
24 applies to the tax year in which the action is taken if the
25 governing body so provides. A governing body that rescinds its
26 action to tax the property may not take action to tax such property
27 after the rescission.

1 SECTION 40. Section 6, Article VIII, Texas Constitution, is
2 amended to read as follows:

3 Sec. 6. No money shall be drawn from the Treasury but in
4 pursuance of specific appropriations made by law; nor shall any
5 appropriation of money be made for a longer term than two years[
6 except---by---the---first---legislature---to---assemble---under---this
7 Constitution, which may make the necessary appropriations to carry
8 on---the---government---until---the---assemblage---of---the---sixteenth
9 legislature].

10 SECTION 41. Section 9, Article VIII, Texas Constitution, is
11 amended to read as follows:

12 Sec. 9. (a) No [The State tax on property, exclusive of the
13 tax necessary to pay the public debt, and of the taxes provided for
14 the benefit of the public free schools, shall never exceed
15 thirty-five cents (35¢) on the One Hundred Dollars (\$100)
16 valuation, and no] county, city or town shall levy a tax rate in
17 excess of Eighty Cents (80¢) on the One Hundred Dollars (\$100)
18 valuation in any one (1) year for general fund, permanent
19 improvement fund, road and bridge fund and jury fund purposes.

20 (b) At [---provided---further---that---at] the time the
21 Commissioners Court meets to levy the annual tax rate for each
22 county it shall levy whatever tax rate may be needed for the four
23 (4) constitutional purposes; namely, general fund, permanent
24 improvement fund, road and bridge fund and jury fund so long as the
25 Court does not impair any outstanding bonds or other obligations
26 and so long as the total of the foregoing tax levies does not
27 exceed Eighty Cents (80¢) on the One Hundred Dollars (\$100)

1 valuation in any one (1) year. Once the Court has levied the
2 annual tax rate, the same shall remain in force and effect during
3 that taxable year.

4 (c) The [~~and--the~~] Legislature may [~~also~~] authorize an
5 additional annual ad valorem tax to be levied and collected for the
6 further maintenance of the public roads; provided, that a majority
7 of the qualified [~~property-taxpaying~~] voters of the county voting
8 at an election to be held for that purpose shall approve the [~~vote~~
9 ~~such~~] tax, not to exceed Fifteen Cents (15¢) on the One Hundred
10 Dollars (\$100) valuation of the property subject to taxation in
11 such county.

12 (d) Any county may put all tax money collected by the county
13 into one general fund, without regard to the purpose or source of
14 each tax.

15 (e) The [~~And--the~~] Legislature may pass local laws for the
16 maintenance of the public roads and highways, without the local
17 notice required for special or local laws.

18 (f) This Section shall not be construed as a limitation of
19 powers delegated to counties, cities or towns by any other Section
20 or Sections of this Constitution.

21 SECTION 42. Section 16a, Article VIII, Texas Constitution,
22 is amended to read as follows:

23 Sec. 16a. In any county having a population of less than ten
24 thousand (10,000) inhabitants, as determined by the last preceding
25 census of the United States, the Commissioners Court may submit to
26 the qualified [~~property-taxpaying~~] voters of such county at an
27 election the question of adding an Assessor-Collector of Taxes to

1 the list of authorized county officials. If a majority of such
2 voters voting in such election shall approve of adding an
3 Assessor-Collector of Taxes to such list, then such official shall
4 be elected at the next General Election for such Constitutional
5 term of office as is provided for other Tax Assessor-Collectors in
6 this State.

7 SECTION 43. Section 20, Article VIII, Texas Constitution, is
8 amended to read as follows:

9 Sec. 20. No property of any kind in this State shall ever be
10 assessed for ad valorem taxes at a greater value than its fair cash
11 market value nor shall any Board of Equalization of any
12 governmental or political subdivision or taxing district within
13 this State fix the value of any property for tax purposes at more
14 than its fair cash market value; provided that in order to
15 encourage the prompt payment of taxes, the Legislature shall have
16 the power to provide that the taxpayer shall be allowed by the
17 State and all governmental and political subdivisions and taxing
18 districts of the State a three per cent (3%) discount on ad valorem
19 taxes due the State or due any governmental or political
20 subdivision or taxing district of the State if such taxes are paid
21 ninety (90) days before the date when they would otherwise become
22 delinquent; and the taxpayer shall be allowed a two per cent (2%)
23 discount on said taxes if paid sixty (60) days before said taxes
24 would become delinquent; and the taxpayer shall be allowed a one
25 per cent (1%) discount if said taxes are paid thirty (30) days
26 before they would otherwise become delinquent. [~~This amendment~~
27 ~~shall be effective January 17, 1939.~~] The Legislature shall pass

1 necessary laws for the proper administration of this Section.

2 SECTION 44. Section 1, Article IX, Texas Constitution, is
3 amended to read as follows:

4 Sec. 1. The Legislature shall have power to create counties
5 for the convenience of the people subject to the following
6 provisions:

7 ~~[First:---In-the-territory-of-the-State-exterior-to-all~~
8 ~~counties-now-existing, no new counties shall be created with a less~~
9 ~~area than nine hundred square miles, in a square form, unless~~
10 ~~prevented by pre-existing boundary lines. Should the State lines~~
11 ~~render this impracticable in border counties, the area may be less.~~
12 ~~The territory referred to may, at any time, in whole or in part, be~~
13 ~~divided into counties in advance of population and attached, for~~
14 ~~judicial and land surveying purposes, to the most convenient~~
15 ~~organized county or counties.]~~

16 (1) [Second:] Within the territory of any county or
17 counties [now-existing], no new county shall be created with a less
18 area than seven hundred square miles, nor shall any such county now
19 existing be reduced to a less area than seven hundred square miles.
20 No new counties shall be created so as to approach nearer than
21 twelve miles of the county seat of any county from which it may in
22 whole or in part be taken. Counties of a less area than nine
23 hundred, but of seven hundred or more square miles, within counties
24 now existing, may be created by a two-thirds vote of each House of
25 the Legislature, taken by yeas and nays and entered on the
26 journals. Any county now existing may be reduced to an area of not
27 less than seven hundred square miles by a like two-thirds vote.

1 When any part of a county is stricken off and attached to, or
2 created into another county, the part stricken off shall be holden
3 for and obliged to pay its proportion of all the liabilities then
4 existing, of the county from which it was taken, in such manner as
5 may be prescribed by law.

6 (2) [~~Third-~~] No part of any existing county shall be
7 detached from it and attached to another existing county until the
8 proposition for such change shall have been submitted, in such
9 manner as may be provided by law, to a vote of the voters
10 [~~electors~~] of both counties, and shall have received a majority of
11 those voting on the question in each.

12 SECTION 45. Section 2, Article IX, Texas Constitution, is
13 amended to read as follows:

14 Sec. 2. The Legislature shall pass laws regulating the
15 manner of removing county seats, but no county seat situated within
16 five miles of the geographical centre of the county shall be
17 removed, except by a vote of two-thirds of all the voters
18 [~~electors~~] voting on the subject. A majority of such voters
19 [~~electors~~], however, voting at such election, may remove a county
20 seat from a point more than five miles from the geographical centre
21 of the county to a point within five miles of such centre, in
22 either case the centre to be determined by a certificate from the
23 Commissioner of the General Land Office.

24 SECTION 46. Section 4, Article IX, Texas Constitution, is
25 amended to read as follows:

26 Sec. 4. The Legislature may by law authorize the creation of
27 county-wide Hospital Districts in counties having a population in

1 excess of 190,000 and in Galveston County, with power to issue
2 bonds for the purchase, acquisition, construction, maintenance and
3 operation of any county owned hospital, or where the hospital
4 system is jointly operated by a county and city within the county,
5 and to provide for the transfer to the county-wide Hospital
6 District of the title to any land, buildings or equipment, jointly
7 or separately owned, and for the assumption by the district of any
8 outstanding bonded indebtedness theretofore issued by any county or
9 city for the establishment of hospitals or hospital facilities; to
10 levy a tax not to exceed seventy-five (\$.75) cents on the One
11 Hundred (\$100.00) Dollars valuation of all taxable property within
12 such district, provided, however, that such district shall be
13 approved at an election held for that purpose, and that only
14 qualified [~~property-taxpaying~~] voters in such county shall vote
15 therein; provided further, that such Hospital District shall assume
16 full responsibility for providing medical and hospital care to
17 needy inhabitants of the county, and thereafter such county and
18 cities therein shall not levy any other tax for hospital purposes;
19 and provided further that should such Hospital District construct,
20 maintain and support a hospital or hospital system, that the same
21 shall never become a charge against the State of Texas, nor shall
22 any direct appropriation ever be made by the Legislature for the
23 construction, maintenance or improvement of the said hospital or
24 hospitals. [~~Should--the--Legislature--enact--enabling---laws---in
25 anticipation-of-the-adoption-of-this-amendment,-such-Acts-shall-not
26 be-invalid-because-of-their-anticipatory-character-]~~]

27 SECTION 47. Subsections (a), (c), and (e), Section 5,

1 Article IX, Texas Constitution, are amended to read as follows:

2 (a) The Legislature may by law authorize the creation of two
3 hospital districts, one to be coextensive with and have the same
4 boundaries as the incorporated City of Amarillo, as such boundaries
5 now exist or as they may hereafter be lawfully extended, and the
6 other to be coextensive with Wichita County.

7 If such district or districts are created, they may be
8 authorized to levy a tax not to exceed Seventy-five Cents (75¢) on
9 the One Hundred Dollars (\$100.00) valuation of taxable property
10 within the district; provided, however, no tax may be levied until
11 approved by a majority vote of the participating resident qualified
12 [~~property-taxpaying~~] voters [~~who-have-duty-rendered-their--property~~
13 ~~for--taxation~~]. The maximum rate of tax may be changed at
14 subsequent elections so long as obligations are not impaired, and
15 not to exceed the maximum limit of Seventy-five Cents (75¢) per One
16 Hundred Dollars (\$100.00) valuation, and no election shall be
17 required by subsequent changes in the boundaries of the City of
18 Amarillo.

19 If such tax is authorized, no political subdivision or
20 municipality within or having the same boundaries as the district
21 may levy a tax for medical or hospital care for needy individuals,
22 nor shall they maintain or erect hospital facilities, but the
23 district shall by resolution assume all such responsibilities and
24 shall assume all of the liabilities and obligations (including
25 bonds and warrants) of such subdivisions or municipalities or both.
26 The maximum tax rate submitted shall be sufficient to discharge
27 such obligations, liabilities, and responsibilities, and to

1 maintain and operate the hospital system, and the Legislature may
2 authorize the district to issue tax bonds for the purpose of the
3 purchase, construction, acquisition, repair or renovation of
4 improvements and initially equipping the same, and such bonds shall
5 be payable from said Seventy-five Cents (75¢) tax. The Legislature
6 shall provide for transfer of title to properties to the district.

7 (c) The Legislature may by law authorize the creation of a
8 hospital district within Jefferson County, the boundaries of which
9 shall include only the area comprising the Jefferson County
10 Drainage District No. 7 and the Port Arthur Independent School
11 District, as such boundaries existed on the first day of January,
12 1957, with the power to issue bonds for the sole purpose of
13 purchasing a site for, and the construction and initial equipping
14 of, a hospital system, and with the power to levy a tax of not to
15 exceed Seventy-five Cents (75¢) on the One Hundred Dollars
16 (\$100.00) valuation of property therein for the purpose of paying
17 the principal and interest on such bonds.

18 The [~~creation-of-such-hospital-district-shall--not--be--final~~
19 ~~until--approved--at--an--election--by--a--majority--of--the--resident~~
20 ~~property-taxpaying-voters-voting-at-said--election--who--have--duly~~
21 ~~rendered--their--property-for-taxation-upon-the-tax-rolls-of-either~~
22 ~~said-Drainage-or-said-School-District,-nor-shall--such]~~ bonds may
23 not be issued or such tax be levied until [~~so~~] approved by such
24 voters.

25 The district shall not have the power to levy any tax for
26 maintenance or operation of the hospital or facilities, but shall
27 contract with other political subdivisions of the state or private

1 individuals, associations, or corporations for such purposes.

2 If the district hereinabove authorized is finally created, no
3 other hospital district may be created embracing any part of the
4 territory within its boundaries, but the Legislature by law may
5 authorize the creation of a hospital district incorporating therein
6 the remainder of Jefferson County, having the powers and duties and
7 with the limitations presently provided by Article IX, Section 4,
8 of the Constitution of Texas [~~7-except-that-such-district--shall--be~~
9 ~~confirmed--at--an--election-wherein-the-resident-qualified-property~~
10 ~~taxpaying-voters-who-have-duty-rendered-their-property-within--such~~
11 ~~proposed--district--for--taxation--on--the--county--rolls;7-shall-be~~
12 ~~authorized-to-vote~~]. A majority of those participating in the
13 election voting in favor of the district shall be necessary for
14 [~~its-confirmation-and-for~~] bonds to be issued.

15 (e) The legislature by law may authorize Randall County to
16 render financial assistance to the Amarillo Hospital District by
17 paying part of the district's operating and maintenance expenses
18 and the debts assumed or created by the district and to levy a tax
19 for that purpose in an amount not to exceed seventy-five cents
20 (75¢) on the One Hundred Dollars (\$100.00) valuation on all
21 property in Randall County that is not within the boundaries of the
22 City of Amarillo or the South Randall County Hospital District.
23 This tax is in addition to any other tax authorized by this
24 constitution. If the tax is authorized by the legislature and
25 approved by the voters of the area to be taxed, the Amarillo
26 Hospital District shall, by resolution, assume the
27 responsibilities, obligations, and liabilities of Randall County in

1 accordance with Subsection (a) of this section and, except as
2 provided by this subsection, Randall County may not levy taxes or
3 issue bonds for hospital purposes or for providing hospital care
4 for needy inhabitants of the county. [~~Not later than the end of~~
5 ~~the first tax year during which taxes are levied under this~~
6 ~~subsection, Randall County shall deposit in the State Treasury to~~
7 ~~the credit of the state General Revenue Fund \$45,000 to reimburse~~
8 ~~the state for the cost of publishing the resolution required by~~
9 ~~this subsection.~~]

10 SECTION 48. Subsection (a), Section 8, Article IX, Texas
11 Constitution, is amended to read as follows:

12 (a) The Legislature may by law authorize the creation of a
13 Hospital District to be co-extensive with the limits of County
14 Commissioners Precinct No. 4 of Comanche County, Texas.

15 If such District is created, it may be authorized to levy a
16 tax not to exceed seventy-five cents (75¢) on the One Hundred
17 Dollar (\$100) valuation of taxable property within the District;
18 provided, however, no tax may be levied until approved by a
19 majority vote of the participating resident qualified [property
20 taxpaying] voters [who have duly rendered their property for
21 taxation]. The maximum rate of tax may be changed at subsequent
22 elections so long as obligations are not impaired, and not to
23 exceed the maximum limit of seventy-five cents (75¢) per One
24 Hundred Dollar (\$100) valuation, and no election shall be required
25 by subsequent changes in the boundaries of the Commissioners
26 Precinct No. 4 of Comanche County.

27 If such tax is authorized, no political subdivision or

1 municipality within or having the same boundaries as the District
2 may levy a tax for medical or hospital care for needy individuals,
3 nor shall they maintain or erect hospital facilities, but the
4 District shall by resolution assume all such responsibilities and
5 shall assume all of the liabilities and obligations (including
6 bonds and warrants) of such subdivisions or municipalities or both.
7 The maximum tax rate submitted shall be sufficient to discharge
8 such obligations, liabilities, and responsibilities, and to
9 maintain and operate the hospital system, and the Legislature may
10 authorize the District to issue tax bonds for the purpose of the
11 purchase, construction, acquisition, repair or renovation of
12 improvements and initially equipping the same, and such bonds shall
13 be payable from said seventy-five cent (75¢) tax. The Legislature
14 shall provide for transfer of title to properties to the District.

15 SECTION 49. Section 11, Article IX, Texas Constitution, is
16 amended to read as follows:

17 Sec. 11. (a) The Legislature may by law authorize the
18 creation of hospital districts in Ochiltree, Castro, Hansford and
19 Hopkins Counties, each district to be coextensive with the limits
20 of such county.

21 (b) If any such district is created, it may be authorized to
22 levy a tax not to exceed Seventy-five Cents (75¢) on the One
23 Hundred Dollar (\$100) valuation of taxable property within the
24 district; provided, however, no tax may be levied until approved by
25 a majority vote of the participating resident qualified
26 [~~property-taxpaying~~] voters [~~who-have-duty-rendered-their--property~~
27 ~~for--taxation~~]. The maximum rate of tax may be changed at

1 subsequent elections so long as obligations are not impaired, and
2 not to exceed the maximum limit of Seventy-five Cents (75¢) per One
3 Hundred Dollar (\$100) valuation.

4 (c) If such tax is authorized, no political subdivision or
5 municipality within or having the same boundaries as the district
6 may levy a tax for medical or hospital care for needy individuals,
7 nor shall they maintain or erect hospital facilities, but the
8 district shall by resolution assume all such responsibilities and
9 shall assume all of the liabilities and obligations (including
10 bonds and warrants) of such subdivisions or municipalities or both.
11 The maximum tax rate submitted shall be sufficient to discharge
12 obligations, liabilities, and responsibilities, and to maintain and
13 operate the hospital system, and the Legislature may authorize the
14 district to issue tax bonds for the purpose of the purchase,
15 construction, acquisition, repair or renovation of improvements and
16 initially equipping the same, and such bonds shall be payable from
17 said Seventy-five Cent (75¢) tax. The Legislature shall provide
18 for transfer of title to properties to the district.

19 [~~Should--the--Legislature-enact-enabling-laws-in-anticipation~~
20 ~~of-the-adoption-of-the-amendment, such Acts shall not be invalid~~
21 ~~because-of-their-anticipatory-character.~~]

22 SECTION 50. Section 12, Article IX, Texas Constitution, is
23 amended to read as follows:

24 Sec. 12. (a) The Legislature may by law provide for the
25 creation, establishment, maintenance and operation of Airport
26 Authorities composed of one or more counties, with power to issue
27 general obligation bonds, revenue bonds, either or both of them,

1 for the purchase, acquisition by the exercise of the power of
2 eminent domain or otherwise, construction, reconstruction, repair
3 or renovation of any airport or airports, landing fields and
4 runways, airport buildings, hangars, facilities, equipment,
5 fixtures, and any and all property, real or personal, necessary to
6 operate, equip and maintain an airport.

7 (b) The Legislature[7] shall provide for the option by the
8 governing body of the city or cities whose airport facilities are
9 served by certificated airlines and whose facility or some interest
10 therein, is proposed to be or has been acquired by the Authority,
11 to either appoint or elect a Board of Directors of said Authority.
12 If[7--if] the Directors are appointed such appointment shall be made
13 by the County Commissioners Court after consultation with and
14 consent of the governing body or bodies of such city or cities.
15 If[7--and-if] the Board of Directors is elected they shall be
16 elected by the qualified [taxpaying] voters of the county which
17 chooses to elect the Directors to represent that county.[7--such]
18 Directors shall serve without compensation for a term fixed by the
19 Legislature not to exceed six (6) years, [and] shall be selected on
20 the basis of the proportionate population of each county based upon
21 the last preceding Federal Census, and shall be [a--resident--or]
22 residents of such county. No[7--provide-that-no] county shall have
23 less than one (1) member on the Board of Directors.

24 (c) The Legislature shall[7] provide for the holding of an
25 election in each county proposing the creation of an Authority to
26 be called by the Commissioners Court or Commissioners Courts, as
27 the case may be, upon petition of five per cent (5%) of the

1 qualified [taxpaying] voters within the county or counties. The[7
2 said] elections must [to] be held on the same day if more than one
3 county is included. No[7-provided-that-no] more than one (1) such
4 election may be called in a county until after the expiration of
5 one (1) year[7] in the event such an election has failed, and
6 thereafter only upon a petition of ten per cent (10%) of the
7 qualified [taxpaying] voters being presented to the Commissioners
8 Court or Commissioners Courts of the county or counties in which
9 such an election has failed. In[7-and-in] the event that two or
10 more counties vote on the proposition of the creation of an
11 Authority therein, the proposition shall not be deemed to carry
12 unless the majority of the qualified [taxpaying] voters in each
13 county voting thereon vote in favor thereof. An[7--provided7
14 however7-that-an] Airport Authority may be created and be composed
15 of the county or counties that vote in favor of its creation if
16 separate propositions are submitted to the voters of each county so
17 that they may vote for a two or more county Authority or a single
18 county Authority.

19 (d) The Legislature shall[7] provide for the appointment by
20 the Board of Directors of an Assessor and Collector of Taxes in the
21 Authority, whether constituted of one or more counties, whose duty
22 it shall be to assess all taxable property, both real and personal,
23 and collect the taxes thereon, based upon the tax rolls approved by
24 the Board of Directors, the tax to be levied not to exceed
25 Seventy-Five Cents (75¢) per One Hundred Dollars (\$100) assessed
26 valuation of the property. The[7--provided7-however7-that-the]
27 property of state regulated common carriers required by law to pay

1 a tax upon intangible assets shall not be subject to taxation by
2 the Authority. The~~[7-said]~~ taxable property shall be assessed on a
3 valuation not to exceed the market value and shall be equal and
4 uniform throughout the Authority as is otherwise provided by the
5 Constitution.

6 (e) The~~[7-the]~~ Legislature shall authorize the purchase or
7 acquisition by the Authority of any existing airport facility
8 publicly owned and financed and served by certificated airlines, in
9 fee or of any interest therein, or to enter into any lease
10 agreement therefor, upon such terms and conditions as may be
11 mutually agreeable to the Authority and the owner of such
12 facilities, or authorize the acquisition of same through the
13 exercise of the power of eminent domain. In~~[7-and-in]~~ the event of
14 such acquisition, if there are any general obligation bonds that
15 the owner of the publicly owned airport facility has outstanding,
16 the same shall be fully assumed by the Authority and sufficient
17 taxes levied by the Authority to discharge said outstanding
18 indebtedness. If~~[7--and--likewise]~~ any city or owner ~~[that]~~ has
19 outstanding revenue bonds where the revenues of the airport have
20 been pledged or said bonds constitute a lien against the airport
21 facilities, the Authority shall assume and discharge all the
22 obligations of the city under the ordinances and bond indentures
23 under which said revenue bonds have been issued and sold.

24 (f) Any city which owns airport facilities not serving
25 certificated airlines which are not purchased or acquired or taken
26 over as herein provided by such Authority~~[7]~~ shall have the power
27 to operate the same under the existing laws or as the same may

1 hereafter be amended.

2 (g) Any such Authority when created may be granted the power
3 and authority to promulgate, adopt and enforce appropriate zoning
4 regulations to protect the airport from hazards and obstructions
5 which would interfere with the use of the airport and its
6 facilities for landing and take-off.

7 (h) An~~[an]~~ additional county or counties may be added to
8 an existing Authority if a petition of five per cent (5%) of the
9 qualified ~~[taxpaying]~~ voters is filed with and an election is
10 called by the Commissioners Court of the county or counties seeking
11 admission to an Authority. If ~~[and]~~ the vote is favorable, then
12 admission may be granted to such county or counties by the Board of
13 Directors of the then existing Authority upon such terms and
14 conditions as they may agree upon and evidenced by a resolution
15 approved by two-thirds (2/3rds) of the then existing Board of
16 Directors. The~~[--provided--however--the]~~ county or counties that
17 may be so added to the then existing Authority shall be given
18 representation on the Board of Directors by adding additional
19 directors in proportion to their population according to the last
20 preceding Federal census.

21 SECTION 51. Section 2, Article XI, Texas Constitution, is
22 amended to read as follows:

23 Sec. 2. The construction of jails, court-houses and bridges
24 ~~[and--the--establishment--of-county-poor-houses-and-farms]~~ and the
25 laying out, construction and repairing of county roads shall be
26 provided for by general laws.

27 SECTION 52. Subsection (b), Section 30, Article XVI, Texas

1 Constitution, is amended to read as follows:

2 (b) The [When-a] Railroad Commission [~~is-created-by-law--it~~]
3 shall be composed of three Commissioners who shall be elected by
4 the people at a general election for State officers, and their
5 terms of office shall be six years. [~~Railroad-Commissioners-first~~
6 ~~elected-after-this-amendment-goes-into-effect-shall--hold-office--as~~
7 ~~follows:---One--shall--serve-two-years,--and-one-four-years,--and-one~~
8 ~~six-years,--their-terms-to-be-decided-by--to-immediately-after--they~~
9 ~~shall--have--qualified.~~] And one Railroad Commissioner shall be
10 elected every two years [thereafter]. In case of vacancy in said
11 office the Governor of the State shall fill said vacancy by
12 appointment until the next general election.

13 SECTION 53. Section 44, Article XVI, Texas Constitution, is
14 amended to read as follows:

15 Sec. 44. (a) Except as otherwise provided by this section,
16 the Legislature shall prescribe the duties and provide for the
17 election by the qualified voters of each county in this State, of a
18 County Treasurer and a County Surveyor, who shall have an office at
19 the county seat, and hold their office for four years, and until
20 their successors are qualified; and shall have such compensation as
21 may be provided by law.

22 (b) The office of County Treasurer or County Surveyor does
23 not exist in those counties in which the office has been abolished
24 pursuant to constitutional amendment or pursuant to the authority
25 of Subsection (c) of this section [~~in-the-counties-of-Farrant-and~~
26 ~~Bee-is-abolished-and-all-the-powers,--duties,--and-functions--of--the~~
27 ~~office--in--each--of--these--counties-are-transferred-to-the-County~~

1 Auditor-or-to-the-officer-who-succeeds-to-the-auditor's-functions.
2 The-office-of-County-Treasurer-in-the-counties-of-Bexar-and-Collin
3 are-abolished-and-all-the-powers,-duties,-and-functions-of-the
4 office-in-each-of-these-counties-are-transferred-to-the-County
5 Clerk.-However,-the-office-of-County-Treasurer-shall-be-abolished
6 in-the-counties-covered-by-this-subsection-only-after-a-local
7 election-has-been-held-in-each-county-and-the-proposition-"to
8 abolish-the-elective-office-of-county-treasurer"-has-passed-by-a
9 majority-of-those-persons-voting-in-said-election].

10 [(c)-The-office-of-County-Treasurer-in-the-counties-of
11 Andrews-and-Gregg-is-abolished.-In-Andrews-County,-the-powers,
12 duties,-and-functions-of-the-office-are-transferred-to-the-County
13 Auditor-of-the-county-or-to-the-officer-who-succeeds-to-the
14 auditor's-functions.-In-Gregg-County,-the-functions-of-the-office
15 are-transferred-to-an-elected-official-or-the-County-Auditor-as
16 designated-by-the-Commissioners-Court,-and-the-Commissioners-Court
17 may-from-time-to-time-change-its-designation-as-it-considers
18 appropriate.

19 [(d)-The-office-of-County-Treasurer-in-the-counties-of-El
20 Paso-and-Fayette-is-abolished.-In-El-Paso-County,-the
21 Commissioners-Court-may-employ-or-contract-with-a-qualified-person
22 or-may-designate-another-county-officer-to-perform-any-of-the
23 functions-that-would-have-been-performed-by-the-County-Treasurer-if
24 the-office-had-not-been-abolished.-In-Fayette-County,-the
25 functions-of-the-abolished-office-are-transferred-to-the-County
26 Auditor-or-to-the-officer-who-succeeds-to-the-auditor's-functions.
27 However,-the-office-of-County-Treasurer-in-El-Paso-or-Fayette

1 the-addition-of-this-subsection.---If-the-office-of-County--Surveyor
2 is-abolished-in-a-county-under-this-subsection, the-powers, duties,
3 and--functions--of-the-office-are-transferred-to-the-county-officer
4 or-employee-designated-by-the-Commissioners-Court-of-the-county--in
5 which-the-office-is-abolished, and-the-Commissioners-Court-may-from
6 time-to-time-change-its-designation-as-it-considers-appropriate.

7 [g)---The--office--of--County--Treasurer--in-Nueces-County-is
8 abolished-and-all-powers, duties, and-functions-of-this-office--are
9 transferred--to--the--County--Clerk.---However, the-office-of-County
10 Treasurer-in-Nueces-County-is-abolished-under-this-subsection--only
11 if,--at-the-statewide-election-at-which-this-amendment-is-submitted
12 to-the-voters, a-majority-of-the-voters-of-Nueces-County-voting--on
13 the--question--at-that-election-favor-the-amendment.---The-office-of
14 County-Treasurer-of-Nueces-County-is-abolished-on-January-1,--1988,
15 if--the--conditions--of-this-subsection-are-met.---If-that-office-in
16 Nueces-County-is-not-abolished, this-subsection-expires-on--January
17 1-1988.

18 (c) [h) The Commissioners Court of a county may call an
19 election to abolish the office of County Surveyor in the county.
20 The office of County Surveyor in the county is abolished if a
21 majority of the voters of the county voting on the question at that
22 election approve the abolition. If an election is called under
23 this subsection, the Commissioners Court shall order the ballot for
24 the election to be printed to provide for voting for or against the
25 proposition: "Abolishing the office of county surveyor of this
26 county." If the office of County Surveyor is abolished under this
27 subsection, the maps, field notes, and other records in the custody

1 of the County Surveyor are transferred to the county officer or
2 employee designated by the Commissioners Court of the county in
3 which the office is abolished, and the Commissioners Court may from
4 time to time change its designation as it considers appropriate.

5 SECTION 54. Subsection (c), Section 59, Article XVI, Texas
6 Constitution, is amended to read as follows:

7 (c) The Legislature shall authorize all such indebtedness as
8 may be necessary to provide all improvements and the maintenance
9 thereof requisite to the achievement of the purposes of this
10 amendment. All~~[7-and-all]~~ such indebtedness may be evidenced by
11 bonds of such conservation and reclamation districts, to be issued
12 under such regulations as may ~~[any]~~ be prescribed by law. The
13 Legislature ~~[and]~~ shall also~~[7]~~ authorize the levy and collection
14 within such districts of all such taxes, equitably distributed, as
15 may be necessary for the payment of the interest and the creation
16 of a sinking fund for the payment of such bonds~~[7]~~ and ~~[also]~~ for
17 the maintenance of such districts and improvements. Such~~[7-and~~
18 ~~such]~~ indebtedness shall be a lien upon the property assessed for
19 the payment thereof. The~~[7--provided-the]~~ Legislature shall not
20 authorize the issuance of any bonds or provide for any indebtedness
21 against any reclamation district unless such proposition shall
22 first be submitted to the qualified ~~[property-tax-paying]~~ voters of
23 such district and the proposition adopted.

24 SECTION 55. Section 61, Article XVI, Texas Constitution, is
25 amended to read as follows:

26 Sec. 61. (a) All district officers in the State of Texas
27 and all county officers in counties having a population of twenty

1 thousand (20,000) or more, according to the then last preceding
2 Federal Census, shall be compensated on a salary basis.

3 (b) In all counties in this State, the Commissioners Courts
4 shall be authorized to determine whether precinct officers shall be
5 compensated on a fee basis or on a salary basis, with the exception
6 that it shall be mandatory upon the Commissioners Courts, to
7 compensate all justices of the peace, constables, deputy constables
8 and precinct law enforcement officers on a salary basis.

9 (c) In [~~beginning-January-17-1973,-and-in~~] counties having a
10 population of less than twenty thousand (20,000), according to the
11 then last preceding Federal Census, the Commissioners Courts [~~shall~~
12 ~~also~~] have the authority to determine whether county officers shall
13 be compensated on a fee basis or on a salary basis, with the
14 exception that it shall be mandatory upon the Commissioners Courts
15 to compensate all sheriffs, deputy sheriffs, county law enforcement
16 officers including sheriffs who also perform the duties of assessor
17 and collector of taxes, and their deputies, on a salary basis
18 [~~beginning-January-17-1949~~].

19 (d) All fees earned by district, county and precinct
20 officers shall be paid into the county treasury where earned for
21 the account of the proper fund, provided that fees incurred by the
22 State, county and any municipality, or in case where a pauper's
23 oath is filed, shall be paid into the county treasury when
24 collected and provided that where any officer is compensated wholly
25 on a fee basis such fees may be retained by such officer or paid
26 into the treasury of the county as the Commissioners Court may
27 direct.

1 (e) All Notaries Public, county surveyors and public
2 weighers shall continue to be compensated on a fee basis.

3 SECTION 56. Section 65, Article XVI, Texas Constitution, is
4 amended to read as follows:

5 Sec. 65. (a) This section applies to the following offices
6 [Staggering--Terms-of-Office--The-following-officers-elected-at-the
7 General-Election-in-November, 1954, and thereafter, shall serve for
8 the full terms provided in this Constitution]:

9 [(a)] District Clerks; [(b)] County Clerks;
10 [(c)] County Judges; [(d)] Judges of the County Courts at Law,
11 County Criminal Courts, County Probate Courts and County Domestic
12 Relations Courts; [(e)] County Treasurers; [(f)] Criminal
13 District Attorneys; [(g)] County Surveyors; [(h)] Inspectors of
14 Hides and Animals; [(i)] County Commissioners [for--Precincts--Two
15 and-Four]; [(j)] Justices of the Peace; [

16 [Notwithstanding--other--provisions-of-this-Constitution, the
17 following-officers-elected-at-the--General--Election--in--November,
18 1954, shall serve only for terms of two (2) years:--(a)] Sheriffs;
19 [(b)] Assessors and Collectors of Taxes; [(c)] District
20 Attorneys; [(d)] County Attorneys; [(e)] Public Weighers; and
21 [(f)]--County--Commissioners--for--Precincts--One--and--Three;
22 [(g)] Constables. [At subsequent elections, such-officers-shall-be
23 elected-for-the-full-terms-provided-in-this-Constitution.

24 [In any district, county or precinct where any of the
25 aforementioned offices is of such nature that two (2) or more
26 persons hold such office, with the result that candidates file for
27 "Place No. 1" "Place No. 2" etc., the officers elected at the

1 ~~General Election in November, 1954, shall serve for a term of two~~
2 ~~(2) years if the designation of their office is an uneven number,~~
3 ~~and for a term of four (4) years if the designation of their office~~
4 ~~is an even number. Thereafter, all such officers shall be elected~~
5 ~~for the terms provided in this Constitution.]~~

6 (b) If [Provided, however, if] any of the officers named
7 herein shall announce their candidacy, or shall in fact become a
8 candidate, in any General, Special or Primary Election, for any
9 office of profit or trust under the laws of this State or the
10 United States other than the office then held, at any time when the
11 unexpired term of the office then held shall exceed one (1) year,
12 such announcement or such candidacy shall constitute an automatic
13 resignation of the office then held, and the vacancy thereby
14 created shall be filled pursuant to law in the same manner as other
15 vacancies for such office are filled.

16 SECTION 57. Section 1, Article XVII, Texas Constitution, is
17 amended to read as follows:

18 Sec. 1. (a) The Legislature, at any regular session, or at
19 any special session when the matter is included within the purposes
20 for which the session is convened, may propose amendments revising
21 the Constitution, to be voted upon by the qualified voters
22 [electors] for statewide offices and propositions, as defined in
23 the Constitution and statutes of this State. The date of the
24 elections shall be specified by the Legislature. The proposal for
25 submission must be approved by a vote of two-thirds of all the
26 members elected to each House, entered by yeas and nays on the
27 journals.

1 **(b)** A brief explanatory statement of the nature of a
2 proposed amendment, together with the date of the election and the
3 wording of the proposition as it is to appear on the ballot, shall
4 be published twice in each newspaper in the State which meets
5 requirements set by the Legislature for the publication of official
6 notices of officers and departments of the state government. The
7 explanatory statement shall be prepared by the Secretary of State
8 and shall be approved by the Attorney General. The Secretary of
9 State shall send a full and complete copy of the proposed amendment
10 or amendments to each county clerk who shall post the same in a
11 public place in the courthouse at least 30 days prior to the
12 election on said amendment. The first notice shall be published
13 not more than 60 days nor less than 50 days before the date of the
14 election, and the second notice shall be published on the same day
15 in the succeeding week. The Legislature shall fix the standards
16 for the rate of charge for the publication, which may not be higher
17 than the newspaper's published national rate for advertising per
18 column inch.

19 **(c)** The election shall be held in accordance with procedures
20 prescribed by the Legislature, and the returning officer in each
21 county shall make returns to the Secretary of State of the number
22 of legal votes cast at the election for and against each amendment.
23 If it appears from the returns that a majority of the votes cast
24 have been cast in favor of an amendment, it shall become a part of
25 this Constitution, and proclamation thereof shall be made by the
26 Governor.

27 SECTION 58. The following provisions of the Texas

1 Constitution are repealed:

2 (1) Article III, Sections 26a, 49-d-2, 50b-1, 50b-2,
3 50b-3, 50b-4, and 54;

4 (2) Article VIII, Sections 1-b-1, 1-c, and 5;

5 (3) Article IX, Section 6;

6 (4) Article XI, Section 6;

7 (5) Article XVI, Sections 18, 47, 53, 66, and 70(r);

8 and

9 (6) Article XVII, Section 2.

10 SECTION 59. The following temporary provision is added to
11 the Texas Constitution:

12 TEMPORARY TRANSITION PROVISIONS. (a) This section applies
13 to amendments proposed by H.J.R. No. , 76th Legislature, Regular
14 Session, 1999.

15 (b) The amendments do not impair any obligation created by
16 the issuance of bonds or other evidences of indebtedness in
17 accordance with prior law, and all bonds or other evidences of
18 indebtedness validly issued under provisions amended or repealed
19 remain valid, enforceable, and binding according to their terms
20 and shall be paid from the sources pledged. Bonds or other
21 evidences of indebtedness authorized but unissued on the effective
22 date of the amendments may be issued in compliance with and subject
23 to the provisions of the prior law. The amendments do not reduce
24 or expand the authority to provide for, issue, or sell bonds or
25 other evidences of indebtedness previously authorized. The
26 legislature by general law may provide for implementation of this
27 provision.

1 (c) The amendment of Subsection (b), Section 1-b, Article
2 VIII, does not affect the increase in the amount of an exemption
3 effective January 1, 1979, under that subsection, and that increase
4 is preserved and given effect in accordance with the prior law.

5 (d) The amendment of Subsection (b), Section 1-j, Article
6 VIII, does not affect the taxation of personal property in
7 accordance with action taken under that section before April 1,
8 1990, and that authority to tax personal property is preserved and
9 given effect in accordance with the prior law.

10 (e) The amendment of Subsection (c), Section 5, Article IX,
11 does not affect the validity of a confirmation election held in
12 accordance with that section.

13 (f) The repeal of Section 5, Article VIII, does not affect
14 the power of a municipality to impose and collect taxes on the
15 property of railroad companies in accordance with the general
16 authority of municipalities under this constitution to impose and
17 collect those taxes.

18 (g) The repeal of Section 6, Article IX, does not affect the
19 disposition of assets of the Lamar County Hospital District in
20 accordance with that section.

21 (h) The amendment of Section 44, Article XVI, does not
22 affect the power of a county to abolish the office of county
23 treasurer or county surveyor in accordance with previously adopted
24 amendments of that section, and the power is preserved in
25 accordance with the prior law.

26 (i) The repeal of Section 66, Article XVI, does not affect
27 the pensions payable under that section and those pensions shall be

1 paid in accordance with the prior law.

2 (j) The reenactment of any provision for purposes of
3 amendment does not revive a provision that may have been impliedly
4 repealed by the adoption of a later amendment.

5 (k) The amendment of any provision does not affect vested
6 rights.

7 SECTION 60. This proposed constitutional amendment shall be
8 submitted to the voters at an election to be held on November 2,
9 1999. The ballot shall be printed to permit voting for or against
10 the proposition: "The constitutional amendment to eliminate
11 duplicative, executed, obsolete, archaic, and ineffective
12 provisions of the Texas Constitution."

HOUSE COMMITTEE REPORT

1st Printing

By Mowery, Driver, Puente

H.J.R. No. 62

Substitute the following for H.J.R. No. 62:

By Mowery

C.S.H.J.R. No. 62

A JOINT RESOLUTION

1 proposing a constitutional amendment to eliminate duplicative,
2 executed, obsolete, archaic, and ineffective constitutional
3 provisions.

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

5 SECTION 1. Section 2, Article III, Texas Constitution, is
6 amended to read as follows:

7 Sec. 2. The Senate shall consist of thirty-one members [~~7~~ and
8 shall never be increased above this number]. The House of
9 Representatives shall consist of 150 [ninety-three] members [until
10 the first apportionment after the adoption of this Constitution
11 when or at any apportionment thereafter, the number of
12 Representatives may be increased by the Legislature, upon the ratio
13 of not more than one Representative for every fifteen thousand
14 inhabitants, provided, the number of Representatives shall never
15 exceed one hundred and fifty].

16 SECTION 2. Section 3, Article III, Texas Constitution, is
17 amended to read as follows:

18 Sec. 3. The Senators shall be chosen by the qualified voters
19 [electors] for the term of four years; but a new Senate shall be
20 chosen after every apportionment, and the Senators elected after
21 each apportionment shall be divided by lot into two classes. The
22 seats of the Senators of the first class shall be vacated at the
23 expiration of the first two years, and those of the second class at
24 the expiration of four years, so that one half of the Senators

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1 shall be chosen biennially thereafter. Senators shall take office
2 following their election, on the day set by law for the convening
3 of the Regular Session of the Legislature, and shall serve
4 thereafter for the full term of years to which elected [~~and--until~~
5 ~~their-successors-shall-have-been-elected-and-qualified~~].

6 SECTION 3. Section 4, Article III, Texas Constitution, is
7 amended to read as follows:

8 Sec. 4. The Members of the House of Representatives shall be
9 chosen by the qualified voters [~~electors~~] for the term of two
10 years. Representatives shall take office following their election,
11 on the day set by law for the convening of the Regular Session of
12 the Legislature, and shall serve thereafter for the full term of
13 years to which elected [~~and-until-their-successors-shall-have-been~~
14 ~~elected-and-qualified~~].

15 SECTION 4. Section 5, Article III, Texas Constitution, is
16 amended to read as follows:

17 Sec. 5. (a) The Legislature shall meet every two years at
18 such time as may be provided by law and at other times when
19 convened by the Governor.

20 (b) When convened in regular Session, the first thirty days
21 thereof shall be devoted to the introduction of bills and
22 resolutions, acting upon emergency appropriations, passing upon the
23 confirmation of the recess appointees of the Governor and such
24 emergency matters as may be submitted by the Governor in special
25 messages to the Legislature. During [~~r-provided-that-during~~] the
26 succeeding thirty days of the regular session of the Legislature
27 the various committees of each House shall hold hearings to

1 consider all bills and resolutions and other matters then pending;
2 and such emergency matters as may be submitted by the Governor.
3 During~~[--provided-further-that-during]~~ the remainder of the session
4 ~~[following-sixty-days]~~ the Legislature shall act upon such bills
5 and resolutions as may be then pending and upon such emergency
6 matters as may be submitted by the Governor in special messages to
7 the Legislature.

8 (c) Notwithstanding Subsection (b), either~~[--provided,~~
9 ~~however,~~~~either]~~ House may ~~[otherwise]~~ determine its order of
10 business by an affirmative vote of four-fifths of its membership.

11 SECTION 5. Section 6, Article III, Texas Constitution, is
12 amended to read as follows:

13 Sec. 6. No person shall be a Senator, unless he be a citizen
14 of the United States, and, at the time of his election a qualified
15 voter ~~[elector]~~ of this State, and shall have been a resident of
16 this State five years next preceding his election, and the last
17 year thereof a resident of the district for which he shall be
18 chosen, and shall have attained the age of twenty-six years.

19 SECTION 6. Section 7, Article III, Texas Constitution, is
20 amended to read as follows:

21 Sec. 7. No person shall be a Representative, unless he be a
22 citizen of the United States, and, at the time of his election, a
23 qualified voter ~~[elector]~~ of this State, and shall have been a
24 resident of this State two years next preceding his election, the
25 last year thereof a resident of the district for which he shall be
26 chosen, and shall have attained the age of twenty-one years.

27 SECTION 7. Section 14, Article III, Texas Constitution, is

1 amended to read as follows:

2 Sec. 14. Senators and Representatives shall, except in cases
3 of treason, felony, or breach of the peace, be privileged from
4 arrest during the session of the Legislature, and in going to and
5 returning from the same [~~7-allowing-one-day-for-every-twenty-miles~~
6 ~~such-member-may-reside-from-the-place-at-which-the--legislature--is~~
7 ~~convened~~].

8 SECTION 8. Section 33, Article III, Texas Constitution, is
9 amended to read as follows:

10 Sec. 33. All bills for raising revenue shall originate in
11 the House of Representatives [~~7-but-the-Senate-may-amend-or-reject~~
12 ~~them-as-other-bills~~].

13 SECTION 9. Section 32, Article III, Texas Constitution, is
14 amended to read as follows:

15 Sec. 32. No bill shall have the force of a law, until it has
16 been read on three several days in each House, and free discussion
17 allowed thereon; but [~~in-cases--of--imperative--public--necessity~~
18 ~~{which--necessity--shall--be-stated-in-a-preamble-or-in-the-body-of~~
19 ~~the-bill}~~] four-fifths of the House, in which the bill may be
20 pending, may suspend this rule, the yeas and nays being taken on
21 the question of suspension, and entered upon the journals.

22 SECTION 10. Section 39, Article III, Texas Constitution, is
23 amended to read as follows:

24 Sec. 39. No law passed by the Legislature, except the
25 general appropriation act, shall take effect or go into force until
26 ninety days after the adjournment of the session at which it was
27 enacted, unless [~~in-case-of-an-emergency7-which-emergency--must--be~~

1 ~~expressed-in-a-preamble-or-in-the-body-of-the-act~~7] the Legislature
2 shall, by a vote of two-thirds of all the members elected to each
3 House, otherwise direct; said vote to be taken by yeas and nays,
4 and entered upon the journals.

5 SECTION 11. Section 48-e, Article III, Texas Constitution,
6 is amended to read as follows:

7 Sec. 48-e. Laws may be enacted to provide for the
8 establishment and creation of special districts to provide
9 emergency services and to authorize the commissioners courts of
10 participating counties to levy a tax on the ad valorem property
11 situated in said districts not to exceed Ten Cents (10¢) on the One
12 Hundred Dollars (\$100.00) valuation for the support thereof;
13 provided that no tax shall be levied in support of said districts
14 until approved by a vote of the qualified voters [electors]
15 residing therein. Such a district may provide emergency medical
16 services, emergency ambulance services, rural fire prevention and
17 control services, or other emergency services authorized by the
18 Legislature.

19 SECTION 12. Section 48-f, Article III, Texas Constitution,
20 is amended to read as follows:

21 Sec. 48-f. The legislature, by law, may provide for the
22 creation, operation, and financing of jail districts and may
23 authorize each district to issue bonds and other obligations and to
24 levy an ad valorem tax on property located in the district to pay
25 principal of and interest on the bonds and to pay for operation of
26 the district. An ad valorem tax may not be levied and bonds secured
27 by a property tax may not be issued until approved by the qualified

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1 voters [electors] of the district voting at an election called and
2 held for that purpose.

3 SECTION 13. Section 49a, Article III, Texas Constitution, is
4 amended to read as follows:

5 Sec. 49a. (a) It shall be the duty of the Comptroller of
6 Public Accounts in advance of each Regular Session of the
7 Legislature to prepare and submit to the Governor and to the
8 Legislature upon its convening a statement under oath showing fully
9 the financial condition of the State Treasury at the close of the
10 last fiscal period and an estimate of the probable receipts and
11 disbursements for the then current fiscal year. There shall also
12 be contained in said statement an itemized estimate of the
13 anticipated revenue based on the laws then in effect that will be
14 received by and for the State from all sources showing the fund
15 accounts to be credited during the succeeding biennium and said
16 statement shall contain such other information as may be required
17 by law. Supplemental statements shall be submitted at any Special
18 Session of the Legislature and at such other times as may be
19 necessary to show probable changes.

20 (b) Except [~~From--and--after--January--17--19457--save~~] in the
21 case of emergency and imperative public necessity and with a
22 four-fifths vote of the total membership of each House, no
23 appropriation in excess of the cash and anticipated revenue of the
24 funds from which such appropriation is to be made shall be valid.
25 No [~~From--and--after--January--17--19457--no~~] bill containing an
26 appropriation shall be considered as passed or be sent to the
27 Governor for consideration until and unless the Comptroller of

1 Public Accounts endorses his certificate thereon showing that the
 2 amount appropriated is within the amount estimated to be available
 3 in the affected funds. When the Comptroller finds an appropriation
 4 bill exceeds the estimated revenue he shall endorse such finding
 5 thereon and return to the House in which same originated. Such
 6 information shall be immediately made known to both the House of
 7 Representatives and the Senate and the necessary steps shall be
 8 taken to bring such appropriation to within the revenue, either by
 9 providing additional revenue or reducing the appropriation.

10 ~~[For--the-purpose-of-financing-the-outstanding-obligations-of~~
 11 ~~the-General-Revenue-Fund-of--the--State--and--placing--its--current~~
 12 ~~accounts--on--a-cash-basis-the-Legislature-of-the-State-of-Texas-is~~
 13 ~~hereby-authorized-to-provide-for-the-issuance, sale, and retirement~~
 14 ~~of-serial-bonds, equal--in--principal--to--the--total--outstanding,~~
 15 ~~valid, and approved obligations owing by said fund on September 17~~
 16 ~~1943, provided such bonds shall not draw interest in excess of--two~~
 17 ~~(2)--per--cent--per-annum and shall mature within twenty-(20)-years~~
 18 ~~from date.]~~

19 SECTION 14. Sections 49-b, 49-b-1, 49-b-2, and 49-b-3,
 20 Article III, Texas Constitution, are combined, reenacted as Section
 21 49-b, and amended to read as follows:

22 Sec. 49-b. (a) ~~The~~ [By-virtue-of-prior-Amendments--to--this
 23 ~~Constitution, there--has--been--created--a--governmental--agency--of--the~~
 24 ~~State--of--Texas--performing--governmental--duties--which--has--been~~
 25 ~~designated--the] Veterans' Land Board[~~--Said-Board-shall-continue~~
 26 ~~to-function--for--the--purposes--specified--in--all--of--the--prior~~
 27 ~~Constitutional--Amendments--except-as-modified-herein.--Said-Board]~~~~

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1 shall be composed of the Commissioner of the General Land Office
 2 and two (2) citizens of the State of Texas, one (1) of whom shall
 3 be well versed in veterans' affairs and one (1) of whom shall be
 4 well versed in finances. One (1) such citizen member shall, with
 5 the advice and consent of the Senate, be appointed biennially by
 6 the Governor to serve for a term of four (4) years. In the event
 7 of the resignation or death of any such citizen member, the
 8 Governor shall appoint a replacement to serve for the unexpired
 9 portion of the term to which the deceased or resigning member had
 10 been appointed. The compensation for said citizen members shall be
 11 as is now or may hereafter be fixed by the Legislature; and each
 12 shall make bond in such amount as is now or may hereafter be
 13 prescribed by the Legislature.

14 (b) The Commissioner of the General Land Office shall act as
 15 Chairman of said Board and shall be the administrator of the
 16 Veterans' Land Program under such terms and restrictions as are now
 17 or may hereafter be provided by law. In the absence or illness of
 18 said Commissioner, the Chief Clerk of the General Land Office shall
 19 be the Acting Chairman of said Board with the same duties and
 20 powers that said Commissioner would have if present.

21 (c) The Veterans' Land Board may provide for, issue and sell
 22 [~~not-to-exceed-Nine-Hundred-Fifty--Million--Dollars--(\$950,000,000)~~
 23 in] bonds or obligations of the State of Texas as authorized by
 24 constitutional amendment or by a debt proposition under Section 49
 25 of this article for the purpose of creating a fund to be known as
 26 the Veterans' Land Fund [~~7---Seven---Hundred---Million---Dollars~~
 27 [~~\$700,000,000)~~ ~~--of--which--have--heretofore--been--authorized--Such~~

1 bonds-or-obligations-shall-be-sold-for-not-less-than-par-value--and
 2 accrued--interest;---shall--be-issued-in-such-forms,--denominations,
 3 and-upon-such-terms-as-are-now-or-may-hereafter-be-provided-by-law;
 4 shall-be-issued-and-sold-at-such-times,--at-such-places,--and-in-such
 5 installments-as-may-be-determined-by-said-Board,--and-shall--bear--a
 6 rate--or--rates---of--interest-as-may-be-fixed-by-said-Board-but-the
 7 weighted-average-annual-interest-rate,--as-that-phrase--is--commonly
 8 and-ordinarily-used-and-understood-in-the-municipal-bond-market,--of
 9 all--the--bonds-issued-and-sold-in-any-installment-of-any-bonds-may
 10 not-exceed-the-rate-specified-in-Section-65-of-this--Article.---All
 11 bonds--or--obligations--issued--and--sold--hereunder--shall,--after
 12 execution--by-the-Board,--approval-by-the-Attorney-General-of-Texas,
 13 registration-by-the-Comptroller-of-Public-Accounts-of-the-State--of
 14 Texas,---and---delivery---to---the---purchaser--or--purchasers,--be
 15 incontestable-and-shall-constitute-general-obligations-of-the-State
 16 of-Texas-under-the-Constitution-of-Texas,--and-all-bonds--heretofore
 17 issued--and-sold-by-said-Board-are-hereby-in-all-respects-validated
 18 and-declared-to-be-general-obligations-of-the-State-of--Texas.---In
 19 order-to-prevent-default-in-the-payment-of-principal-or-interest-on
 20 any--such--bonds,--the--Legislature--shall-appropriate-a-sufficient
 21 amount-to-pay-the-same].

22 (d) In the sale of any such bonds or obligations, a
 23 preferential right of purchase shall be given to the administrators
 24 of the various Teacher Retirement Funds, the Permanent University
 25 Funds, and the Permanent School Funds.

26 [Said---Veterans¹---Land--Fund--shall--consist--of--any--lands
 27 heretofore-or-hereafter-purchased-by-said--Board,--until--the--sale

1 needed-for-such-purposes:

2 [All--moneys--comprising-a-part-of-said-Fund-and-not-expended
3 for-the-purposes-herein-provided-shall-be-a-part-of-said-Fund-until
4 there-are-sufficient-moneys-therein-to--retire--fully--all--of--the
5 bonds--heretofore--or--hereafter--issued-and-sold-by-said-Board,at
6 which-time-all-such-moneys-remaining--in--said--Fund,--except--such
7 portion--thereof-as-may-be-necessary-to-retire-all-such-bonds-which
8 portion-shall-be-set-aside--and--retained--in--said--Fund--for--the
9 purpose--of--retiring--all--such--bonds,--shall-be-deposited-to-the
10 credit-of-the-General-Revenue--Fund--to--be--appropriated--to--such
11 purposes--as--may-be-prescribed-by-law.---All-moneys-becoming-a-part
12 of-said-Fund-thereafter-shall-likewise-be-deposited-to--the--credit
13 of-the-General-Revenue-Fund:

14 [When--a--Division--of-said-Fund-(each-Division-consisting-of
15 the-moneys-attributable-to-the-bonds-issued-and-sold-pursuant-to--a
16 single---Constitutional---authorization--and--the--lands--purchased
17 therewith)-contains-sufficient-moneys-to-retire-all--of--the--bonds
18 secured--by--such-Division,--the-moneys--thereof,--except-such-portion
19 as-may-be-needed-to--retire--all--of--the--bonds--secured--by--such
20 Division-which-portion-shall-be-set-aside-and-remain-a-part-of-such
21 Division--for--the--purpose-of-retiring-all-such-bonds,--may-be-used
22 for-the-purpose-of-paying-the-principal-and-the--interest--thereon,
23 together--with--the--expenses-herein-authorized,--of-any-other-bonds
24 heretofore-or-hereafter-issued-and-sold-by-said--Board.---Such--use
25 shall--be--a-matter-for-the-discretion-and-direction-of-said-Board,
26 but-there-may-be-no-such-use-of-any-such--moneys--contrary--to--the
27 rights--of--any--holder-of-any-of-the-bonds-issued-and-sold-by-said

1 Board-of-visitative-of-any-contract-to-which-said-Board-is-a-party:
 2 [The-Veterans'-Land-Fund-shall-be-used-by-said-Board-for--the
 3 purpose-of-purchasing-lands-situated-in-the-State-of-Texas-owned-by
 4 the--United-States-or-any-governmental-agency-thereof--owned-by-the
 5 Texas-Prison-System-or-any-other-governmental-agency-of--the--State
 6 of--Texas--or-owned-by-any-person--firm--or-corporation--and--lands
 7 thus-purchased-shall-be-acquired-at-the-lowest-price-obtainable--to
 8 be-paid-for-in-cash--and--shall-be-a-part-of-said-Fund--Such--lands
 9 heretofore--or--hereafter--purchased--and--comprising-a-part-of-said
 10 Fund--are--hereby--decreed--to--be--held--for--a--governmental--purpose
 11 although--the--individuals--purchasers--thereof--shall--be--subject--to
 12 taxation--to--the--same--extent--and--in--the--same--manner--as--are
 13 purchasers--of--lands--dedicated--to--the--Permanent-Free-Public-School
 14 Fund.]

15 [The-lands-of-the-Veterans'-Land-Fund-shall-be-sold--by--said
 16 Board--in--such--quantities--on--such--terms--at--such--prices--and--such
 17 rates--of--interest--and--under--such--rules--and--regulations--as--are--now
 18 or--may--hereafter--be--provided--by--law--to--veterans--as--they--are--now--or
 19 may--hereafter--be--defined--by--the--laws--of--the--State--of--Texas--The
 20 foregoing-notwithstanding--any--lands--in--the--Veterans'-Land--Fund
 21 which--have--been--first--offered--for--sale--to--veterans--and--which--have
 22 not--been--sold--may--be--sold--or--resold--to--such--purchasers--in--such
 23 quantities--and--on--such--terms--and--at--such--prices--and--rates--of
 24 interest--and--under--such--rules--and--regulations--as--are--now--or--may
 25 hereafter--be--provided--by--law.]

26 (e) Said Veterans' Land Fund, to the extent of the moneys
 27 attributable to any bonds hereafter issued and sold by said Board

1 may be used by said Board, as is now or may hereafter be provided
 2 by law, for the purpose of paying the expenses of surveying,
 3 monumenting, road construction, legal fees, recordation fees,
 4 advertising and other like costs necessary or incidental to the
 5 purchase and sale, or resale, of any lands purchased with any of
 6 the moneys attributable to such additional bonds, such expenses to
 7 be added to the price of such lands when sold, or resold, by said
 8 Board; for the purpose of paying the expenses of issuing, selling,
 9 and delivering any such additional bonds; and for the purpose of
 10 meeting the expenses of paying the interest or principal due or to
 11 become due on any such additional bonds.

12 [All--of--the--moneys--attributable--to--any--series--of--bonds
 13 hereafter--issued--and--sold--by--said--Board--(a--"series--of--bonds"--being
 14 all--of--the--bonds--issued--and--sold--in--a--single--transaction--as--a
 15 single--installment--of--bonds)--may--be--used--for--the--purchase--of--lands
 16 as--herein--provided,--to--be--sold--as--herein--provided,--for--a--period
 17 ending--eight--(8)--years--after--the--date--of--sale--of--such--series--of
 18 bonds,--provided,--however,--that--so--much--of--such--moneys--as--may--be
 19 necessary--to--pay--interest--on--bonds--hereafter--issued--and--sold--shall
 20 be--set--aside--for--that--purpose--in--accordance--with--the--resolution
 21 adopted--by--said--Board--authorizing--the--issuance--and--sale--of--such
 22 series--of--bonds.---After--such--eight--(8)--year--period,--all--of--such
 23 moneys--shall--be--set--aside--for--the--retirement--of--any--bonds--hereafter
 24 issued--and--sold--and--to--pay--interest--thereon,--together--with--any
 25 expenses--as--provided--herein,--in--accordance--with--the--resolution--or
 26 resolutions--authorizing--the--issuance--and--sale--of--such--additional
 27 bonds,--until--there--are--sufficient--moneys--to--retire--all--of--the--bonds

1 hereafter--issued--and--sold--at--which--time--such--money--then
2 remain--part--of--said--Veterans--and--Fund--and--hereafter
3 become--part--of--said--Fund--shall--be--governed--as--elsewhere
4 provided--herein.

5 [This--Amendment--being--intended--only--to--establish--a--basic
6 framework--and--not--to--be--a--comprehensive--treatment--of--the--Veterans--and
7 Fund--Program--there--is--hereby--reposed--in--the--legislature--full--power
8 to--implement--and--execute--the--design--and--objects--of--this
9 Amendment--and--the--power--to--delegate--such--duties
10 responsibilities--and--authority--to--the--Veterans--and
11 Board--as--it--deems--necessary.]

12 [Should--the--legislature--enact--any--enabling--law--in
13 anticipation--of--this--Amendment--no--such--law--shall--be--void--by--reason
14 of--its--anticipatory--nature.]

15 [Sec--49-b-1--(a)--in--addition--to--the--general--obligation
16 bonds--authorized--to--be--issued--and--to--be--sold--by--the--Veterans--and
17 Board--by--Sec--49-b--of--the--Veterans--and--Board--may
18 provide--for--issuance--and--sale--not--to--exceed--\$100--million--in--bonds--of
19 the--state--of--Texas--\$100--million--of--which--have--heretofore--been
20 authorized--to--provide--financing--to--veterans--of--the--state--in
21 recognition--of--their--service--to--their--state--and--country.]

22 (f) (b) For purposes of this section, "veteran" means a
23 person who satisfies the definition of "veteran" as [is now or may
24 hereafter be] set forth by the laws of the State of Texas.

25 (c) The bonds shall be sold for not less than par value and
26 accrued--interest--shall--be--issued--in--such--forms--and--denominations
27 upon--such--terms--and--such--times--and--places--and--in--such--instalments

1 as may be determined by the board, and notwithstanding the rate of
 2 interest specified by any other provision of this constitution,
 3 shall bear a rate or rates of interest fixed by the board. All
 4 bonds issued and sold pursuant to Subsections (a) through (f) of
 5 this section shall, after execution by the board, approval by the
 6 Attorney General of Texas, registration by the Comptroller of
 7 Public Accounts of the State of Texas, and delivery to the
 8 purchaser or purchasers, be incontestable and shall constitute
 9 general obligations of the state under the Constitution of Texas.

10 [(d)] Three hundred million dollars of the state bonds
 11 authorized by this section shall be used to augment the Veterans'
 12 Land Fund. The Veterans' Land Fund shall be used by the board for
 13 the purpose of purchasing lands situated in the State of Texas
 14 owned by the United States government or any agency thereof, the
 15 State of Texas or any subdivision or agency thereof, or any person,
 16 firm, or corporation. The lands shall be sold to veterans in such
 17 quantities, on such terms, at such prices, at such rates of
 18 interest, and under such rules and regulations as may be authorized
 19 by law. The expenses of the board in connection with the issuance
 20 of the bonds and the purchase and sale of the lands may be paid
 21 from money in the fund. The Veterans' Land Fund shall continue to
 22 consist of any lands purchased by the board until the sale price
 23 therefor, together with any interest and penalties due, have been
 24 received by the board (although nothing herein shall prevent the
 25 board from accepting full payment for a portion of any tract) and
 26 of the money attributable to any bonds issued and sold by the board
 27 for the Veterans' Land Fund, which money so attributable shall

1 include--but--shall--not--be--limited--to--the--proceeds--from--the--issuance
 2 and--sale--of--such--bonds;--the--money--received--from--the--sale--or--resale
 3 of--any--lands;--or--rights--therein;--purchased--from--such--proceeds;--the
 4 money--received--from--the--sale--or--resale--of--any--lands;--or--rights
 5 therein;--purchased--with--other--money--attributable--to--such--bonds;--the
 6 interest--and--penalties--received--from--the--sale--or--resale--of--such
 7 lands;--or--rights--therein;--the--bonuses;--income;--rents;--royalties;
 8 and--any--other--pecuniary--benefit--received--by--the--board--from--any--such
 9 lands;--sums--received--by--way--of--indemnity--or--forfeiture--for--the
 10 failure--of--any--bidder--for--the--purchase--of--any--such--bonds--to--comply
 11 with--his--bid--and--accept--and--pay--for--such--bonds--or--for--the--failure
 12 of--any--bidder--for--the--purchase--of--any--lands--comprising--a--part--of
 13 the--fund--to--comply--with--his--bid--and--accept--and--pay--for--any--such
 14 lands;--and--interest--received--from--investments--of--any--such--money.
 15 The--principal--of--and--interest--on--the--general--obligation--bonds
 16 previously--authorized--by--Section--49--b--of--this--constitution--shall--be
 17 paid--out--of--the--money--of--the--fund--in--conformance--with--the
 18 constitutional--provisions--authorizing--such--bonds;--The--principal--of
 19 and--interest--on--the--general--obligation--bonds--authorized--by--this
 20 section--for--the--benefit--of--the--Veterans'--Land--Fund--shall--be--paid
 21 out--of--the--money--of--the--fund;--but--the--money--of--the--fund--which--is
 22 not--immediately--committed--to--the--payment--of--principal--and--interest
 23 on--such--bonds;--the--purchase--of--lands--as--herein--provided;--or--the
 24 payment--of--expenses--as--herein--provided--may--be--invested--as
 25 authorized--by--law--until--the--money--is--needed--for--such--purposes;]

26 (g) [(c)] The Veterans' Housing Assistance Fund [is created,
 27 and--\$1--billion--of--the--state--bonds--authorized--by--this--section--shall

1 ~~be used for the Veterans' Housing Assistance Fund, \$500 million of~~
2 ~~which have heretofore been authorized. Money in the Veterans'~~
3 ~~Housing Assistance Fund]~~ shall be administered by the Veterans'
4 Land Board and shall be used for the purpose of making home
5 mortgage loans to veterans for housing within the State of Texas in
6 such quantities, on such terms, at such rates of interest, and
7 under such rules and regulations as may be authorized by law. The
8 expenses of the board in connection with the issuance of the bonds
9 for the benefit of the Veterans' Housing Assistance Fund and the
10 making of the loans may be paid from money in the fund. [The
11 ~~Veterans' Housing Assistance Fund shall consist of any interest of~~
12 ~~the board in all home mortgage loans made to veterans by the board~~
13 ~~pursuant to a Veterans' Housing Assistance Program which the~~
14 ~~legislature may establish by appropriate legislation until, with~~
15 ~~respect to any such home mortgage loan, the principal amount,~~
16 ~~together with any interest and penalties due, have been received by~~
17 ~~the board, the money attributable to any bonds issued and sold by~~
18 ~~the board to provide money for the fund, which money so~~
19 ~~attributable shall include but shall not be limited to the proceeds~~
20 ~~from the issuance and sale of such bonds, income, rents, and any~~
21 ~~other pecuniary benefit received by the board as a result of making~~
22 ~~such loans, sums received by way of indemnity or forfeiture for the~~
23 ~~failure of any bidder for the purchase of any such bonds to comply~~
24 ~~with his bid and accept and pay for such bonds, and interest~~
25 ~~received from investments of any such money.] The principal of and
26 interest on the general obligation bonds authorized by this section
27 for the benefit of the Veterans' Housing Assistance Fund shall be~~

1 paid out of the money of the fund, but the money of the fund which
2 is not immediately committed to the payment of principal and
3 interest on such bonds, the making of home mortgage loans as herein
4 provided, or the payment of expenses as herein provided may be
5 invested as authorized by law until the money is needed for such
6 purposes.

7 [(f) -- So -- the -- extent -- there -- is -- not -- money -- in -- either -- the
8 Veterans' -- Bond -- Fund -- of -- the -- Veterans' -- Housing -- Assistance -- Fund -- as -- the
9 case -- may -- be -- available -- for -- payment -- of -- principal -- of -- and -- interest -- on
10 the -- general -- obligation -- bonds -- authorized -- by -- this -- section -- to -- provide
11 money -- for -- either -- of -- the -- funds -- there -- is -- hereby -- appropriated -- out -- of
12 the -- first -- money -- coming -- into -- the -- treasury -- in -- each -- fiscal -- year -- not
13 otherwise -- appropriated -- by -- this -- section -- and -- amount -- which -- is
14 sufficient -- to -- pay -- the -- principal -- of -- and -- interest -- on -- such -- general
15 obligation -- bonds -- that -- may -- be -- due -- or -- become -- due -- during -- the -- fiscal -- year --

16 [(g) -- Receipt -- of -- all -- kinds -- of -- the -- funds -- derived -- by -- the
17 board -- not -- to -- be -- required -- for -- the -- payment -- of -- principal -- of -- and
18 interest -- on -- the -- general -- obligation -- bonds -- herein -- authorized --
19 herebefore -- authorized -- or -- hereafter -- authorized -- by -- this -- section
20 to -- be -- issued -- by -- the -- board -- to -- provide -- money -- for -- either -- of -- the -- funds
21 may -- be -- used -- by -- the -- board -- to -- the -- extent -- not -- inconsistent -- with -- the
22 proceedings -- authorized -- such -- bonds -- to -- pay -- the -- principal -- of -- and
23 interest -- on -- general -- obligation -- bonds -- issued -- to -- provide -- money -- for
24 the -- other -- fund -- or -- to -- pay -- the -- principal -- of -- and -- interest -- on -- revenue
25 bonds -- of -- the -- board -- issued -- for -- the -- purchase -- of -- provision -- fund -- for
26 the -- purchase -- of -- land -- and -- making -- the -- sale -- thereof -- to -- veterans -- or
27 making -- home -- mortgage -- loans -- to -- veterans -- as -- provided -- by -- this -- section --

1 The revenue bonds shall be special obligations and payable only
2 from the receipt of the funds and shall not constitute indebtedness
3 of the state or the Veterans' Land Board. The board is authorized
4 to issue such revenue bonds from time to time which shall not
5 exceed an aggregate principal amount that can be fully retired from
6 the receipts of the funds and other revenues pledged to the
7 retirement of the revenue bonds. The revenue bonds shall be issued
8 in such forms and denominations, upon such terms, at such times and
9 places, and in such installments as may be determined by the board,
10 and notwithstanding the rate of interest specified by any other
11 provision of the constitution, shall bear a rate or rates of
12 interest fixed by the board.

13 [(h) This Amendment being intended only to establish a basic
14 framework and not to be a comprehensive treatment of the Veterans'
15 Housing Assistance Program and the Veterans' Land Program, there is
16 hereby reposed in the legislature full power to implement and
17 effectuate the design and objects of this Amendment, including the
18 power to delegate such duties, responsibilities, functions, and
19 authority to the Veterans' Land Board as it believes necessary.

20 [Sec. 49-b-2; (a) In addition to the general obligation
21 bonds authorized to be issued and to be sold by the Veterans' Land
22 Board by Sections 49-b and 49-b-1 of this article, the Veterans'
23 Land Board may provide for, issue, and sell general obligation
24 bonds of the state in an amount not to exceed \$750 million, to
25 provide financing to veterans of the state in recognition of their
26 service to their state and the United States of America.]

27 (h) The [(b) Two hundred fifty million dollars of the

1 general obligation bonds authorized by this section shall be used
2 to augment the Veterans' Land Fund. Notwithstanding any provision
3 of Section 49-b or 49-b-1 of this article to the contrary, the
4 Veterans' Land Fund shall be used by the Veterans' Land Board to
5 purchase lands situated in the state owned by the United States
6 government, an agency of the United States government, this state,
7 a political subdivision or agency of this state, or a person, firm,
8 or corporation.

9 (i) Lands purchased and comprising a part of the Veterans'
10 Land Fund are declared to be held for a governmental purpose, but
11 the individual purchasers of those lands shall be subject to
12 taxation to the same extent and in the same manner as are
13 purchasers of lands dedicated to the Permanent Free Public School
14 Fund. The lands shall be sold to veterans in quantities, on terms,
15 at prices, and at fixed, variable, floating, or other rates of
16 interest, determined by the Board and in accordance with rules of
17 the Board. Notwithstanding any provisions of this section to the
18 contrary, lands in the Veterans' Land Fund that are offered for
19 sale to veterans and that are not sold may be sold or resold to the
20 purchasers in quantities, on terms, at prices, and at rates of
21 interest determined by the Board and in accordance with rules of
22 the Board.

23 (j) The expenses of the Board in connection with the
24 issuance of the bonds for the benefit of the Veterans' Land Fund
25 and the purchase and sale of the lands may be paid from money in
26 the Veterans' Land Fund.

27 (k) [re] The Veterans' Land Fund shall consist of:

1 (1) lands heretofore or hereafter purchased by the
2 Board;

3 (2) money attributable to bonds heretofore or
4 hereafter issued and sold by the Board for the fund, including
5 proceeds from the issuance and sale of the bonds;

6 (3) money received from the sale or resale of lands or
7 rights in lands purchased from those proceeds;

8 (4) money received from the sale or resale of lands or
9 rights in lands purchased with other money attributable to the
10 bonds;

11 (5) proceeds derived from the sale or other
12 disposition of the Board's interest in contracts for the sale or
13 resale of lands or rights in lands;

14 (6) interest and penalties received from the sale or
15 resale of lands or rights in lands;

16 (7) bonuses, income, rents, royalties, and other
17 pecuniary benefits received by the Board from lands;

18 (8) money received by way of indemnity or forfeiture
19 for the failure of a bidder for the purchase of bonds to comply
20 with the bid and accept and pay for the bonds or for the failure of
21 a bidder for the purchase of lands comprising a part of the
22 Veterans' Land Fund to comply with the bid and accept and pay for
23 the lands;

24 (9) payments received by the Board under a bond
25 enhancement agreement with respect to the bonds; and

26 (10) interest received from investments of money in
27 the fund.

1 (l) [~~g~~] The principal of and interest on the general
 2 obligation bonds [~~authorized-by-this-section~~] for the benefit of
 3 the Veterans' Land Fund, including payments by the Board under a
 4 bond enhancement agreement with respect to principal of or interest
 5 on the bonds, shall be paid out of the money of the Veterans' Land
 6 Fund, but the money in the fund that is not immediately committed
 7 to the payment of principal and interest on the bonds, the purchase
 8 of lands, or the payment of expenses may be invested as authorized
 9 by law until the money is needed for those purposes.

10 (m) [~~h~~] The Veterans' Housing Assistance Fund II [~~is~~
 11 ~~created,---and---\$500---million---of---the---general---obligation---bonds~~
 12 ~~authorized-by-this-section-shall-be-used-for-the-Veterans'-Housing~~
 13 ~~Assistance-Fund-II.---The-Veterans'-Housing-Assistance-Fund-II~~] is a
 14 separate and distinct fund from the Veterans' Housing Assistance
 15 Fund [~~established-under-Section-49-b-1-of-this-article~~]. Money in
 16 the Veterans' Housing Assistance Fund II shall be administered by
 17 the Veterans' Land Board and shall be used to make home mortgage
 18 loans to veterans for housing within this state in quantities, on
 19 terms, and at fixed, variable, floating, or other rates of
 20 interest, determined by the Board and in accordance with rules of
 21 the Board. The expenses of the Board in connection with the
 22 issuance of the bonds for the benefit of the Veterans' Housing
 23 Assistance Fund II and the making of the loans may be paid from
 24 money in the Veterans' Housing Assistance Fund II.

25 (n) [~~i~~] The Veterans' Housing Assistance Fund II shall
 26 consist of:

27 (1) the Board's interest in home mortgage loans the

1 Board makes to veterans from money in the fund under the Veterans'
2 Housing Assistance Program established by law;

3 (2) proceeds derived from the sale or other
4 disposition of the Board's interest in home mortgage loans;

5 (3) money attributable to bonds issued and sold by the
6 Board to provide money for the fund, including the proceeds from
7 the issuance and sale of bonds;

8 (4) income, rents, and other pecuniary benefits
9 received by the Board as a result of making loans;

10 (5) money received by way of indemnity or forfeiture
11 for the failure of a bidder for the purchase of bonds to comply
12 with the bid and accept and pay for the bonds;

13 (6) payments received by the Board under a bond
14 enhancement agreement with respect to the bonds; and

15 (7) interest received from investments of money.

16 (o) [~~g~~] The principal of and interest on the general
17 obligation bonds [~~authorized--by--this--section~~] for the benefit of
18 the Veterans' Housing Assistance Fund II, including payments by the
19 Board under a bond enhancement agreement with respect to principal
20 of or interest on the bonds, shall be paid out of the money of the
21 Veterans' Housing Assistance Fund II, but the money in the fund
22 that is not immediately committed to the payment of principal and
23 interest on the bonds, the making of home mortgage loans, or the
24 payment of expenses may be invested as authorized by law until the
25 money is needed for those purposes.

26 (p) The [~~h~~]~~--Notwithstanding--the--provisions--of--Section~~
27 ~~49-b-1--of--this--article--to--the--contrary,~~7~~--the~~] Veterans' Housing

1 Assistance Fund shall consist of:

2 (1) the Board's interest in home mortgage loans the
3 Board makes to veterans from money in the fund under the Veterans'
4 Housing Assistance Program established by law;

5 (2) proceeds derived from the sale or other
6 disposition of the Board's interest in home mortgage loans;

7 (3) money attributable to bonds issued and sold by the
8 Board to provide money for the fund, including proceeds from the
9 issuance and sale of bonds;

10 (4) income, rents, and other pecuniary benefits
11 received by the Board as a result of making loans;

12 (5) money received by way of indemnity or forfeiture
13 for the failure of a bidder for the purchase of bonds to comply
14 with the bid and accept and pay for the bonds;

15 (6) payments received by the Board under a bond
16 enhancement agreement with respect to the bonds; and

17 (7) interest received from investments of money.

18 (g) [~~††~~] The principal of and interest on the general
19 obligation bonds [~~authorized-by-Section-49-b-1-of-this-article~~] for
20 the benefit of the Veterans' Housing Assistance Fund, including
21 payments by the Board under a bond enhancement agreement with
22 respect to principal of or interest on the bonds, shall be paid out
23 of money in the Veterans' Housing Assistance Fund.

24 (r) [~~††~~] If there is not enough money in the Veterans' Land
25 Fund, the Veterans' Housing Assistance Fund, or the Veterans'
26 Housing Assistance Fund II, as the case may be, available to pay
27 the principal of and interest on the general obligation bonds

1 benefiting those funds [~~authorized-by-this-section-or-by-Section~~
2 ~~49-b-or-49-b-1-of-this-article~~], including money to make payments
3 by the Board under a bond enhancement agreement with respect to
4 principal of or interest on the bonds, there is appropriated out of
5 the first money coming into the treasury in each fiscal year, not
6 otherwise appropriated by this constitution, an amount that is
7 sufficient to pay the principal of and interest on the general
8 obligation bonds that mature or become due during that fiscal year
9 or to make bond enhancement payments with respect to those bonds.

10 (s) Receipts [~~(k)--Notwithstanding-any-provisions-of-Section~~
11 ~~49-b-or-49-b-1-of-this-article-to-the-contrary,--receipts~~] of all
12 kinds of the Veterans' Land Fund, the Veterans' Housing Assistance
13 Fund, or the Veterans' Housing Assistance Fund II that the Board
14 determines are not required for the payment of principal of and
15 interest on the general obligation bonds benefiting those funds,
16 including payments by the Board under a bond enhancement agreement
17 with respect to principal of or interest on the bonds, [~~authorized~~
18 ~~by--this--section--or--by-Section-49-b-or-49-b-1-of-this-article-or~~
19 ~~otherwise-authorized-by-this-constitution-to-be-issued-by-the-Board~~
20 ~~to-provide-money-for-the-fund,~~] may be used by the Board, to the
21 extent not inconsistent with the proceedings authorizing the bonds
22 to:

23 (1) make temporary transfers to another of those funds
24 to avoid a temporary cash deficiency in that fund or make a
25 transfer to another of those funds for the purposes of that fund;

26 (2) pay the principal of and interest on general
27 obligation bonds issued to provide money for another of those funds

1 or make bond enhancement payments with respect to the bonds; or

2 (3) pay the principal of and interest on revenue bonds
3 of the Board or make bond enhancement payments with respect to the
4 bonds if the bonds are issued to provide funds to purchase lands
5 and sell lands to veterans or make home mortgage loans to veterans.

6 (t) [~~t~~] If the Board determines that assets from the
7 Veterans' Land Fund, the Veterans' Housing Assistance Fund, or the
8 Veterans' Housing Assistance Fund II are not required for the
9 purposes of the fund, the Board may transfer the assets to another
10 of those funds or use the assets to secure revenue bonds issued by
11 the Board under this section.

12 (u) [~~u~~] The revenue bonds shall be special obligations of
13 the Board and payable only from and secured only by receipts of the
14 funds, assets transferred from the funds, and other revenues and
15 assets as determined by the Board and shall not constitute
16 indebtedness of the state or the Veterans' Land Board. The Board
17 may issue revenue bonds from time to time, which bonds may not
18 exceed an aggregate principal amount that the Board determines can
19 be fully retired from the receipts of the funds, the assets
20 transferred from the funds, and the other revenues and assets
21 pledged to the retirement of the revenue bonds. [~~The revenue bonds~~
22 ~~shall be issued and sold in forms and denominations in the manner~~
23 ~~on terms at times and places and in installments the Board~~
24 ~~determines.~~] Notwithstanding the rate of interest specified by any
25 other provision of this constitution, [the] revenue bonds shall
26 bear a rate or rates of interest the Board determines. A
27 determination made by the Board under this subsection shall be

1 binding and conclusive as to the matter determined.

2 (v) The [~~n~~--Notwithstanding any provisions of Section 49-b
3 or 49-b-1 of this article to the contrary, the] bonds authorized to
4 be issued and sold by the Veterans' Land Board [by this section or
5 by Sections 49-b and 49-b-1 of this article] shall be issued and
6 sold in forms and denominations, on terms, at times, in the manner,
7 at places, and in installments the Board determines. The bonds
8 shall bear a rate or rates of interest the Board determines. The
9 bonds shall be incontestable after execution by the Board, approval
10 by the Attorney General of Texas, and delivery to the purchaser or
11 purchasers of the bonds.

12 (w) [~~t~~] This Amendment being intended only to establish a
13 basic framework and not to be a comprehensive treatment of the
14 Veterans' Housing Assistance Program and the Veterans' Land
15 Program, there is hereby reposed in the Legislature full power to
16 implement and effectuate the design and objects of this Amendment,
17 including the power to delegate such duties, responsibilities,
18 functions, and authority to the Veterans' Land Board as it believes
19 necessary.

20 [~~p~~--In this section, "veteran" has the meaning assigned by
21 Section 49-b-1 of this article.

22 [Sec. 49-b-3.---(a)---In addition to the general obligation
23 bonds authorized to be issued and to be sold by the Veterans' Land
24 Board by Sections 49-b, 49-b-1, and 49-b-2 of this article, the
25 Veterans' Land Board may provide for, issue, and sell general
26 obligation bonds of the state in an amount not to exceed \$500
27 million to provide housing financing to veterans of the state in

1 recognition--of--their--service--to--this--state--and--the--United--States.
 2 The--Veterans--Board--may--enter--into--bond--enhancement--agreements
 3 with--respect--to--the--bonds.--The--proceeds--from--the--issuance--and--sale
 4 of--the--bonds--authorized--by--this--section--shall--be--used--to--augment
 5 the--Veterans--Housing--Assistance--Fund--to--be--administered--and
 6 invested--as--provided--by--law.

7 [(b) --The--principal--of--and--interest--on--the--general--obligation
 8 bonds--authorized--by--this--section--including--payments--under--bond
 9 enhancement--agreements--with--respect--to--principal--of--or--interest--on
 10 the--bonds--shall--be--payable--from--the--sources--and--in--the--manner
 11 provided--by--Section--49--b--2--of--this--article--for--general--obligation
 12 bonds--issued--under--that--section--to--augment--the--Veterans--Housing
 13 Assistance--Fund--.]

14 [(c) --The--general--obligation--bonds--authorized--by--this--section
 15 shall--be--issued--and--sold--in--forms--and--denominations--on--terms--at
 16 times--in--the--manner--at--places--and--instalments--the--Veterans--
 17 Board--determines.--The--bonds--shall--bear--a--rate--or--rates--of
 18 interest--the--Veterans--Board--determines.--The--bonds--authorized
 19 by--this--section--shall--be--incontestable--after--execution--by--the
 20 Veterans--Board--approved--by--the--attorney--general--and
 21 delivery--to--the--purchaser--or--purchasers--of--the--bonds.]

22 SECTION 15. Sections 49-c, 49-d, 49-d-1, 49-d-2, 49-d-5,
 23 49-d-6, 49-d-7, and 49-d-8, Article III, Texas Constitution, are
 24 amended to read as follows:

25 Sec. 49-c. (a) The Texas Water Development Board, [There--is
 26 hereby--created--as] an agency of the State of Texas, shall [the
 27 Texas--Water--Development--Board--to] exercise such powers as necessary

1 under this provision together with such other duties and
 2 restrictions as may be prescribed by law. The qualifications,
 3 compensation, and number of members of said Board shall be
 4 determined by law. They shall be appointed by the Governor with
 5 the advice and consent of the Senate in the manner and for such
 6 terms as may be prescribed by law.

7 (b) The Texas Water Development Board shall have the
 8 authority to provide for, issue and sell general obligation bonds
 9 of the State of Texas as authorized by constitutional amendment or
 10 by a debt proposition under Section 49 of this article [~~in an~~
 11 ~~amount not to exceed One Hundred Million Dollars--(\$100,000,000)].~~
 12 [~~The Legislature of Texas, upon two-thirds (2/3) vote of the~~
 13 ~~elected Members of each House, may authorize the Board to issue~~
 14 ~~additional bonds in an amount not exceeding One Hundred Million~~
 15 ~~Dollars--(\$100,000,000).] The bonds [authorized herein or permitted~~
 16 ~~to be authorized by the Legislature] shall be called "Texas Water~~
 17 ~~Development Bonds," shall be executed in such form, denominations~~
 18 ~~and upon such terms as may be prescribed by law, and [provided,~~
 19 ~~however, that the bonds shall not bear more than four per cent (4%)~~
 20 ~~interest per annum, they] may be issued in such installments as the~~
 21 Board finds feasible and practical in accomplishing the purpose set
 22 forth herein.

23 (c) All moneys received from the sale of the [State] bonds
 24 shall be deposited in a fund hereby created in the State Treasury
 25 to be known as the Texas Water Development Fund to be administered
 26 (without further appropriation) by the Texas Water Development
 27 Board in such manner as prescribed by law.

1 (d) Such fund shall be used only for the purpose of aiding
2 or making funds available upon such terms and conditions as the
3 Legislature may prescribe, to the various political subdivisions or
4 bodies politic and corporate of the State of Texas including river
5 authorities, conservation and reclamation districts and districts
6 created or organized or authorized to be created or organized under
7 Article XVI, Section 59 or Article III, Section 52, of this
8 Constitution, interstate compact commissions to which the State of
9 Texas is a party and municipal corporations, in the conservation
10 and development of the water resources of this State, including the
11 control, storing and preservation of its storm and flood waters and
12 the waters of its rivers and streams, for all useful and lawful
13 purposes by the acquisition, improvement, extension, or
14 construction of dams, reservoirs and other water storage projects,
15 including any system necessary for the transportation of water from
16 storage to points of treatment and/or distribution, including
17 facilities for transporting water therefrom to wholesale
18 purchasers, or for any one or more of such purposes or methods.

19 (e) Any or all financial assistance as provided herein shall
20 be repaid with interest upon such terms, conditions and manner of
21 repayment as may be provided by law.

22 (f) While any of the Texas Water Development Bonds [bonds
23 ~~authorized-by-this-provision-or-while-any-of-the-bonds-that-may-be~~
24 ~~authorized--by--the--legislature--under--this--provision~~], or any
25 interest on any of such bonds, is outstanding and unpaid, there is
26 hereby appropriated out of the first moneys coming into the
27 Treasury in each fiscal year, not otherwise appropriated by this

1 Constitution, an amount which is sufficient to pay the principal
2 and interest on such bonds that mature or become due during such
3 fiscal year, less the amount in the sinking fund at the close of
4 the prior fiscal year.

5 (g) The Legislature may provide for the investment of moneys
6 available in the Texas Water Development Fund, and the interest and
7 sinking funds established for the payment of bonds issued by the
8 Texas Water Development Board. Income from such investment shall
9 be used for the purposes prescribed by the Legislature. The
10 Legislature may also make appropriations from the General Revenue
11 Fund for paying administrative expenses of the Board.

12 (h) From the moneys received by the Texas Water Development
13 Board as repayment of principal for financial assistance or as
14 interest thereon, there shall be deposited in the interest and
15 sinking fund for the bonds [~~authorized-by-this-Section~~] sufficient
16 moneys to pay the interest and principal to become due during the
17 ensuing year and sufficient to establish and maintain a reserve in
18 said fund equal to the average annual principal and interest
19 requirements on all outstanding bonds [~~issued-under-this--Section~~].
20 If any year [~~prior--to-December-31,-1982~~] moneys are received in
21 excess of the foregoing requirements then such excess shall be
22 deposited to the Texas Water Development Fund, and may be used for
23 administrative expenses of the Board and for the same purposes and
24 upon the same terms and conditions prescribed for the proceeds
25 derived from the sale of such State bonds. [~~No-grant-of--financial~~
26 ~~assistance-shall-be-made-under-the-provisions-of-this-Section-after~~
27 ~~December--31,-1982,-and-all-moneys-thereafter-received-as-repayment~~

1 of-principal-for-financing-projects-authorized-or-authorized-interest-hereon--shall
2 be--deposited-in-the-interest-and-sinking-fund-for-the-state-bonds
3 except--that--such--amount--may--be--required--to--meet--the
4 additional-revenue-expenses-of-the-board-may-be-annually-set-aside-and
5 provided--that--after--all--state--bonds-have-been-fully-paid-with
6 interest-or-after-there-are-on-deposit-in-the-interest-and-sinking
7 fund-sufficient-moneys-to-pay-all-interest--maturities--of--principal
8 and--interest--additional-moneys-so-received-shall-be-deposited-to
9 the-General-Revenue-Fund.]

10 (i) All Texas Water Development Bonds [bonds---issued
11 hereunder] shall after approval by the Attorney General,
12 registration by the Comptroller of Public Accounts of the State of
13 Texas, and delivery to the purchasers, be incontestable and shall
14 constitute general obligations of the State of Texas under the
15 Constitution of Texas.

16 [Should--the--legislature-enact-enabling-laws-in-anticipation
17 of-the-adoption-of-this-amendment--such-acts-shall-not-be--void--by
18 reason-of-their-anticipatory-nature.]

19 Sec. 49-d. (a) It is hereby declared to be the policy of
20 the State of Texas to encourage the optimum development of the
21 limited number of feasible sites available for the construction or
22 enlargement of dams and reservoirs for conservation of the public
23 waters of the state, which waters are held in trust for the use and
24 benefit of the public, and to encourage the optimum regional
25 development of systems built for the filtration, treatment, and
26 transmission of water and wastewater. The proceeds from the sale
27 of [the-additional] bonds [authorized-hereunder] deposited in the

1 Texas Water Development Fund [~~and the proceeds of bonds previously~~
2 ~~authorized by Article III, Section 49-c of this Constitution,~~] may
3 be used by the Texas Water Development Board, under such provisions
4 as the Legislature may prescribe by General Law, including the
5 requirement of a permit for storage or beneficial use, for the
6 additional purposes of acquiring and developing storage facilities,
7 and any system or works necessary for the filtration, treatment and
8 transportation of water or wastewater, or for any one or more of
9 such purposes or methods, whether or not such a system or works is
10 connected with a reservoir in which the state has a financial
11 interest; provided, however, the Texas Water Development Fund or
12 any other state fund provided for water development, transmission,
13 transfer or filtration shall not be used to finance any project
14 which contemplates or results in the removal from the basin of
15 origin of any surface water necessary to supply the reasonably
16 foreseeable future water requirements for the next ensuing
17 fifty-year period within the river basin of origin, except on a
18 temporary, interim basis.

19 (b) Under such provisions as the Legislature may prescribe
20 by General Law the Texas Water Development Fund may be used for the
21 conservation and development of water for useful purposes by
22 construction or reconstruction or enlargement of reservoirs
23 constructed or to be constructed or enlarged within the State of
24 Texas or on any stream constituting a boundary of the State of
25 Texas, together with any system or works necessary for the
26 filtration, treatment and/or transportation of water, by any one or
27 more of the following governmental agencies: by the United States

1 of America or any agency, department or instrumentality thereof; by
 2 the State of Texas or any agency, department or instrumentality
 3 thereof; by political subdivisions or bodies politic and corporate
 4 of the state; by interstate compact commissions to which the State
 5 of Texas is a party; and by municipal corporations. The
 6 Legislature shall provide terms and conditions under which the
 7 Texas Water Development Board may sell, transfer or lease, in whole
 8 or in part, any reservoir and associated system or works which the
 9 Texas Water Development Board has financed in whole or in part.

10 (c) Under such provisions as the Legislature may prescribe
 11 by General Law, the Texas Water Development Board may also execute
 12 long-term contracts with the United States or any of its agencies
 13 for the acquisition and development of storage facilities in
 14 reservoirs constructed or to be constructed by the Federal
 15 Government. Such contracts when executed shall constitute general
 16 obligations of the State of Texas in the same manner and with the
 17 same effect as state bonds issued under the authority of [the
 18 preceding] Section 49-c of this article [Constitution], and the
 19 provisions of [in-said] Section 49-c of this article with respect
 20 to payment of principal and interest on state bonds issued shall
 21 likewise apply with respect to payment of principal and interest
 22 required to be paid by such contracts. If storage facilities are
 23 required for a term of years, such contracts shall contain
 24 provisions for renewal that will protect the state's investment.

25 [~~The--aggregate--of--the--bonds--authorized--hereunder--shall--not~~
 26 ~~exceed--\$20070007000--and--shall--be--in--addition--to--the--aggregate--of~~
 27 ~~the--bonds--previously--authorized--by--said--Section--49--c--of--Article--XX~~

1 of--this--Constitution.--The-Legislature-upon-two-thirds-(2/3)-vote
2 of-the-elected-members-of-each-House,--may-authorize--the--Board--to
3 issue--all--or-any-portion-of-such-\$200,000,000-in-additional-bonds
4 herein-authorized.]

5 (d) The Legislature shall provide terms and conditions for
6 the Texas Water Development Board to sell, transfer or lease, in
7 whole or in part, any acquired facilities or the right to use such
8 facilities at a price not less than the direct cost of the Board in
9 acquiring same; and the Legislature may provide terms and
10 conditions for the Board to sell any unappropriated public waters
11 of the state that might be stored in such facilities. As a
12 prerequisite to the purchase of such storage or water, the
13 applicant therefor shall have secured a valid permit from the state
14 [~~Texas--Water--Commission--or--its--successor~~] authorizing the
15 acquisition of such storage facilities or the water impounded
16 therein. The money received from any sale, transfer or lease of
17 facilities shall be used to pay principal and interest on state
18 bonds issued or contractual obligations incurred by the Texas Water
19 Development Board, provided that when moneys are sufficient to pay
20 the full amount of indebtedness then outstanding and the full
21 amount of interest to accrue thereon, any further sums received
22 from the sale, transfer or lease of such facilities shall be
23 deposited and used as provided by law. Money received from the
24 sale of water, which shall include standby service, may be used for
25 the operation and maintenance of acquired facilities, and for the
26 payment of principal and interest on debt incurred.

27 [~~Should-the-Legislature-enact-enabling-laws--in--anticipation~~

1 of--the--adoption-of-this-Amendment, such Acts shall not be void by
2 reason-of-their-anticipatory-character.]

3 Sec. 49-d-1. (a) The Texas Water Development Board may
4 [shall--upon--direction--of--the--Texas-Water-Quality-Board, or any
5 successor-agency-designated-by-the-legislature,] issue [additional]
6 Texas Water Development Bonds as authorized by constitutional
7 amendment or by a debt proposition under Section 49 of this article
8 [up-to-an-additional-aggregate-principal-amount-of-\$200,000,000] to
9 provide grants, loans, or any combination of grants and loans for
10 water quality enhancement purposes as established by the
11 Legislature[---The--Texas--Water--Quality--Board--or--any--successor
12 agency-designated-by-the--legislature--may--make--such--grants--and
13 loans] to political subdivisions or bodies politic and corporate of
14 the State of Texas, including municipal corporations, river
15 authorities, conservation and reclamation districts, and districts
16 created or organized or authorized to be created or organized under
17 Article XVI, Section 59, or Article III, Section 52, of this
18 Constitution, State agencies, and interstate agencies and compact
19 commissions to which the State of Texas is a party, and upon such
20 terms and conditions as the Legislature may authorize by general
21 law. The bonds shall be issued for such terms, in such
22 denominations, form and installments, and upon such conditions as
23 the Legislature may authorize.

24 [(b)--The--proceeds--from--the--sale--of--such--bonds--shall--be
25 deposited-in-the-Texas-Water-Development-Fund-to--be--invested--and
26 administered-as-prescribed-by-law.]

27 [(c)--The--bonds--authorized--in--this--Section-49-d-1--and--all

1 ~~bonds authorized by Sections 49-c and 49-d of Article III shall~~
2 ~~bear interest at not more than 6% per annum and mature as the Texas~~
3 ~~Water Development Board shall prescribe, subject to the limitations~~
4 ~~as may be imposed by the Legislature.]~~

5 (b) [(d)] The Texas Water Development Fund shall be used for
6 the purposes heretofore permitted by, and subject to the
7 limitations in this Section and Sections 49-c and[(7)] 49-d [and
8 49-d-1]; provided, however, that the financial assistance may be
9 made [pursuant to the provisions of Sections 49-c, 49-d and 49-d-1]
10 subject only to the availability of funds [and without regard to
11 the provisions in Section 49-c that such financial assistance
12 shall terminate after December 31, 1982].

13 [(e)] ~~Texas Water Development Bonds are secured by the~~
14 ~~general credit of the State and shall after approval by the~~
15 ~~Attorney General, registration by the Comptroller of Public~~
16 ~~Accounts of the State of Texas, and delivery to the purchasers, be~~
17 ~~incontestable and shall constitute general obligations of the State~~
18 ~~of Texas under the Constitution of Texas.~~

19 [(f)] ~~Should the Legislature enact enabling laws in~~
20 ~~anticipation of the adoption of this amendment, such Acts shall not~~
21 ~~be void by reason of their anticipatory character.]~~

22 Sec. 49-d-2. [(a)] The Texas Water Development Board may
23 issue [additional] Texas Water Development Bonds [up to an
24 additional aggregate principal amount of \$980 million. Of the
25 additional bonds authorized to be issued, \$590 million of those
26 bonds are dedicated for use for the purposes provided by Sections
27 49-c and 49-d of this article with \$400 million of those bonds to

1 [~~(e)~~--Bonds--issued-under-this-section-shall-bear-interest-as
2 provided-by-Section-65-of-this-article.]

3 Sec. 49-d-5. For the purpose of any program established or
4 authorized by [~~Section--49-c, 49-d, 49-d-1, 49-d-2, or 49-d-4 of~~]
5 this article and administered by the Texas Water Development Board,
6 the legislature by law may extend any benefits to nonprofit water
7 supply corporations that it may extend to a district created or
8 organized under Article XVI, Section 59, of this constitution.

9 Sec. 49-d-6. [~~(a)~~--The-Texas--Water--Development--Board--may
10 issue--additional-Texas-Water-Development-Bonds-up-to-an-additional
11 aggregate-principal-amount-of--\$400--million.---Of--the--additional
12 bonds-authorized-to-be-issued, \$200-million-of-those-bonds-shall-be
13 used--for--purposes--provided-by-Section-49-c-of-this-article, \$150
14 million-of-those-bonds-shall--be--used--for--purposes--provided--by
15 Section--49-d-1--of--this--article,--and-\$50-million-of-those-bonds
16 shall-be-used-for-flood-control-as-provided-by-law.]

17 [~~(b)~~] The legislature may require review and approval of the
18 issuance of Texas Water Development Bonds [~~the bonds~~], of the use
19 of the bond proceeds, or of the rules adopted by an agency to
20 govern use of the bond proceeds. Notwithstanding any other
21 provision of this constitution, any entity created or directed to
22 conduct this review and approval may include members or appointees
23 of members of the executive, legislative, and judicial departments
24 of state government.

25 [~~(c)~~--The--Texas--Water--Development--Board--shall--issue--the
26 additional-bonds-authorized-by-this-section-for-the-terms,--in--the
27 denominations,--form,--and--installments,--on--the--conditions,--and

1 subject to the limitations provided by Sections 49-c and 49-d-1 of
2 this article and by laws adopted by the Legislature implementing
3 this section.

4 [(d) Subsections (c) through (e) of Section 49-d-2 of this
5 article apply to the bonds authorized by this section.]

6 Sec. 49-d-7. (a) [The Texas Water Development Board may
7 use additional Texas water development bonds up to an additional
8 aggregate principal amount of \$500 million. Of the additional
9 bonds authorized to be issued, \$250 million of those bonds shall be
10 used for purposes provided by Section 49-c of this article, \$200
11 million of those bonds shall be used for purposes provided by
12 Section 49-d-1 of this article, and \$50 million of those bonds
13 shall be used for flood control as provided by law.]

14 [(b)] The Texas Water Development Board may use the proceeds
15 of Texas water development bonds issued for the purposes provided
16 by Section 49-c of this article for the additional purpose of
17 providing financial assistance, on terms and conditions provided by
18 law, to various political subdivisions and bodies politic and
19 corporate of the state and to nonprofit water supply corporations
20 to provide for acquisition, improvement, extension, or construction
21 of water supply projects that involve the distribution of water to
22 points of delivery to wholesale or retail customers.

23 [(c)] The legislature may require review and approval of the
24 issuance of the bonds, the use of the bond proceeds, or the rules
25 adopted by an agency to govern use of the bond proceeds.
26 Notwithstanding any other provision of this constitution, any
27 entity created or directed to conduct this review and approval may

1 include---members--or--appointees--of--members--of--the--executive,
2 legislative, and judicial departments of state government.

3 [~~(d)~~---Except as specifically provided by Subsection ~~(e)~~ of
4 this section, the Texas Water Development Board shall issue the
5 additional bonds authorized by this section for the terms, in the
6 denominations, form, and installments, on the conditions, and
7 subject to the limitations provided by Sections 49-c and 49-d-1 of
8 this article and by laws adopted by the legislature implementing
9 this section.]

10 (b) [~~(e)~~] The legislature may provide by law for subsidized
11 loans and grants from the proceeds of Texas water development bonds
12 [~~authorized by this section~~] to provide wholesale and retail water
13 and wastewater facilities to economically distressed areas of the
14 state as defined by law, provided, the principal amount of bonds
15 that may be issued for the purposes under this subsection may not
16 exceed \$250 million [~~50 percent of the total amount of bonds~~
17 ~~authorized by this section~~]. Separate accounts shall be
18 established in the water development fund for administering the
19 proceedings of bonds issued for purposes under this subsection, and
20 an interest and sinking fund separate from and not subject to the
21 limitations of the interest and sinking fund created [~~pursuant to~~
22 ~~Section 49-c~~] for other Texas water development bonds is
23 established in the State Treasury to be used for paying the
24 principal of and interest on bonds for the purposes of the
25 subsection. While any of the bonds authorized for the purposes of
26 this subsection or any of the interest on those bonds is
27 outstanding and unpaid, there is appropriated out of the first

1 money coming into the State Treasury in each fiscal year, not
 2 otherwise appropriated by this constitution, an amount that is
 3 sufficient to pay the principal of and interest on those bonds
 4 issued for the purposes under this subsection that mature or become
 5 due during that fiscal year.

6 [~~(f)~~--Subsections--~~(e)~~--through--~~(e)~~--of--Section--49-d-2--of--this
 7 article--apply--to--the--bonds--authorized--by--this--section--]

8 Sec. 49-d-8. (a) The Texas Water Development Fund II is
 9 [created] in the state treasury as a fund separate and distinct
 10 from the Texas Water Development Fund established under Section
 11 49-c of this article. Money in the Texas Water Development Fund II
 12 shall be administered without further appropriation by the Texas
 13 Water Development Board and shall be used for any one or more of
 14 the purposes currently or formerly authorized by Sections 49-c,
 15 49-d, 49-d-1, 49-d-2, 49-d-5, 49-d-6, and 49-d-7 of this article,
 16 as determined by the Texas Water Development Board. Separate
 17 accounts shall be established in the Texas Water Development Fund
 18 II for administering proceedings related to the purposes described
 19 in Section 49-d of this article, the purposes described in
 20 Subsection (b) [~~(e)~~] of Section 49-d-7 of this article, and all
 21 other authorized purposes. The Texas Water Development Board is
 22 hereby authorized, at its determination, to issue general
 23 obligation bonds for one or more accounts of the Texas Water
 24 Development Fund II in an aggregate principal amount equal to the
 25 amount of bonds previously authorized pursuant to former Section
 26 49-d-6 and Sections 49-d-2[7-49-d-67] and 49-d-7 of this article
 27 less the amount of bonds issued pursuant to those sections to

1 augment the Texas Water Development Fund and the amount of bonds
2 issued to augment the Texas Water Development Fund II. Nothing in
3 this section, however, shall grant to the Texas Water Development
4 Board the authority to issue bonds [~~under this section and under~~
5 ~~Sections 49-d-27, 49-d-67, and 49-d-7 of this article~~] in excess of
6 the total amount of those previously authorized bonds [~~described in~~
7 ~~Sections 49-d-27, 49-d-67, and 49-d-7 of this article~~] or to issue
8 bonds for purposes described in Subsection (b) [~~(e)~~] of Section
9 49-d-7 of this article in excess of \$250 million. The expenses of
10 the Texas Water Development Board in connection with the issuance
11 of bonds for an account of the Texas Water Development Fund II and
12 administration of such account may be paid from money in such
13 account.

14 (b) The Texas Water Development Board is hereby authorized,
15 at its determination, to issue general obligation bonds for one or
16 more accounts of the Texas Water Development Fund II in order to
17 refund outstanding bonds previously issued to augment the Texas
18 Water Development Fund, as long as the principal amount of the
19 refunding bonds does not exceed the outstanding principal amount of
20 the refunded bonds, and to refund the general obligation of the
21 State of Texas under long-term contracts entered into by the Texas
22 Water Development Board with the United States or any of its
23 agencies under authority granted by Section 49-d of this article,
24 as long as the principal amount of the refunding bonds does not
25 exceed the principal amount of the contractual obligation of the
26 Texas Water Development Board. Money and assets in the Texas Water
27 Development Fund attributable to such refunding bonds shall be

1 transferred to the appropriate account of the Texas Water
2 Development Fund II, as determined by the Texas Water Development
3 Board, to the extent not inconsistent with the proceedings
4 authorizing any outstanding bonds issued to augment the Texas Water
5 Development Fund and the terms of any long-term contracts entered
6 into by the Texas Water Development Board with the United States or
7 any of its agencies. In addition, the Texas Water Development
8 Board may transfer other moneys and assets in the Texas Water
9 Development Fund to the appropriate account of the Texas Water
10 Development Fund II, as determined by the Texas Water Development
11 Board, without the necessity of issuing refunding bonds to effect
12 the transfer, to the extent not inconsistent with the proceedings
13 authorizing any outstanding bonds issued to augment the Texas Water
14 Development Fund. Further, at such time as all bonds issued to
15 augment the Texas Water Development Fund and all such contractual
16 obligations have been paid or otherwise discharged, all money and
17 assets in the Texas Water Development Fund shall be transferred to
18 the credit of the Texas Water Development Fund II and deposited to
19 the accounts therein, as determined by the Texas Water Development
20 Board.

21 (c) Subject to the limitations set forth in Section 49-d of
22 this article, the legislature shall provide terms and conditions
23 under which the Texas Water Development Board may sell, transfer,
24 or lease, in whole or in part, facilities held for the account
25 established within the Texas Water Development Fund II for
26 administering proceedings related to the purposes described in
27 Section 49-d of this article, and the legislature may provide terms

1 and conditions under which the Texas Water Development Board may
2 sell any unappropriated public waters of the state that may be
3 stored in such facilities. Money received from any sale, transfer,
4 or lease of such facilities or water shall be credited to the
5 account established within the Texas Water Development Fund II for
6 the purpose of administering proceedings related to the purposes
7 described in Section 49-d of this article.

8 (d) Each account of the Texas Water Development Fund II
9 shall consist of:

10 (1) the Texas Water Development Board's rights to
11 receive repayment of financial assistance provided from such
12 account, together with any evidence of such rights;

13 (2) money received from the sale or other disposition
14 of the Texas Water Development Board's rights to receive repayment
15 of such financial assistance;

16 (3) money received as repayment of such financial
17 assistance;

18 (4) money and assets attributable to bonds issued and
19 sold by the Texas Water Development Board for such account,
20 including money and assets transferred from the Texas Water
21 Development Fund pursuant to this section;

22 (5) money deposited in such account pursuant to
23 Subsection (c) of this section;

24 (6) payments received by the Texas Water Development
25 Board under a bond enhancement agreement as authorized by law with
26 respect to bonds issued for such account; and

27 (7) interest and other income received from investment

1 of money in such account.

2 (e) Notwithstanding the other provisions of [Sections
3 49-d-27--49-d-67--and-49-d-7-of] this article, the principal of and
4 interest on the general obligation bonds issued for an account of
5 the Texas Water Development Fund II, including payments by the
6 Texas Water Development Board under a bond enhancement agreement as
7 authorized by law with respect to principal of or interest on such
8 bonds, shall be paid out of such account, but the money in such
9 account that is not immediately committed to the purposes of such
10 account or the payment of expenses may be invested as authorized by
11 law until the money is needed for those purposes. If there is not
12 enough money in any account available to pay the principal of and
13 interest on the general obligation bonds issued for such account,
14 including money to make payments by the Texas Water Development
15 Board under a bond enhancement agreement as authorized by law with
16 respect to principal of or interest on such bonds, there is
17 appropriated out of the first money coming into the state treasury
18 in each fiscal year not otherwise appropriated by this constitution
19 an amount that is sufficient to pay the principal of and interest
20 on such general obligation bonds that mature or become due during
21 that fiscal year or to make bond enhancement payments with respect
22 to those bonds.

23 (f) The general obligation bonds authorized by this section
24 may be issued as bonds, notes, or other obligations as permitted by
25 law and shall be sold in forms and denominations, on terms, at
26 times, in the manner, at places, and in installments, all as
27 determined by the Texas Water Development Board. The bonds shall

1 bear a rate or rates of interest the Texas Water Development Board
2 determines. The bonds authorized by this section shall be
3 incontestable after execution by the Texas Water Development Board,
4 approval by the attorney general, and delivery to the purchaser or
5 purchasers of the bonds.

6 (g) This section being intended only to establish a basic
7 framework and not to be a comprehensive treatment of the Texas
8 Water Development Fund II, there is hereby reposed in the
9 legislature full power to implement and effectuate the design and
10 objects of this section, including the power to delegate such
11 duties, responsibilities, functions, and authority to the Texas
12 Water Development Board as it believes necessary.

13 (h) The Texas Water Development Fund II, including any
14 account in that fund, may not be used to finance or aid any project
15 that contemplates or results in the removal from the basin of
16 origin of any surface water necessary to supply the reasonably
17 foreseeable future water requirements for the next ensuing 50-year
18 period within the river basin of origin, except on a temporary,
19 interim basis.

20 SECTION 16. Section 49-e, Article III, Texas Constitution,
21 is amended to read as follows:

22 Sec. 49-e. (a) The Parks and Wildlife Department, or its
23 successor vested with the powers, duties, and authority which deals
24 with the operation, maintenance, and improvement of State Parks,
25 shall have the authority to provide for, issue and sell general
26 obligation bonds of the State of Texas in an amount authorized by
27 constitutional amendment or by a debt proposition under Section 49

1 of this article [~~not--to--exceed--Seventy-Five--Million--Dollars~~
 2 ~~(\$75,000,000)~~]. The bonds [~~authorized--herein~~] shall be called
 3 "Texas Park Development Bonds," shall be executed in such form,
 4 denominations, and upon such terms as may be prescribed by law,
 5 [~~provided--however--that--the--bonds~~] shall bear a rate or rates of
 6 interest as may be fixed by the Parks and Wildlife Department or
 7 its successor, not to exceed the maximum prescribed by Section 65
 8 of this article, and [~~but--the--weighted--average--annual--interest~~
 9 ~~rate--as--that--phrase--is--commonly--and--ordinarily--used--and--understood~~
 10 ~~in--the--municipal--bond--market--of--all--the--bonds--issued--and--sold--in~~
 11 ~~any--installment--of--any--bonds--shall--not--exceed--four--and--one-half~~
 12 ~~percent--(4--1/2%)--interest--per--annum--they~~] may be issued in such
 13 installments as said Parks and Wildlife Department, or its said
 14 successor, finds feasible and practical in accomplishing the
 15 purpose set forth herein.

16 (b) All moneys received from the sale of said bonds shall be
 17 deposited in a fund hereby created with the Comptroller of Public
 18 Accounts of the State of Texas to be known as the Texas Park
 19 Development Fund to be administered (without further appropriation)
 20 by the said Parks and Wildlife Department, or its said successor,
 21 in such manner as prescribed by law.

22 (c) Such fund shall be used by said Parks and Wildlife
 23 Department, or its said successor, under such provisions as the
 24 Legislature may prescribe by general law, for the purposes of
 25 acquiring lands from the United States, or any governmental agency
 26 thereof, from any governmental agency of the State of Texas, or
 27 from any person, firm, or corporation, for State Park Sites and for

1 developing said sites as State Parks.

2 (d) While any of the bonds [~~authorized-by-this-provision~~],
3 or any interest on any such bonds, is outstanding and unpaid, there
4 is hereby appropriated out of the first moneys coming into the
5 Treasury in each fiscal year, not otherwise appropriated by this
6 Constitution, an amount which is sufficient to pay the principal
7 and interest on such bonds that mature or become due during such
8 fiscal year, less the amount in the interest and sinking fund at
9 the close of the prior fiscal year, which includes any receipts
10 derived during the prior fiscal year by said Parks and Wildlife
11 Department, or its said successor, from admission charges to State
12 Parks, as the Legislature may prescribe by general law.

13 (e) The Legislature may provide for the investment of moneys
14 available in the Texas Park Development Fund and the interest and
15 sinking fund established for the payment of bonds issued by said
16 Parks and Wildlife Department, or its said successor. Income from
17 such investment shall be used for the purposes prescribed by the
18 Legislature.

19 (f) From the moneys received by said Parks and Wildlife
20 Department, or its said successor, from the sale of the bonds
21 issued hereunder, there shall be deposited in the interest and
22 sinking fund for the bonds authorized by this section sufficient
23 moneys to pay the interest to become due during the State fiscal
24 year in which the bonds were issued. After all bonds have been
25 fully paid with interest, or after there are on deposit in the
26 interest and sinking fund sufficient moneys to pay all future
27 maturities of principal and interest, additional moneys received

1 from admission charges to State Parks shall be deposited to the
2 State Parks Fund, or any successor fund which may be established by
3 the Legislature as a depository for Park revenue earned by said
4 Parks and Wildlife Department, or its said successor.

5 (g) All bonds issued hereunder shall after approval by the
6 Attorney General, registration by the Comptroller of Public
7 Accounts of the State of Texas, and delivery to the purchasers, be
8 incontestable and shall constitute general obligations of the State
9 of Texas under the Constitution of Texas.

10 [~~Should the Legislature enact enabling laws in anticipation~~
11 ~~of the adoption of this amendment, such Acts shall not be void by~~
12 ~~reason of their anticipatory nature.~~]

13 SECTION 17. Section 49-h, Article III, Texas Constitution,
14 is amended to read as follows:

15 Sec. 49-h. (a) In amounts authorized by constitutional
16 amendment or by a debt proposition under Section 49 of this
17 article, the [The] legislature may provide for [authorize] the
18 issuance of [up-to-\$500-million-in] general obligation bonds and
19 the use of the bond proceeds for acquiring, constructing, or
20 equipping new facilities or for major repair or renovation of
21 existing facilities of corrections institutions, including youth
22 corrections institutions, and mental health and mental retardation
23 institutions. The legislature may require the review and approval
24 of the issuance of the bonds and the projects to be financed by the
25 bond proceeds. Notwithstanding any other provision of this
26 constitution, the issuer of the bonds or any entity created or
27 directed to review and approve projects may include members or

1 appointees of members of the executive, legislative, and judicial
2 departments of state government.

3 (b) Bonds issued under this section constitute a general
4 obligation of the state. While any of the bonds or interest on the
5 bonds is outstanding and unpaid, there is appropriated out of the
6 first money coming into the treasury in each fiscal year, not
7 otherwise appropriated by this constitution, the amount sufficient
8 to pay the principal of and interest on the bonds that mature or
9 become due during the fiscal year, less any amount in any sinking
10 fund at the end of the preceding fiscal year that is pledged to
11 payment of the bonds or interest.

12 (c) In addition to the purposes authorized under Subsection
13 (a), the [~~(1)---The~~] legislature may authorize the issuance of the
14 [up---to---\$400-million-in] general obligation bonds [~~7-in-addition-to~~
15 ~~the-amount-authorized-by-Subsection-(a)-of-this-section,---and---use~~
16 ~~the---proceeds---of---the---bonds]~~ for acquiring, constructing, or
17 equipping:

18 (1) new [~~corrections-institutions, mental--health--and~~
19 ~~mental--retardation--institutions,---youth-corrections-institutions,~~
20 ~~and]~~ statewide law enforcement facilities and for major repair or
21 renovation of existing facilities; and [~~of-these-institutions-~~

22 [~~(2)---The---provisions-of-Subsection-(a)-of-this-section~~
23 ~~relating-to-the-review-and-approval-of-bonds-and-the-provisions--of~~
24 ~~Subsection--(b)-of-this-section-relating-to-the-status-of-the-bonds~~
25 ~~as-a-general-obligation-of-the-state-and-to-the-manner-in-which-the~~
26 ~~principal-and-interest--on--the--bonds--are--paid--apply--to--bonds~~
27 ~~authorized-under-this-subsection.~~

1 [(d) (1) -- The Legislature may authorize the issuance of up to
2 \$100,000,000 in general obligation bonds in addition to the amount
3 authorized by Subsections (a) and (c) of this section and may use
4 the proceeds of the bonds for acquiring, constructing or
5 equipping]

6 (2) new prisons and substance abuse felony punishment
7 facilities to confine criminals [mental health and mental
8 retardation institutions] and [youth corrections institutions
9 for] major repair or renovation of existing facilities of those
10 institutions, and for the acquisition of, major repair to, or
11 renovation of other facilities for use as state prisons or
12 substance abuse felony punishment facilities. [Proceeds of general
13 obligation bonds issued under this subdivision may not be
14 appropriated by any session of the Legislature other than the 2nd
15 2nd Session of the 72nd Legislature or any subsequent session of
16 the Legislature]

17 (3) -- The provisions of Subsection (a) of this section
18 relating to the review and approval of bonds and the provisions of
19 Subsection (b) of this section relating to the sale of the bonds
20 as a general obligation of the state and to the manner in which the
21 principal and interest on the bonds are paid apply to bonds
22 authorized under this subsection.

23 (4) (1) -- The Legislature may authorize the issuance of up to
24 \$100,000,000 in general obligation bonds in addition to the amount
25 authorized by Subsections (a) (1) (c) and (d) of this section and
26 use the proceeds of the bonds for acquiring, constructing or
27 equipping new correctional institutions including youth corrections

1 institutions, and mental health and mental retardation institutions
2 and for major repair or renovation of existing facilities of those
3 corrections and mental health and mental retardation institutions.

4 [2] The provisions of Subsection (a) of this section
5 relating to the review and approval of bonds and the provisions of
6 Subsection (b) of this section relating to the status of the bonds
7 as a general obligation of the state and to the manner in which the
8 principal and interest on the bonds are paid apply to bonds
9 authorized under this subsection.]

10 SECTION 18. Subsection (a), Section 50b-4, Article III,
11 Texas Constitution, is amended to read as follows:

12 (a) The legislature by general law may authorize the Texas
13 Higher Education Coordinating Board or its successor or successors
14 to issue and sell general obligation bonds of the State of Texas in
15 an amount authorized by constitutional amendment or by a debt
16 proposition under Section 49 of this article [not to exceed \$300
17 million] to finance educational loans to students. [The bonds are
18 in addition to those bonds issued under Sections 50b-1, 50b-17
19 50b-27 and 50b-37, Article III, Texas Constitution.]

20 SECTION 19. Section 51, Article III, Texas Constitution, is
21 amended to read as follows:

22 Sec. 51. The Legislature shall have no power to make any
23 grant or authorize the making of any grant of public moneys to any
24 individual, association of individuals, municipal or other
25 corporations whatsoever; [provided, however, the Legislature may
26 grant aid to indigent and disabled Confederate soldiers and sailors
27 under such regulations and limitations as may be deemed by the

1 legislature--as--expedient,--and--to--their--widows---in---indigent
 2 circumstances--under--such--regulations--and--limitations--as--may--be
 3 deemed--by--the--legislature--as--expedient,] provided that the
 4 provisions of this Section shall not be construed so as to prevent
 5 the grant of aid in cases of public calamity.

6 SECTION 20. Section 51-a, Article III, Texas Constitution,
 7 is amended to read as follows:

8 Sec. 51-a. (a) The Legislature shall have the power, by
 9 General Laws, to provide, subject to limitations herein contained,
 10 and such other limitations, restrictions and regulations as may by
 11 the Legislature be deemed expedient, for assistance grants to needy
 12 dependent children and the caretakers of such children, needy
 13 persons who are totally and permanently disabled because of a
 14 mental or physical handicap, needy aged persons and needy blind
 15 persons.

16 (b) The Legislature may provide by General Law for medical
 17 care, rehabilitation and other similar services for needy persons.
 18 The Legislature may prescribe such other eligibility requirements
 19 for participation in these programs as it deems appropriate and may
 20 make appropriations out of state funds for such purposes. The
 21 maximum amount paid out of state funds for assistance grants, to or
 22 on behalf of needy dependent children and their caretakers shall
 23 not exceed [the-amount--of--Eighty--Million--Dollars--(\$80,000,000)
 24 during--any--fiscal--year,--except--that--the--limit--shall--be--One--Hundred
 25 Sixty--Million--Dollars--(\$160,000,000)--for--the--two--years--of--the
 26 1982-1983-biennium;--For--the--two--years--of--each--subsequent--biennium,
 27 the--maximum--amount--shall--not--exceed] one percent of the state

1 budget. The Legislature by general statute shall provide for the
2 means for determining the state budget amounts, including state and
3 other funds appropriated by the Legislature, to be used in
4 establishing the biennial limit.

5 (c) Provided further, that if the limitations and
6 restrictions herein contained are found to be in conflict with the
7 provisions of appropriate federal statutes, as they now are or as
8 they may be amended to the extent that federal matching money is
9 not available to the state for these purposes, then and in that
10 event the Legislature is specifically authorized and empowered to
11 prescribe such limitations and restrictions and enact such laws as
12 may be necessary in order that such federal matching money will be
13 available for assistance and/or medical care for or on behalf of
14 needy persons.

15 (d) Nothing in this Section shall be construed to amend,
16 modify or repeal Section 31 of Article XVI of this Constitution;
17 provided further, however, that such medical care, services or
18 assistance shall also include the employment of objective or
19 subjective means, without the use of drugs, for the purpose of
20 ascertaining and measuring the powers of vision of the human eye,
21 and fitting lenses or prisms to correct or remedy any defect or
22 abnormal condition of vision. Nothing herein shall be construed to
23 permit optometrists to treat the eyes for any defect whatsoever in
24 any manner nor to administer nor to prescribe any drug or physical
25 treatment whatsoever, unless such optometrist is a regularly
26 licensed physician or surgeon under the laws of this state.

27 SECTION 21. Subsections (b) and (c), Section 52, Article

1 III, Texas Constitution, are amended to read as follows:

2 (b) Under Legislative provision, any county, [any] political
3 subdivision of a county, [any] number of adjoining counties, [or
4 any] political subdivision of the State, or [any] defined district
5 now or hereafter to be described and defined within the State of
6 Texas, and which may or may not include, towns, villages or
7 municipal corporations, upon a vote of two-thirds majority of the
8 [resident--property--taxpayers] voting [thereon-who-are] qualified
9 voters [electors] of such district or territory to be affected
10 thereby, [~~in--addition--to--all--other--debts~~] may issue bonds or
11 otherwise lend its credit in any amount not to exceed one-fourth of
12 the assessed valuation of the real property of such district or
13 territory, except that the total bonded indebtedness of any city or
14 town shall never exceed the limits imposed by other provisions of
15 this Constitution, and levy and collect taxes to pay the interest
16 thereon and provide a sinking fund for the redemption thereof, as
17 the Legislature may authorize, and in such manner as it may
18 authorize the same, for the following purposes to wit:

19 (1) The improvement of rivers, creeks, and streams to
20 prevent overflows, and to permit of navigation thereof, or
21 irrigation thereof, or in aid of such purposes.

22 (2) The construction and maintenance of pools, lakes,
23 reservoirs, dams, canals and waterways for the purposes of
24 irrigation, drainage or navigation, or in aid thereof.

25 (3) The construction, maintenance and operation of
26 macadamized, graveled or paved roads and turnpikes, or in aid
27 thereof.

1 (c) Notwithstanding the provisions of Subsection (b) of this
2 Section, bonds may be issued by any county in an amount not to
3 exceed one-fourth of the assessed valuation of the real property in
4 the county, for the construction, maintenance, and operation of
5 macadamized, graveled, or paved roads and turnpikes, or in aid
6 thereof, upon a vote of a majority of the [~~resident--property~~
7 ~~taxpayers~~] voting [~~thereon-who-are~~] qualified voters [~~electors~~] of
8 the county, and without the necessity of further or amendatory
9 legislation. The county may levy and collect taxes to pay the
10 interest on the bonds as it becomes due and to provide a sinking
11 fund for redemption of the bonds.

12 SECTION 22. Section 52d, Article III, Texas Constitution, is
13 amended to read as follows:

14 Sec. 52d. (a) Upon the vote of a majority of the [~~resident~~
15 qualified voters [~~electors--owning--rendered--taxable--property~~
16 ~~therein~~] so authorizing, a county or road district may collect an
17 annual tax for a period not exceeding five (5) years to create a
18 fund for constructing lasting and permanent roads and bridges or
19 both. No contract involving the expenditure of any of such fund
20 shall be valid unless, when it is made, money shall be on hand in
21 such fund.

22 (b) At such election, the Commissioners' Court shall submit
23 for adoption a road plan and designate the amount of special tax to
24 be levied; the number of years said tax is to be levied; the
25 location, description, and character of the roads and bridges; and
26 the estimated cost thereof. The funds raised by such taxes shall
27 not be used for purposes other than those specified in the plan

1 submitted to the voters. Elections may be held from time to time
2 to extend or discontinue said plan or to increase or diminish said
3 tax. The Legislature shall enact laws prescribing the procedure
4 hereunder.

5 (c) The provisions of this section shall apply only to
6 Harris County and road districts therein.

7 SECTION 23. Section 52g, Article III, Texas Constitution, is
8 amended to read as follows:

9 Sec. 52g. Bonds to be issued by Dallas County under Section
10 52(b)(3) [52] of Article III of this Constitution [~~for--the~~
11 ~~construction-maintenance-and-operation-of-macadamized-graveled-or~~
12 ~~paved-roads-and-turnpikes-or-in-aid--thereof~~] may, without the
13 necessity of further or amendatory legislation, be issued upon a
14 vote of a majority of the [~~residents~~] voting [~~thereon--who--are~~
15 qualified voters [~~electors~~] of said county, and bonds heretofore or
16 hereafter issued under Subsections (a) and (b) of said Section 52
17 shall not be included in determining the debt limit prescribed in
18 said Section.

19 SECTION 24. Section 7, Article IV, Texas Constitution, is
20 amended to read as follows:

21 Sec. 7. He shall be Commander-in-Chief of the military
22 forces of the State, except when they are called into actual
23 service of the United States. He shall have power to call forth
24 the militia to execute the laws of the State, to suppress
25 insurrections, and to repel invasions [~~and-protect-the-frontier~~
26 ~~from-hostile-inursions-by-Indians-or-other-predatory-bands~~].

27 SECTION 25. Section 16, Article IV, Texas Constitution, is

1 amended to read as follows:

2 Sec. 16. There shall also be a Lieutenant Governor, who
3 shall be chosen at every election for Governor by the same voters
4 [~~electors~~], in the same manner, continue in office for the same
5 time, and possess the same qualifications. The voters [~~electors~~]
6 shall distinguish for whom they vote as Governor and for whom as
7 Lieutenant Governor. The Lieutenant Governor, shall by virtue of
8 his office, be President of the Senate, and shall have, when in
9 Committee of the Whole, a right to debate and vote on all
10 questions; and when the Senate is equally divided to give the
11 casting vote. In case of the death, resignation, removal from
12 office, inability or refusal of the Governor to serve, or of his
13 impeachment or absence from the State, the Lieutenant Governor
14 shall exercise the powers and authority appertaining to the office
15 of Governor until another be chosen at the periodical election, and
16 be duly qualified; or until the Governor impeached, absent or
17 disabled, shall be acquitted, return, or his disability be removed.

18 SECTION 26. Section 22, Article IV, Texas Constitution, is
19 amended to read as follows:

20 Sec. 22. The Attorney General [~~elected--at--the--general~~
21 ~~election--in-1974,-and-thereafter,-shall-hold-office-for-four-years~~
22 ~~and-until-his-successor-is-duly-qualified,-He~~] shall represent the
23 State in all suits and pleas in the Supreme Court of the State in
24 which the State may be a party, and shall especially inquire into
25 the charter rights of all private corporations, and from time to
26 time, in the name of the State, take such action in the courts as
27 may be proper and necessary to prevent any private corporation from

1 exercising any power or demanding or collecting any species of
2 taxes, tolls, freight or wharfage not authorized by law. He shall,
3 whenever sufficient cause exists, seek a judicial forfeiture of
4 such charters, unless otherwise expressly directed by law, and give
5 legal advice in writing to the Governor and other executive
6 officers, when requested by them, and perform such other duties as
7 may be required by law. [~~He shall reside at the seat of government~~
8 ~~during his continuance in office. He shall receive for his~~
9 ~~services an annual salary in an amount to be fixed by the~~
10 ~~Legislature.]~~

11 SECTION 27. Section 23, Article IV, Texas Constitution, is
12 amended to read as follows:

13 Sec. 23. The Comptroller of Public Accounts, the
14 Commissioner of the General Land Office, the Attorney General, and
15 any statutory State officer who is elected by the electorate of
16 Texas at large, unless a term of office is otherwise specifically
17 provided in this Constitution, shall each hold office for the term
18 of four years [~~and until his successor is qualified. The four-year~~
19 ~~term applies to these officers who are elected at the general~~
20 ~~election in 1974 or thereafter]. Each shall receive an annual~~
21 salary in an amount to be fixed by the Legislature; reside at the
22 Capital of the State during his continuance in office, and perform
23 such duties as are or may be required by law. They and the
24 Secretary of State shall not receive to their own use any fees,
25 costs or perquisites of office. All fees that may be payable by
26 law for any service performed by any officer specified in this
27 section or in his office, shall be paid, when received, into the

1 State Treasury.

2 SECTION 28. Section 9, Article V, Texas Constitution, is
3 amended to read as follows:

4 Sec. 9. There shall be a Clerk for the District Court of
5 each county, who shall be elected by the qualified voters [~~for~~
6 ~~State-and-county-officers,~~7] and who shall hold his office for four
7 years, subject to removal by information, or by indictment of a
8 grand jury, and conviction of a petit jury. In case of vacancy,
9 the Judge of the District Court shall have the power to appoint a
10 Clerk, who shall hold until the office can be filled by election.

11 SECTION 29. Section 2, Article VI, Texas Constitution, is
12 amended to read as follows:

13 Sec. 2. Every person subject to none of the foregoing
14 disqualifications [~~who-shall-have-attained-the-age-of-18-years-and~~
15 who shall be a citizen of the United States and who is a resident
16 of this state shall be deemed a qualified voter [~~elector~~];
17 provided, however, that before offering to vote at an election a
18 voter shall have registered, but such requirement for registration
19 shall not be considered a qualification of a voter [~~an-elect~~or]
20 within the meaning of the term "qualified voter [~~elector~~]" as used
21 in any other Article of this Constitution in respect to any matter
22 except qualification and eligibility to vote at an election. The
23 Legislature may authorize absentee voting.

24 SECTION 30. Subsections (a) and (b), Section 2a, Article VI,
25 Texas Constitution, are amended to read as follows:

26 (a) Notwithstanding any other provision of this
27 Constitution, the Legislature may enact laws and provide a method

1 of registration, including the time of such registration,
2 permitting any person who is qualified to vote in this State except
3 for the residence requirements within a county or district, as set
4 forth in Section 2 of this Article, to vote for (1) electors for
5 President and Vice President of the United States and (2) all
6 offices, questions or propositions to be voted on by all voters
7 [~~electors~~] throughout this State.

8 (b) Notwithstanding any other provision of this
9 Constitution, the Legislature may enact laws and provide for a
10 method of registration, including the time for such registration,
11 permitting any person (1) who is qualified to vote in this State
12 except for the residence requirements of Section 2 of this Article,
13 and (2) who shall have resided anywhere within this State at least
14 thirty (30) days next preceding a General Election in a
15 presidential election year, and (3) who shall have been a qualified
16 voter [~~elector~~] in another state immediately prior to his removal
17 to this State or would have been eligible to vote in such other
18 state had he remained there until such election, to vote for
19 electors for President and Vice President of the United States in
20 that election.

21 SECTION 31. Section 3, Article VI, Texas Constitution, is
22 amended to read as follows:

23 Sec. 3. All qualified voters [~~electors~~] of the State, as
24 herein described, who reside within the limits of any city or
25 corporate town, shall have the right to vote for Mayor and all
26 other elective officers.

27 SECTION 32. Section 3a, Article VI, Texas Constitution, is

1 amended to read as follows:

2 Sec. 3a. When an election is held by any county, or any
3 number of counties, or any political sub-division of the State, or
4 any political sub-division of a county, or any defined district now
5 or hereafter to be described and defined within the State and which
6 may or may not include towns, villages or municipal corporations,
7 or any city, town or village, for the purpose of issuing bonds or
8 otherwise lending credit, or expending money or assuming any debt,
9 only qualified voters of [~~electors-who-own-taxable-property-in~~] the
10 State, county, political sub-division, district, city, town or
11 village where such election is held[~~,-and-who-have-duily-rendered~~
12 ~~the-same-for--taxation~~] shall be qualified to vote [~~and--all~~
13 ~~electors-shall-vote-in-the-election-precinct-of-their-residence~~].

14 SECTION 33. Section 3, Article VII, Texas Constitution, is
15 amended to read as follows:

16 Sec. 3. (a) One-fourth of the revenue derived from the
17 State occupation taxes [~~and--poll--tax--of--one--dollar-on-every~~
18 ~~inhabitant-of-the-State,-between-the-ages-of-twenty-one--and--sixty~~
19 ~~years~~] shall be set apart annually for the benefit of the public
20 free schools.

21 (b) It[~~,-and-in-addition-thereto,-there-shall-be-levied--and~~
22 ~~collected--an--annual-ad-valorem-State-tax-of-such-an-amount-not-to~~
23 ~~exceed-thirty-five-cents--on--the--one--hundred--(\$100.00)--dollars~~
24 ~~valuation,-as-with-the-available-school-fund-arising-from-all-other~~
25 ~~sources,-will--be--sufficient--to--maintain-and-support-the-public~~
26 ~~schools-of-this-State-for-a-period-of-not-less-than-six--months--in~~
27 ~~each--year,-and--it~~] shall be the duty of the State Board of

1 Education to set aside a sufficient amount of available funds [out
2 of-the-said-tax] to provide free text books for the use of children
3 attending the public free schools of this State.

4 (c) Should [7--provided7-however7-that-should] the [limit-of]
5 taxation herein named be insufficient the deficit may be met by
6 appropriation from the general funds of the State. [and-the]

7 (d) The Legislature may [also] provide for the formation of
8 school districts [district] by general laws, [7] and all such school
9 districts may embrace parts of two or more counties.

10 (e) The [7-and-the] Legislature shall be authorized to pass
11 laws for the assessment and collection of taxes in all school
12 [said] districts and for the management and control of the public
13 school or schools of such districts, whether such districts are
14 composed of territory wholly within a county or in parts of two or
15 more counties, and the Legislature may authorize an additional ad
16 valorem tax to be levied and collected within all school districts
17 [heretofore---formed---or---hereafter---formed7] for the further
18 maintenance of public free schools, and for the erection and
19 equipment of school buildings therein; provided that a majority of
20 the qualified [property-taxpaying] voters of the district voting at
21 an election to be held for that purpose, shall approve the [vote
22 such] tax [not-to-exceed-in-any-one-year-one-(\$1.00)-dollar-on--the
23 one--hundred--dollars-valuation-of-the-property-subject-to-taxation
24 in-such-district7-but-the-limitation--upon--the--amount--of--school
25 district--tax--herein--authorized--shall--not--apply--to--incorporated
26 cities--or--towns--constituting--separate--and--independent--school
27 districts7-not-to-independent-or-common-school-districts-created-by

1 ~~general-or-special-law~~].

2 SECTION 34. Sections 10 and 13, Article VII, Texas
3 Constitution, are combined, reenacted as Section 10, and amended
4 to read as follows:

5 Sec. 10. The Legislature shall [~~as--soon--as--practicable~~
6 ~~establish7--organize--and~~] provide for the maintenance, support and
7 direction of universities [~~a--University~~] of the first class,
8 including [~~to-be-located-by-a-vote-of-the-people-of-this-State7--and~~
9 ~~styled7~~] "The University of Texas", for the promotion of
10 literature, and the arts and sciences, and [~~including--an~~
11 ~~Agricultural7--and-Mechanical-department.~~

12 [~~Sec.--13.---The-Agricultural-and-Mechanical-College-of~~] Texas
13 A&M University, [~~established-by-an-Act-of--the--Legislature--passed~~
14 ~~April--17th7--18717~~] located in the county of Brazos, [~~is-hereby~~
15 ~~made7--and-constituted-a-Branch-of-the--University--of--Texas7~~] for
16 instruction in Agriculture, the Mechanic Arts, and the Natural
17 Sciences connected therewith. [~~And-the-Legislature--shall--at--its~~
18 ~~next--session7--make-an-appropriation7--not-to-exceed-forty-thousand~~
19 ~~dollars7--for-the-construction-and-completion-of-the--buildings--and~~
20 ~~improvements7--and-for-providing-the-furniture-necessary-to-put-said~~
21 ~~College-in-immediate-and-successful-operation.~~]

22 SECTION 35. Section 14, Article VII, Texas Constitution, is
23 amended to read as follows:

24 Sec. 14. Prairie View A&M University in Waller County is an
25 institution of the first class under the direction of the same
26 governing board as Texas A&M University [~~referred--to--in--Article~~
27 ~~VII7--Section--137--of--this--constitution--as-the-Agricultural-and~~

1 Mechanical-College-of-Texas].

2 SECTION 36. Section 1-a, Article VIII, Texas Constitution,
3 is amended to read as follows:

4 Sec. 1-a. No [From-and-after-January-17-1957-no] State ad
5 valorem tax shall be levied upon any property within this State
6 [for--general--revenue--purposes]. The [From-and-after-January-17
7 1957-the] several counties of the State are authorized to levy ad
8 valorem taxes upon all property within their respective boundaries
9 for county purposes, except the first Three Thousand Dollars
10 (\$3,000) value of residential homesteads of married or unmarried
11 adults, male or female, including those living alone, not to exceed
12 thirty cents (30¢) on each One Hundred Dollars (\$100) valuation, in
13 addition to all other ad valorem taxes authorized by the
14 Constitution of this State, provided the revenue derived therefrom
15 shall be used for construction and maintenance of Farm to Market
16 Roads or for Flood Control, except as herein otherwise provided.

17 [Provided-that-in-these-counties-or-political-subdivisions-or
18 areas--of--the--State--from-which-tax-donations-have-herebefore-been
19 granted-the-State-Automobile-Tax-Board-shall-continue-to--levy--the
20 full--amount--of--the-State-ad-valorem-tax-for-the-duration-of-such
21 donation-or-until--a--legis--ob--obligations-herebefore--authorized--by
22 the--law--granting-such-donation-or-donations-shall-have-been-fully
23 discharged-whichever-shall-first--occur,--provided--that--if--such
24 donation--to--any--such-county-or-political-subdivision-is-for-less
25 than-the-full-amount-of-State--ad--valorem--taxes--so--levied,--the
26 portion--of-such-taxes-remaining-over-and-above-such-donation-shall
27 be-retained-by-said-county-or-subdivision.]

1 SECTION 37. Subsection (b), Section 1-b, Article VIII, Texas
2 Constitution, is amended to read as follows:

3 (b) The governing body of any county, city, town, school
4 district, or other political subdivision of the State~~[7--other-than~~
5 ~~a-county-education-district7]~~ may exempt by its own action not less
6 than Three Thousand Dollars (\$3,000) of the market value of
7 residence homesteads of persons, married or unmarried, including
8 those living alone, who are under a disability for purposes of
9 payment of disability insurance benefits under Federal Old-Age,
10 Survivors, and Disability Insurance or its successor or of married
11 or unmarried persons sixty-five (65) years of age or older,
12 including those living alone, from all ad valorem taxes thereafter
13 levied by the political subdivision. As an alternative, upon
14 receipt of a petition signed by twenty percent (20%) of the voters
15 who voted in the last preceding election held by the political
16 subdivision, the governing body of the subdivision shall call an
17 election to determine by majority vote whether an amount not less
18 than Three Thousand Dollars (\$3,000) as provided in the petition,
19 of the market value of residence homesteads of disabled persons or
20 of persons sixty-five (65) years of age or over shall be exempt
21 from ad valorem taxes thereafter levied by the political
22 subdivision. ~~[In-the-manner-provided--by--law7--the--voters--of--a~~
23 ~~county--education-district-at-an-election-held-for-that-purpose-may~~
24 ~~exempt-an-amount-not-less-than-Three-Thousand-Dollars-(\$3,000)7--as~~
25 ~~provided--in--the--petition7--of--the--market--value--of--residence~~
26 ~~homesteads--of-disabled-persons-or-of-persons-sixty-five-(65)-years~~
27 ~~of-age-or-over-from-ad--valorem--taxes--thereafter--levied--by--the~~

1 county--education--district.] An eligible disabled person who is
 2 sixty-five (65) years of age or older may not receive both
 3 exemptions from the same political subdivision in the same year but
 4 may choose either if the subdivision has adopted both. Where any
 5 ad valorem tax has theretofore been pledged for the payment of any
 6 debt, the taxing officers of the political subdivision shall have
 7 authority to continue to levy and collect the tax against the
 8 homestead property at the same rate as the tax so pledged until the
 9 debt is discharged, if the cessation of the levy would impair the
 10 obligation of the contract by which the debt was created. [An
 11 exemption--adopted--under--this--subsection--based--on--assessed--value--is
 12 increased--effective--January--1--1979--to--an--amount--that--when
 13 converted--to--market--value--provides--the--same--reduction--in--taxes
 14 except--that--the--market--value--exemption--shall--be--rounded--to--the
 15 nearest--\$100.]

16 SECTION 38. Subsection (b), Section 1-j, Article VIII, Texas
 17 Constitution, is amended to read as follows:

18 (b) [Tangible--personal--property--exempted--from--taxation--in
 19 Subsection--(a)--of--this--section--is--subject--to--the--following:

20 [1]--A--county,--common,--or--independent--school--district,
 21 junior--college--district,--or--municipality,--including--a--home-rule
 22 city,--may--tax--such--property--otherwise--exempt,--if--the--governing--body
 23 of--the--county,--common,--or--independent--school--district,--junior
 24 college--district,--or--municipality--takes--official--action--as--provided
 25 in--this--section--and--in--the--manner--provided--by--law--to--provide--for
 26 the--taxation--of--such--property:

27 [2]--Any--official--action--to--tax--such--exempt--property

1 must-be-taken-before-April-17-1990.--If-official-action-is-taken-to
2 tax-such-exempt-property-before-January-17-1990,--such--property--is
3 taxable-effective-for-the-tax-year-1990.--However,--if-such-official
4 action-to-tax-such-exempt-property-is-taken-prior-to-April-17-1990,
5 but--after--January--17--1990,--the-official-action-shall-not-become
6 effective-to-tax-such-property-until-the-1991-tax-year.

7 [3]--Any-of--the--above-named--political--subdivisions
8 shall--have--the--authority-to-exempt-from-payment-of-taxation-such
9 property-located-in-such-above-named-political-subdivisions-for-the
10 taxing-year-1989.--If-a-governing-body-exempts--the--property--from
11 1989--taxes,--the--governing--body--shall--waive-1989-taxes-already
12 imposed-and-refund-1989-taxes-already-paid--on--such--property--for
13 that-year.

14 [4] The governing body of a county, common, or
15 independent school district, junior college district, or
16 municipality that, acting under previous constitutional authority,
17 taxes [acts-under-Subdivision-(2)-of-Subsection-(b)-of-this-section
18 to-tax-the] property otherwise exempt by Subsection (a) of this
19 section may subsequently exempt the property from taxation by
20 rescinding its action to tax the property. The exemption applies
21 to each tax year that begins after the date the action is taken and
22 applies to the tax year in which the action is taken if the
23 governing body so provides. A governing body that rescinds its
24 action to tax the property may not take action to tax such property
25 after the rescission.

26 SECTION 39. Section 6, Article VIII, Texas Constitution, is
27 amended to read as follows:

1 Sec. 6. No money shall be drawn from the Treasury but in
 2 pursuance of specific appropriations made by law; nor shall any
 3 appropriation of money be made for a longer term than two years[
 4 except---by---the---first---legislature---to---assemble---under---this
 5 Constitution---which---may---make---the---necessary---appropriations---to---carry
 6 on---the---government---until---the---assemblage---of---the---sixteenth
 7 legislature].

8 SECTION 40. Section 9, Article VIII, Texas Constitution, is
 9 amended to read as follows:

10 Sec. 9. (a) No [The State tax on property, exclusive of the
 11 tax necessary to pay the public debt, and of the taxes provided for
 12 the benefit of the public free schools, shall never exceed
 13 thirty-five cents (35¢) or the One Hundred Dollars (\$100)
 14 valuation, and no] county, city or town shall levy a tax rate in
 15 excess of Eighty Cents (80¢) on the One Hundred Dollars (\$100)
 16 valuation in any one (1) year for general fund, permanent
 17 improvement fund, road and bridge fund and jury fund purposes.

18 (b) At[---provided---further---that---at] the time the
 19 Commissioners Court meets to levy the annual tax rate for each
 20 county it shall levy whatever tax rate may be needed for the four
 21 (4) constitutional purposes; namely, general fund, permanent
 22 improvement fund, road and bridge fund and jury fund so long as the
 23 Court does not impair any outstanding bonds or other obligations
 24 and so long as the total of the foregoing tax levies does not
 25 exceed Eighty Cents (80¢) on the One Hundred Dollars (\$100)
 26 valuation in any one (1) year. Once the Court has levied the
 27 annual tax rate, the same shall remain in force and effect during

1 that taxable year.

2 (c) The [~~r--and--the~~] Legislature may [~~also~~] authorize an
3 additional annual ad valorem tax to be levied and collected for the
4 further maintenance of the public roads; provided, that a majority
5 of the qualified [~~property-taxpaying~~] voters of the county voting
6 at an election to be held for that purpose shall approve the [~~vote~~
7 ~~such~~] tax, not to exceed Fifteen Cents (15¢) on the One Hundred
8 Dollars (\$100) valuation of the property subject to taxation in
9 such county.

10 (d) Any county may put all tax money collected by the county
11 into one general fund, without regard to the purpose or source of
12 each tax.

13 (e) The [~~And--the~~] Legislature may pass local laws for the
14 maintenance of the public roads and highways, without the local
15 notice required for special or local laws.

16 (f) This Section shall not be construed as a limitation of
17 powers delegated to counties, cities or towns by any other Section
18 or Sections of this Constitution.

19 SECTION 41. Section 16a, Article VIII, Texas Constitution,
20 is amended to read as follows:

21 Sec. 16a. In any county having a population of less than ten
22 thousand (10,000) inhabitants, as determined by the last preceding
23 census of the United States, the Commissioners Court may submit to
24 the qualified [~~property-taxpaying~~] voters of such county at an
25 election the question of adding an Assessor-Collector of Taxes to
26 the list of authorized county officials. If a majority of such
27 voters voting in such election shall approve of adding an

1 Assessor-Collector of Taxes to such list, then such official shall
2 be elected at the next General Election for such Constitutional
3 term of office as is provided for other Tax Assessor-Collectors in
4 this State.

5 SECTION 42. Section 20, Article VIII, Texas Constitution, is
6 amended to read as follows:

7 Sec. 20. No property of any kind in this State shall ever be
8 assessed for ad valorem taxes at a greater value than its fair cash
9 market value nor shall any Board of Equalization of any
10 governmental or political subdivision or taxing district within
11 this State fix the value of any property for tax purposes at more
12 than its fair cash market value; provided that in order to
13 encourage the prompt payment of taxes, the Legislature shall have
14 the power to provide that the taxpayer shall be allowed by the
15 State and all governmental and political subdivisions and taxing
16 districts of the State a three per cent (3%) discount on ad valorem
17 taxes due the State or due any governmental or political
18 subdivision or taxing district of the State if such taxes are paid
19 ninety (90) days before the date when they would otherwise become
20 delinquent; and the taxpayer shall be allowed a two per cent (2%)
21 discount on said taxes if paid sixty (60) days before said taxes
22 would become delinquent; and the taxpayer shall be allowed a one
23 per cent (1%) discount if said taxes are paid thirty (30) days
24 before they would otherwise become delinquent. [~~This amendment~~
25 ~~shall be effective January 17, 1939.~~] The Legislature shall pass
26 necessary laws for the proper administration of this Section.

27 SECTION 43. Section 1, Article IX, Texas Constitution, is

1 amended to read as follows:

2 Sec. 1. The Legislature shall have power to create counties
3 for the convenience of the people subject to the following
4 provisions:

5 ~~[First:---In-the-territory-of-the-State-exterior-to-all~~
6 ~~counties-now-existing, no new counties shall be created with a less~~
7 ~~area than nine hundred square miles, in a square form, unless~~
8 ~~prevented by pre-existing boundary lines. Should the State lines~~
9 ~~render this impracticable in border counties, the area may be less.~~
10 ~~The territory referred to may, at any time, in whole or in part, be~~
11 ~~divided into counties in advance of population and attached, for~~
12 ~~judicial and land surveying purposes, to the most convenient~~
13 ~~organized county or counties.]~~

14 (1) ~~[Second:]~~ Within the territory of any county or
15 counties ~~[now-existing]~~, no new county shall be created with a less
16 area than seven hundred square miles, nor shall any such county now
17 existing be reduced to a less area than seven hundred square miles.
18 No new counties shall be created so as to approach nearer than
19 twelve miles of the county seat of any county from which it may in
20 whole or in part be taken. Counties of a less area than nine
21 hundred, but of seven hundred or more square miles, within counties
22 now existing, may be created by a two-thirds vote of each House of
23 the Legislature, taken by yeas and nays and entered on the
24 journals. Any county now existing may be reduced to an area of not
25 less than seven hundred square miles by a like two-thirds vote.
26 When any part of a county is stricken off and attached to, or
27 created into another county, the part stricken off shall be holden

1 for and obliged to pay its proportion of all the liabilities then
2 existing, of the county from which it was taken, in such manner as
3 may be prescribed by law.

4 (2) [~~Third~~] No part of any existing county shall be
5 detached from it and attached to another existing county until the
6 proposition for such change shall have been submitted, in such
7 manner as may be provided by law, to a vote of the voters
8 [~~electors~~] of both counties, and shall have received a majority of
9 those voting on the question in each.

10 SECTION 44. Section 2, Article IX, Texas Constitution, is
11 amended to read as follows:

12 Sec. 2. The Legislature shall pass laws regulating the
13 manner of removing county seats, but no county seat situated within
14 five miles of the geographical centre of the county shall be
15 removed, except by a vote of two-thirds of all the voters
16 [~~electors~~] voting on the subject. A majority of such voters
17 [~~electors~~], however, voting at such election, may remove a county
18 seat from a point more than five miles from the geographical centre
19 of the county to a point within five miles of such centre, in
20 either case the centre to be determined by a certificate from the
21 Commissioner of the General Land Office.

22 SECTION 45. Section 4, Article IX, Texas Constitution, is
23 amended to read as follows:

24 Sec. 4. The Legislature may by law authorize the creation of
25 county-wide Hospital Districts in counties having a population in
26 excess of 190,000 and in Galveston County, with power to issue
27 bonds for the purchase, acquisition, construction, maintenance and

1 operation of any county owned hospital, or where the hospital
2 system is jointly operated by a county and city within the county,
3 and to provide for the transfer to the county-wide Hospital
4 District of the title to any land, buildings or equipment, jointly
5 or separately owned, and for the assumption by the district of any
6 outstanding bonded indebtedness theretofore issued by any county or
7 city for the establishment of hospitals or hospital facilities; to
8 levy a tax not to exceed seventy-five (\$.75) cents on the One
9 Hundred (\$100.00) Dollars valuation of all taxable property within
10 such district, provided, however, that such district shall be
11 approved at an election held for that purpose, and that only
12 qualified [~~7--property-taxpaying~~] voters in such county shall vote
13 therein; provided further, that such Hospital District shall assume
14 full responsibility for providing medical and hospital care to
15 needy inhabitants of the county, and thereafter such county and
16 cities therein shall not levy any other tax for hospital purposes;
17 and provided further that should such Hospital District construct,
18 maintain and support a hospital or hospital system, that the same
19 shall never become a charge against the State of Texas, nor shall
20 any direct appropriation ever be made by the Legislature for the
21 construction, maintenance or improvement of the said hospital or
22 hospitals. [~~Should--the--Legislature--enact--enabling---laws---in
23 anticipation-of-the-adoption-of-this-amendment,-such-Acts-shall-not
24 be-invalid-because-of-their-anticipatory-character.-]~~

25 SECTION 46. Subsections (a), (c), and (e), Section 5,
26 Article IX, Texas Constitution, are amended to read as follows:

27 (a) The Legislature may by law authorize the creation of two

1 hospital districts, one to be coextensive with and have the same
2 boundaries as the incorporated City of Amarillo, as such boundaries
3 now exist or as they may hereafter be lawfully extended, and the
4 other to be coextensive with Wichita County.

5 If such district or districts are created, they may be
6 authorized to levy a tax not to exceed Seventy-five Cents (75¢) on
7 the One Hundred Dollars (\$100.00) valuation of taxable property
8 within the district; provided, however, no tax may be levied until
9 approved by a majority vote of the participating resident qualified
10 [~~property-taxpaying~~] voters [~~who-have-duty-rendered-their--property~~
11 ~~for--taxation~~]. The maximum rate of tax may be changed at
12 subsequent elections so long as obligations are not impaired, and
13 not to exceed the maximum limit of Seventy-five Cents (75¢) per One
14 Hundred Dollars (\$100.00) valuation, and no election shall be
15 required by subsequent changes in the boundaries of the City of
16 Amarillo.

17 If such tax is authorized, no political subdivision or
18 municipality within or having the same boundaries as the district
19 may levy a tax for medical or hospital care for needy individuals,
20 nor shall they maintain or erect hospital facilities, but the
21 district shall by resolution assume all such responsibilities and
22 shall assume all of the liabilities and obligations (including
23 bonds and warrants) of such subdivisions or municipalities or both.
24 The maximum tax rate submitted shall be sufficient to discharge
25 such obligations, liabilities, and responsibilities, and to
26 maintain and operate the hospital system, and the Legislature may
27 authorize the district to issue tax bonds for the purpose of the

1 purchase, construction, acquisition, repair or renovation of
 2 improvements and initially equipping the same, and such bonds shall
 3 be payable from said Seventy-five Cents (75¢) tax. The Legislature
 4 shall provide for transfer of title to properties to the district.

5 (c) The Legislature may by law authorize the creation of a
 6 hospital district within Jefferson County, the boundaries of which
 7 shall include only the area comprising the Jefferson County
 8 Drainage District No. 7 and the Port Arthur Independent School
 9 District, as such boundaries existed on the first day of January,
 10 1957, with the power to issue bonds for the sole purpose of
 11 purchasing a site for, and the construction and initial equipping
 12 of, a hospital system, and with the power to levy a tax of not to
 13 exceed Seventy-five Cents (75¢) on the One Hundred Dollars
 14 (\$100.00) valuation of property therein for the purpose of paying
 15 the principal and interest on such bonds.

16 The [~~creation-of-such-hospital-district-shall--not--be--final~~
 17 ~~until--approved--at--an--election--by--a--majority--of--the--resident~~
 18 ~~property-taxpaying-voters-voting-at-said--election--who--have--duly~~
 19 ~~rendered--their--property-for-taxation-upon-the-tax-rolls-of-either~~
 20 ~~said-Drainage-or-said-School-District, nor shall--such~~] bonds may
 21 not be issued or such tax be levied until [~~so~~] approved by such
 22 voters.

23 The district shall not have the power to levy any tax for
 24 maintenance or operation of the hospital or facilities, but shall
 25 contract with other political subdivisions of the state or private
 26 individuals, associations, or corporations for such purposes.

27 If the district hereinabove authorized is finally created, no

1 other hospital district may be created embracing any part of the
 2 territory within its boundaries, but the Legislature by law may
 3 authorize the creation of a hospital district incorporating therein
 4 the remainder of Jefferson County, having the powers and duties and
 5 with the limitations presently provided by Article IX, Section 4,
 6 of the Constitution of Texas [~~7-except-that-such-district--shall--be~~
 7 ~~confirmed--at--an--election-wherein-the-resident-qualified-property~~
 8 ~~taxpaying-voters-who-have-duly-rendered-their-property-within--such~~
 9 ~~proposed--district--for--taxation--on--the--county--rolls;7--shall--be~~
 10 ~~authorized-to-vote~~]. A majority of those participating in the
 11 election voting in favor of the district shall be necessary for
 12 [~~its-confirmation-and-for~~] bonds to be issued.

13 (e) The legislature by law may authorize Randall County to
 14 render financial assistance to the Amarillo Hospital District by
 15 paying part of the district's operating and maintenance expenses
 16 and the debts assumed or created by the district and to levy a tax
 17 for that purpose in an amount not to exceed seventy-five cents
 18 (75¢) on the One Hundred Dollars (\$100.00) valuation on all
 19 property in Randall County that is not within the boundaries of the
 20 City of Amarillo or the South Randall County Hospital District.
 21 This tax is in addition to any other tax authorized by this
 22 constitution. If the tax is authorized by the legislature and
 23 approved by the voters of the area to be taxed, the Amarillo
 24 Hospital District shall, by resolution, assume the
 25 responsibilities, obligations, and liabilities of Randall County in
 26 accordance with Subsection (a) of this section and, except as
 27 provided by this subsection, Randall County may not levy taxes or

1 issue bonds for hospital purposes or for providing hospital care
2 for needy inhabitants of the county. [~~Not later than the end of~~
3 ~~the first tax year during which taxes are levied under this~~
4 ~~subsection, Randall County shall deposit in the State Treasury to~~
5 ~~the credit of the state General Revenue Fund \$45,000 to reimburse~~
6 ~~the state for the cost of publishing the resolution required by~~
7 ~~this subsection.]~~

8 SECTION 47. Subsection (a), Section 8, Article IX, Texas
9 Constitution, is amended to read as follows:

10 (a) The Legislature may by law authorize the creation of a
11 Hospital District to be co-extensive with the limits of County
12 Commissioners Precinct No. 4 of Comanche County, Texas.

13 If such District is created, it may be authorized to levy a
14 tax not to exceed seventy-five cents (75¢) on the One Hundred
15 Dollar (\$100) valuation of taxable property within the District;
16 provided, however, no tax may be levied until approved by a
17 majority vote of the participating resident qualified [property
18 taxpaying] voters [who have duly rendered their property for
19 taxation]. The maximum rate of tax may be changed at subsequent
20 elections so long as obligations are not impaired, and not to
21 exceed the maximum limit of seventy-five cents (75¢) per One
22 Hundred Dollar (\$100) valuation, and no election shall be required
23 by subsequent changes in the boundaries of the Commissioners
24 Precinct No. 4 of Comanche County.

25 If such tax is authorized, no political subdivision or
26 municipality within or having the same boundaries as the District
27 may levy a tax for medical or hospital care for needy individuals,

1 nor shall they maintain or erect hospital facilities, but the
2 District shall by resolution assume all such responsibilities and
3 shall assume all of the liabilities and obligations (including
4 bonds and warrants) of such subdivisions or municipalities or both.
5 The maximum tax rate submitted shall be sufficient to discharge
6 such obligations, liabilities, and responsibilities, and to
7 maintain and operate the hospital system, and the Legislature may
8 authorize the District to issue tax bonds for the purpose of the
9 purchase, construction, acquisition, repair or renovation of
10 improvements and initially equipping the same, and such bonds shall
11 be payable from said seventy-five cent (75¢) tax. The Legislature
12 shall provide for transfer of title to properties to the District.

13 SECTION 48. Section 11, Article IX, Texas Constitution, is
14 amended to read as follows:

15 Sec. 11. (a) The Legislature may by law authorize the
16 creation of hospital districts in Ochiltree, Castro, Hansford and
17 Hopkins Counties, each district to be coextensive with the limits
18 of such county.

19 (b) If any such district is created, it may be authorized to
20 levy a tax not to exceed Seventy-five Cents (75¢) on the One
21 Hundred Dollar (\$100) valuation of taxable property within the
22 district; provided, however, no tax may be levied until approved by
23 a majority vote of the participating resident qualified
24 [~~property-taxpaying~~] voters [~~who-have-duly-rendered-their--property~~
25 ~~for--taxation~~]. The maximum rate of tax may be changed at
26 subsequent elections so long as obligations are not impaired, and
27 not to exceed the maximum limit of Seventy-five Cents (75¢) per One

1 Hundred Dollar (\$100) valuation.

2 (c) If such tax is authorized, no political subdivision or
3 municipality within or having the same boundaries as the district
4 may levy a tax for medical or hospital care for needy individuals,
5 nor shall they maintain or erect hospital facilities, but the
6 district shall by resolution assume all such responsibilities and
7 shall assume all of the liabilities and obligations (including
8 bonds and warrants) of such subdivisions or municipalities or both.
9 The maximum tax rate submitted shall be sufficient to discharge
10 obligations, liabilities, and responsibilities, and to maintain and
11 operate the hospital system, and the Legislature may authorize the
12 district to issue tax bonds for the purpose of the purchase,
13 construction, acquisition, repair or renovation of improvements and
14 initially equipping the same, and such bonds shall be payable from
15 said Seventy-five Cent (75¢) tax. The Legislature shall provide
16 for transfer of title to properties to the district.

17 [~~Should--the--Legislature-enact-enabling-laws-in-anticipation~~
18 ~~of-the-adoption-of-the-amendment,-such-Acts-shall--not--be--invalid~~
19 ~~because-of-their-anticipatory-character-]~~

20 SECTION 49. Section 12, Article IX, Texas Constitution, is
21 amended to read as follows:

22 Sec. 12. (a) The Legislature may by law provide for the
23 creation, establishment, maintenance and operation of Airport
24 Authorities composed of one or more counties, with power to issue
25 general obligation bonds, revenue bonds, either or both of them,
26 for the purchase, acquisition by the exercise of the power of
27 eminent domain or otherwise, construction, reconstruction, repair

1 or renovation of any airport or airports, landing fields and
2 runways, airport buildings, hangars, facilities, equipment,
3 fixtures, and any and all property, real or personal, necessary to
4 operate, equip and maintain an airport.

5 (b) The Legislature~~[7]~~ shall provide for the option by the
6 governing body of the city or cities whose airport facilities are
7 served by certificated airlines and whose facility or some interest
8 therein, is proposed to be or has been acquired by the Authority,
9 to either appoint or elect a Board of Directors of said Authority.
10 If~~[7--&]~~ the Directors are appointed such appointment shall be made
11 by the County Commissioners Court after consultation with and
12 consent of the governing body or bodies of such city or cities.
13 If~~[7--and--&]~~ the Board of Directors is elected they shall be
14 elected by the qualified ~~[taxpaying]~~ voters of the county which
15 chooses to elect the Directors to represent that county.~~[7--such]~~
16 Directors shall serve without compensation for a term fixed by the
17 Legislature not to exceed six (6) years, ~~[and]~~ shall be selected on
18 the basis of the proportionate population of each county based upon
19 the last preceding Federal Census, and shall be ~~[a--resident--or]~~
20 residents of such county. No~~[7--provide--that--no]~~ county shall have
21 less than one (1) member on the Board of Directors.

22 (c) The Legislature shall~~[7]~~ provide for the holding of an
23 election in each county proposing the creation of an Authority to
24 be called by the Commissioners Court or Commissioners Courts, as
25 the case may be, upon petition of five per cent (5%) of the
26 qualified ~~[taxpaying]~~ voters within the county or counties. The~~[7~~
27 ~~said]~~ elections must ~~[to]~~ be held on the same day if more than one

1 county is included. ~~No~~ more than one (1) such
2 election may be called in a county until after the expiration of
3 one (1) year ~~]~~ in the event such an election has failed, and
4 thereafter only upon a petition of ten per cent (10%) of the
5 qualified ~~[taxpaying]~~ voters being presented to the Commissioners
6 Court or Commissioners Courts of the county or counties in which
7 such an election has failed. ~~In~~ the event that two or
8 more counties vote on the proposition of the creation of an
9 Authority therein, the proposition shall not be deemed to carry
10 unless the majority of the qualified ~~[taxpaying]~~ voters in each
11 county voting thereon vote in favor thereof. ~~An~~
12 ~~however~~ Airport Authority may be created and be composed
13 of the county or counties that vote in favor of its creation if
14 separate propositions are submitted to the voters of each county so
15 that they may vote for a two or more county Authority or a single
16 county Authority.

17 (d) The Legislature shall ~~]~~ provide for the appointment by
18 the Board of Directors of an Assessor and Collector of Taxes in the
19 Authority, whether constituted of one or more counties, whose duty
20 it shall be to assess all taxable property, both real and personal,
21 and collect the taxes thereon, based upon the tax rolls approved by
22 the Board of Directors, the tax to be levied not to exceed
23 Seventy-Five Cents (75¢) per One Hundred Dollars (\$100) assessed
24 valuation of the property. ~~The~~
25 property of state regulated common carriers required by law to pay
26 a tax upon intangible assets shall not be subject to taxation by
27 the Authority. ~~The~~ taxable property shall be assessed on a

1 valuation not to exceed the market value and shall be equal and
2 uniform throughout the Authority as is otherwise provided by the
3 Constitution.

4 (e) The~~[7-the]~~ Legislature shall authorize the purchase or
5 acquisition by the Authority of any existing airport facility
6 publicly owned and financed and served by certificated airlines, in
7 fee or of any interest therein, or to enter into any lease
8 agreement therefor, upon such terms and conditions as may be
9 mutually agreeable to the Authority and the owner of such
10 facilities, or authorize the acquisition of same through the
11 exercise of the power of eminent domain. In~~[7-and-in]~~ the event of
12 such acquisition, if there are any general obligation bonds that
13 the owner of the publicly owned airport facility has outstanding,
14 the same shall be fully assumed by the Authority and sufficient
15 taxes levied by the Authority to discharge said outstanding
16 indebtedness. If~~[7--and--likewise]~~ any city or owner ~~[that]~~ has
17 outstanding revenue bonds where the revenues of the airport have
18 been pledged or said bonds constitute a lien against the airport
19 facilities, the Authority shall assume and discharge all the
20 obligations of the city under the ordinances and bond indentures
21 under which said revenue bonds have been issued and sold.

22 (f) Any city which owns airport facilities not serving
23 certificated airlines which are not purchased or acquired or taken
24 over as herein provided by such Authority~~[7]~~ shall have the power
25 to operate the same under the existing laws or as the same may
26 hereafter be amended.

27 (g) Any such Authority when created may be granted the power

1 and authority to promulgate, adopt and enforce appropriate zoning
2 regulations to protect the airport from hazards and obstructions
3 which would interfere with the use of the airport and its
4 facilities for landing and take-off.

5 (h) An~~[7-an]~~ additional county or counties may be added to
6 an existing Authority if a petition of five per cent (5%) of the
7 qualified ~~[taxpaying]~~ voters is filed with and an election is
8 called by the Commissioners Court of the county or counties seeking
9 admission to an Authority. If ~~[and]~~ the vote is favorable, then
10 admission may be granted to such county or counties by the Board of
11 Directors of the then existing Authority upon such terms and
12 conditions as they may agree upon and evidenced by a resolution
13 approved by two-thirds (2/3rds) of the then existing Board of
14 Directors. The~~[7--provided7-however7-the]~~ county or counties that
15 may be so added to the then existing Authority shall be given
16 representation on the Board of Directors by adding additional
17 directors in proportion to their population according to the last
18 preceding Federal census.

19 SECTION 50. Section 2, Article XI, Texas Constitution, is
20 amended to read as follows:

21 Sec. 2. The construction of jails, court-houses and bridges
22 ~~[and--the--establishment--of-county-poor-houses-and-farms7]~~ and the
23 laying out, construction and repairing of county roads shall be
24 provided for by general laws.

25 SECTION 51. Subsection (b), Section 30, Article XVI, Texas
26 Constitution, is amended to read as follows:

27 (b) The ~~[When-a]~~ Railroad Commission ~~[is-created-by-law--it]~~

1 shall be composed of three Commissioners who shall be elected by
 2 the people at a general election for State officers, and their
 3 terms of office shall be six years. [~~Railroad-Commissioners-first~~
 4 ~~electd-after-this-amendment-goes-into-effect-shall-hold-office-as~~
 5 ~~follows:---One--shall--serve-two-years, and-one-four-years, and-one~~
 6 ~~six-years, their-terms-to-be-decided-by-lot-immediately-after--they~~
 7 ~~shall--have--qualifed.] And one Railroad Commissioner shall be
 8 elected every two years [hereafter]. In case of vacancy in said
 9 office the Governor of the State shall fill said vacancy by
 10 appointment until the next general election.~~

11 SECTION 52. Section 44, Article XVI, Texas Constitution, is
 12 amended to read as follows:

13 Sec. 44. (a) Except as otherwise provided by this section,
 14 the Legislature shall prescribe the duties and provide for the
 15 election by the qualified voters of each county in this State, of a
 16 County Treasurer and a County Surveyor, who shall have an office at
 17 the county seat, and hold their office for four years, and until
 18 their successors are qualified; and shall have such compensation as
 19 may be provided by law.

20 (b) The office of County Treasurer or County Surveyor does
 21 not exist in those counties in which the office has been abolished
 22 pursuant to constitutional amendment or pursuant to the authority
 23 of Subsection (c) of this section [~~in-the-counties-of-Tarrant-and~~
 24 ~~Bee-is-abolished-and-all-the-powers, duties, and-functions--of--the~~
 25 ~~office--in--each--of--these--counties-are-transferred-to-the-County~~
 26 ~~Auditor-or-to-the-officer-who-succeeds-to-the-auditor's--functions-~~
 27 ~~The--office-of-County-Treasurer-in-the-counties-of-Bexar-and-Collin~~

1 are abolished and all the powers, duties, and functions of the
 2 office in each of these counties are transferred to the County
 3 Clerk. However, the office of County Treasurer shall be abolished
 4 in the counties covered by this subsection only after a local
 5 election has been held in each county and the proposition "to
 6 abolish the elective office of county treasurer" has passed by a
 7 majority of those persons voting in said election].

8 [(c) The office of County Treasurer in the counties of
 9 Andrews and Gregg is abolished. In Andrews County, the powers,
 10 duties, and functions of the office are transferred to the County
 11 Auditor of the county or to the officer who succeeds to the
 12 auditor's functions. In Gregg County, the functions of the office
 13 are transferred to an elected official or the County Auditor as
 14 designated by the Commissioners Court, and the Commissioners Court
 15 may from time to time change its designation as it considers
 16 appropriate.

17 [(d) The office of County Treasurer in the counties of El
 18 Paso and Fayette is abolished. In El Paso County, the
 19 Commissioners Court may employ or contract with a qualified person
 20 or may designate another county officer to perform any of the
 21 functions that would have been performed by the County Treasurer if
 22 the office had not been abolished. In Fayette County, the
 23 functions of the abolished office are transferred to the County
 24 Auditor or to the officer who succeeds to the auditor's functions.
 25 However, the office of County Treasurer in El Paso or Fayette
 26 County is abolished under this subsection only if, at the statewide
 27 election at which the constitutional amendment providing for the

1 abote'it'one-of-the-ordice-in-the-county-in-substantive-to-the-voters
2 a--majority-of-the-voters-of-the-county-voters-on-the-questions-
3 the-estate-in-favor-the-amendment.

4 [(c) --The-ordice--of--County--Surveyor--in--the--county--of
5 Benning--Randall--Ozark--Dixie--Pasco--Mechanic--and--Henderson
6 in-above-mentioned-upon-the-approval-of-the-above-mentioned-by--a--majority--of
7 the--qualified--voters--of--the--respective--county--voters--on--the
8 questions-act-in-estate-in-the-Commissioners-Board-of-the-county
9 may--and--if--the-estate-in--and--the-Commissioners-Board--shall
10 order--the--board--act--the--estate--to--be--performed--to--perform--for
11 voters--of--of--of--of--the--proposed--"Above-mentioned-the--ordice--of
12 county--surveyor."--The-qualified-voters-of-the-county-in-entirely
13 to--vote--in--the-estate--if--the--ordice--of--County--Surveyor--in
14 above-mentioned--order--the--substantive--the--majority--of--of--of--of--of
15 reference--in--the-estate--of--the--County--Surveyor--and--the--reference--to
16 the--County-- clerk--of--the--county--and--the--above-mentioned--the--Commissioners
17 Board--may--employ--or--contract--with--a--qualified--person--to--perform--any
18 of--the--duties--the--work--done--been--performed--by--the--County
19 Surveyor--if--the-ordice--and--not--been--above-mentioned.

20 [(d) --The-substantive-appeals-on--the--county--of--of--of
21 Baker--Gardner--Smith--Benson--Dixie--Webb--The-ordice--of--County
22 Surveyor--in--the--county--in--above-mentioned--of--of--of--of--of--of--of
23 substantive-estate-in--the--and--the--entirely--of--of--of--of--of
24 the--substantive--in--substantive--to--the--voters--a--majority--of--the
25 voters--of--the-county-voters--on--the-questions-act--the-estate-in-favor
26 the--and--the--of--the--substantive--if--the-ordice--of--County--Surveyor
27 in-above-mentioned--in--the--county--order--the--substantive--the--powers--of--of

1 and--functions--of--the--office--are--transferred--to--the--county--officer
 2 or--employee--designated--by--the--Commissioners--Court--of--the--county--in
 3 which--the--office--is--abolished,--and--the--Commissioners--Court--may--from
 4 time--to--time--change--its--designation--as--it--considers--appropriate.

5 [~~g~~]~~--The--office--of--County--Treasurer--in--Nueces--County--is~~
 6 ~~abolished--and--all--powers,--duties,--and--functions--of--this--office--are~~
 7 ~~transferred--to--the--County--Clerk.--However,--the--office--of--County~~
 8 ~~Treasurer--in--Nueces--County--is--abolished--under--this--subsection--only~~
 9 ~~if,--at--the--statewide--election--at--which--this--amendment--is--submitted~~
 10 ~~to--the--voters,--a--majority--of--the--voters--of--Nueces--County--voting--on~~
 11 ~~the--question--at--that--election--favor--the--amendment.--The--office--of~~
 12 ~~County--Treasurer--of--Nueces--County--is--abolished--on--January--17--1988,~~
 13 ~~if--the--conditions--of--this--subsection--are--met.--If--that--office--in~~
 14 ~~Nueces--County--is--not--abolished,--this--subsection--expires--on--January~~
 15 ~~17--1988.]~~

16 (c) [~~h~~] The Commissioners Court of a county may call an
 17 election to abolish the office of County Surveyor in the county.
 18 The office of County Surveyor in the county is abolished if a
 19 majority of the voters of the county voting on the question at that
 20 election approve the abolition. If an election is called under
 21 this subsection, the Commissioners Court shall order the ballot for
 22 the election to be printed to provide for voting for or against the
 23 proposition: "Abolishing the office of county surveyor of this
 24 county." If the office of County Surveyor is abolished under this
 25 subsection, the maps, field notes, and other records in the custody
 26 of the County Surveyor are transferred to the county officer or
 27 employee designated by the Commissioners Court of the county in

1 which the office is abolished, and the Commissioners Court may from
2 time to time change its designation as it considers appropriate.

3 SECTION 53. Subsection (c), Section 59, Article XVI, Texas
4 Constitution, is amended to read as follows:

5 (c) The Legislature shall authorize all such indebtedness as
6 may be necessary to provide all improvements and the maintenance
7 thereof requisite to the achievement of the purposes of this
8 amendment. All~~[7-and-also]~~ such indebtedness may be evidenced by
9 bonds of such conservation and reclamation districts, to be issued
10 under such regulations as may ~~[may]~~ be prescribed by law. The
11 Legislature ~~[and]~~ shall also~~[7]~~ authorize the levy and collection
12 within such districts of all such taxes, equitably distributed, as
13 may be necessary for the payment of the interest and the creation
14 of a sinking fund for the payment of such bonds~~[7]~~ and ~~[also]~~ for
15 the maintenance of such districts and improvements. Such~~[7-and~~
16 ~~such]~~ indebtedness shall be a lien upon the property assessed for
17 the payment thereof. The~~[7--provided-the]~~ Legislature shall not
18 authorize the issuance of any bonds or provide for any indebtedness
19 against any reclamation district unless such proposition shall
20 first be submitted to the qualified ~~[property-tax-paying]~~ voters of
21 such district and the proposition adopted.

22 SECTION 54. Section 61, Article XVI, Texas Constitution, is
23 amended to read as follows:

24 Sec. 61. (a) All district officers in the State of Texas
25 and all county officers in counties having a population of twenty
26 thousand (20,000) or more, according to the then last preceding
27 Federal Census, shall be compensated on a salary basis.

1 **(b)** In all counties in this State, the Commissioners Courts
2 shall be authorized to determine whether precinct officers shall be
3 compensated on a fee basis or on a salary basis, with the exception
4 that it shall be mandatory upon the Commissioners Courts, to
5 compensate all justices of the peace, constables, deputy constables
6 and precinct law enforcement officers on a salary basis.

7 **(c)** In [~~beginning-January-17-1973,-and-in~~] counties having a
8 population of less than twenty thousand (20,000), according to the
9 then last preceding Federal Census, the Commissioners Courts [~~shall~~
10 ~~also~~] have the authority to determine whether county officers shall
11 be compensated on a fee basis or on a salary basis, with the
12 exception that it shall be mandatory upon the Commissioners Courts
13 to compensate all sheriffs, deputy sheriffs, county law enforcement
14 officers including sheriffs who also perform the duties of assessor
15 and collector of taxes, and their deputies, on a salary basis
16 [~~beginning-January-17-1949~~].

17 **(d)** All fees earned by district, county and precinct
18 officers shall be paid into the county treasury where earned for
19 the account of the proper fund, provided that fees incurred by the
20 State, county and any municipality, or in case where a pauper's
21 oath is filed, shall be paid into the county treasury when
22 collected and provided that where any officer is compensated wholly
23 on a fee basis such fees may be retained by such officer or paid
24 into the treasury of the county as the Commissioners Court may
25 direct.

26 **(e)** All Notaries Public, county surveyors and public
27 weighers shall continue to be compensated on a fee basis.

1 SECTION 55. Section 65, Article XVI, Texas Constitution, is
2 amended to read as follows:

3 Sec. 65. (a) This section applies to the following offices
4 [~~Staggering--Terms-of-Office--The-following-officers-elected-at-the~~
5 ~~General-Election-in-November-1957-and-thereafter, shall serve for~~
6 ~~the full terms provided in this Constitution~~]:

7 [(a)] District Clerks; [(b)] County Clerks;
8 [(c)] County Judges; [(d)] Judges of the County Courts at Law,
9 County Criminal Courts, County Probate Courts and County Domestic
10 Relations Courts; [(e)] County Treasurers; [(f)] Criminal
11 District Attorneys; [(g)] County Surveyors; [(h)] Inspectors of
12 Hides and Animals; [(i)] County Commissioners [for--Precincts--Two
13 and-Four]; [(j)] Justices of the Peace;[-

14 [Notwithstanding--other--provisions-of-this-Constitution, the
15 following-officers-elected-at-the--General--Election--in--November
16 1957 shall serve only for terms of two-(2)-years:--(a)] Sheriffs;
17 [(b)] Assessors and Collectors of Taxes; [(c)] District
18 Attorneys; [(d)] County Attorneys; [(e)] Public Weighers; and
19 [(f)--County--Commissioners--for--Precincts--One--and--Three,
20 (g)] Constables. [At-subsequent-elections, such-officers-shall-be
21 elected-for-the-full-terms-provided-in-this-Constitution-

22 [In-any--district, county--or--precinct--where--any--of--the
23 aforementioned--offices--is--of--such--nature--that--two-(2)--or--more
24 persons-hold-such-office, with-the-result-that-candidates-file--for
25 "Place--No.--17"--"Place--No.--27"--etc., the-officers-elected-at-the
26 General-Election-in-November-1957 shall-serve-for-a-term--of--two
27 (2)--years--if-the-designation-of-their-office-is-an-uneven-number,

1 ~~and-for-a-term-of-four-(4)-years-if-the-designation-of-their-office~~
2 ~~is-an-even-number,---Thereafter,--all-such-officers-shall-be--elected~~
3 ~~for-the-terms-provided-in-this-Constitution.]~~

4 **(b)** If [~~Provided,--however,--if~~] any of the officers named
5 herein shall announce their candidacy, or shall in fact become a
6 candidate, in any General, Special or Primary Election, for any
7 office of profit or trust under the laws of this State or the
8 United States other than the office then held, at any time when the
9 unexpired term of the office then held shall exceed one (1) year,
10 such announcement or such candidacy shall constitute an automatic
11 resignation of the office then held, and the vacancy thereby
12 created shall be filled pursuant to law in the same manner as other
13 vacancies for such office are filled.

14 SECTION 56. Section 1, Article XVII, Texas Constitution, is
15 amended to read as follows:

16 Sec. 1. **(a)** The Legislature, at any regular session, or at
17 any special session when the matter is included within the purposes
18 for which the session is convened, may propose amendments revising
19 the Constitution, to be voted upon by the qualified voters
20 [~~electors~~] for statewide offices and propositions, as defined in
21 the Constitution and statutes of this State. The date of the
22 elections shall be specified by the Legislature. The proposal for
23 submission must be approved by a vote of two-thirds of all the
24 members elected to each House, entered by yeas and nays on the
25 journals.

26 **(b)** A brief explanatory statement of the nature of a
27 proposed amendment, together with the date of the election and the

1 wording of the proposition as it is to appear on the ballot, shall
2 be published twice in each newspaper in the State which meets
3 requirements set by the Legislature for the publication of official
4 notices of officers and departments of the state government. The
5 explanatory statement shall be prepared by the Secretary of State
6 and shall be approved by the Attorney General. The Secretary of
7 State shall send a full and complete copy of the proposed amendment
8 or amendments to each county clerk who shall post the same in a
9 public place in the courthouse at least 30 days prior to the
10 election on said amendment. The first notice shall be published
11 not more than 60 days nor less than 50 days before the date of the
12 election, and the second notice shall be published on the same day
13 in the succeeding week. The Legislature shall fix the standards
14 for the rate of charge for the publication, which may not be higher
15 than the newspaper's published national rate for advertising per
16 column inch.

17 (c) The election shall be held in accordance with procedures
18 prescribed by the Legislature, and the returning officer in each
19 county shall make returns to the Secretary of State of the number
20 of legal votes cast at the election for and against each amendment.
21 If it appears from the returns that a majority of the votes cast
22 have been cast in favor of an amendment, it shall become a part of
23 this Constitution, and proclamation thereof shall be made by the
24 Governor.

25 SECTION 57. The following provisions of the Texas
26 Constitution are repealed:

27 (1) Article III, Sections 26a, 50b, 50b-1, 50b-2,

1 50b-3, and 54;

2 (2) Article VIII, Sections 1-b-1, 1-c, and 5;

3 (3) Article IX, Section 6;

4 (4) Article XI, Section 6;

5 (5) Article XVI, Sections 18, 47, 53, 66, and 70(r);

6 and

7 (6) Article XVII, Section 2.

8 SECTION 58. The following temporary provision is added to
9 the Texas Constitution:

10 TEMPORARY TRANSITION PROVISIONS. (a) This section applies
11 to amendments proposed by H.J.R. No. 62, 76th Legislature, Regular
12 Session, 1999.

13 (b) The amendments do not impair any obligation created by
14 the issuance of bonds or other evidences of indebtedness in
15 accordance with prior law, and all bonds or other evidences of
16 indebtedness validly issued under provisions amended or repealed
17 remain valid, enforceable, and binding according to their terms
18 and shall be paid from the sources pledged. Bonds or other
19 evidences of indebtedness authorized but unissued on the effective
20 date of the amendments may be issued in compliance with and subject
21 to the provisions of the prior law. The amendments do not reduce
22 or expand the authority to provide for, issue, or sell bonds or
23 other evidences of indebtedness previously authorized.

24 (c) As of the date of adoption of H.J.R. No. 62 by the 76th
25 Legislature, Regular Session, 1999, the Veterans' Land Board has
26 authorized but unissued bonds in the aggregate principal amount of
27 \$190,002,225 for the purpose of providing funds for the Veterans'

1 Land Fund, \$1,309,997,775 having previously been issued for that
2 purpose, and \$615,000,000 for the purpose of providing funds for
3 the Veterans' Housing Assistance Fund II, \$385,000,000 having
4 previously been issued for that purpose. The amendments do not in
5 any manner impair the authority of the Veterans' Land Board
6 hereafter to issue bonds or incur other evidences of indebtedness,
7 provided that any bonds or other evidences of indebtedness issued
8 or incurred by the Veterans' Land Board prior to adoption of the
9 amendments shall cause the amount of authorized but unissued bonds
10 described in this subsection to be reduced by the amount of the
11 bonds so issued or other evidences of indebtedness so incurred.

12 (d) As of the date of adoption of H.J.R. No. 62 by the 76th
13 Legislature, Regular Session, 1999, the Texas Water Development
14 Board has authorized but unissued bonds in the aggregate principal
15 amount of \$945,765,000, and as of that date that board has issued
16 \$113,300,000 in bonds for the purpose of providing wholesale and
17 retail water and wastewater facilities to economically distressed
18 areas of the state, as defined by law. The amendments do not in
19 any manner impair the authority of the Texas Water Development
20 Board hereafter to issue bonds or incur other evidences of
21 indebtedness, provided that any bonds or other evidences of
22 indebtedness issued or incurred by the Texas Water Development
23 Board prior to adoption of the amendments shall cause the amount of
24 authorized but unissued bonds described in this subsection to be
25 reduced by the amount of the bonds so issued or other evidences of
26 indebtedness so incurred.

27 (e) As of the date of adoption of H.J.R. No. 62 by the 76th

1 Legislature, Regular Session, 1999, the Texas Higher Education
2 Coordinating Board has authorized but unissued bonds in the
3 aggregate principal amount of \$150,000,000, and as of that date the
4 board has issued \$810,000,000 in bonds for the purpose of
5 educational loans to students. The amendments do not in any manner
6 impair the authority of the Texas Higher Education Coordinating
7 Board hereafter to issue bonds or incur other evidences of
8 indebtedness, provided that any bonds or other evidences of
9 indebtedness issued or incurred by the Texas Higher Education
10 Coordinating Board prior to adoption of the amendments shall cause
11 the amount of authorized but unissued bonds described in this
12 subsection to be reduced by the amount of the bonds so issued or
13 other evidences of indebtedness so incurred.

14 (f) The amendment of Subsection (b), Section 1-b, Article
15 VIII, does not affect the increase in the amount of an exemption
16 effective January 1, 1979, under that subsection, and that increase
17 is preserved and given effect in accordance with the prior law.

18 (g) The amendment of Subsection (b), Section 1-j, Article
19 VIII, does not affect the taxation of personal property in
20 accordance with action taken under that section before April 1,
21 1990, and that authority to tax personal property is preserved and
22 given effect in accordance with the prior law.

23 (h) The amendment of Subsection (c), Section 5, Article IX,
24 does not affect the validity of a confirmation election held in
25 accordance with that section.

26 (i) The repeal of Section 5, Article VIII, does not affect
27 the power of a municipality to impose and collect taxes on the

1 property of railroad companies in accordance with the general
2 authority of municipalities under this constitution to impose and
3 collect those taxes.

4 (j) The repeal of Section 6, Article IX, does not affect the
5 disposition of assets of the Lamar County Hospital District in
6 accordance with that section.

7 (k) The amendment of Section 44, Article XVI, does not
8 affect the power of a county to abolish the office of county
9 treasurer or county surveyor in accordance with previously adopted
10 amendments of that section, and the power is preserved in
11 accordance with the prior law.

12 (l) The repeal of Section 66, Article XVI, does not affect
13 the pensions payable under that section and those pensions shall be
14 paid in accordance with the prior law.

15 (m) The reenactment of any provision for purposes of
16 amendment does not revive a provision that may have been impliedly
17 repealed by the adoption of a later amendment.

18 (n) The amendment of any provision does not affect vested
19 rights.

20 SECTION 59. This proposed constitutional amendment shall be
21 submitted to the voters at an election to be held on November 2,
22 1999. The ballot shall be printed to permit voting for or against
23 the proposition: "The constitutional amendment to eliminate
24 duplicative, executed, obsolete, archaic, and ineffective
25 provisions of the Texas Constitution."

COMMITTEE REPORT

The Honorable Pete Laney
Speaker of the House of Representatives

4-19-99
(date)

Sir:

We, your Committee on Select, Constitutional Revision
to whom was referred HJR 62 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).
- do pass and be not printed; a Complete Committee Substitute is recommended in lieu of the original measure.
- yes no A fiscal note was requested.
- yes no A criminal justice policy impact statement was requested.
- yes no An equalized educational funding impact statement was requested.
- yes no An actuarial analysis was requested.
- yes no A water development policy impact statement was requested.
- The Committee recommends that this measure be sent to the Committee on Local and Consent Calendars.

For Senate Measures: House Sponsor _____

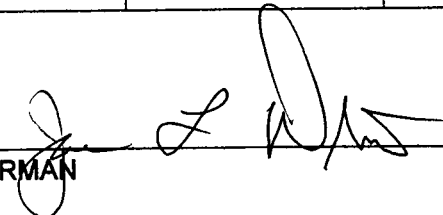
Joint Sponsors _____ / _____ / _____ / _____

Co-Sponsors: _____

The measure was reported from Committee by the following vote:

	AYE	NAY	PNV	ABSENT
Representative Driver	✓			
Representative Puente	✓			
Representative Allen	✓			
Representative Bailey	✓			
Representative Lewis (Glenn)	✓			
Representative Mawery	✓			
Representative Solomons	✓			
Representative Tillery	✓			
Representative Dutton				✓

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



 CHAIRMAN

BILL ANALYSIS

Office of House Bill Analysis

C.S.H.J.R. 62
By: Mowery
Constitutional Revision
4/23/1999
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The Texas Constitution is a lengthy document that some feel is unnecessarily large, convoluted, and complicated. Revisions can be made that will simplify and clarify the constitution without affecting any substantive provisions. For instance, various provisions within the document have already been executed, including wording regarding the issuance of bonds that have since been repaid and transition clauses that were long ago satisfied. As proposed, C.S.H.J.R. 62 requires the submission to the voters of a constitutional amendment that eliminates duplicate, executed, obsolete, archaic, and ineffective provisions in the Texas Constitution.

RULEMAKING AUTHORITY

It is the opinion of the Office of House Bill Analysis that this bill does not expressly delegate any additional rulemaking authority to a state officer, department, agency, or institution.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 2, Article III, Texas Constitution, to require that the House of Representatives consist of 150 members. Makes conforming changes.

SECTION 2. Amends Section 3, Article III, Texas Constitution, to make nonsubstantive changes.

SECTION 3. Amends Section 4, Article III, Texas Constitution, to make nonsubstantive changes.

SECTION 4. Amends Section 5, Article III, Texas Constitution, to provide an exception and make nonsubstantive changes.

SECTION 5. Amends Section 6, Article III, Texas Constitution, to make nonsubstantive changes.

SECTION 6. Amends Section 7, Article III, Texas Constitution, to make nonsubstantive changes.

SECTION 7. Amends Section 14, Article III, Texas Constitution, to delete the provision that senators and representatives are free from arrest for one day for each twenty miles the member resides from the place the legislature is convened.

SECTION 8. Amends Section 33, Article III, Texas Constitution, to make a nonsubstantive change.

SECTION 9. Amends Section 32, Article III, Texas Constitution, to make a nonsubstantive change.

SECTION 10. Amends Section 39, Article III, Texas Constitution, to make a nonsubstantive change.

SECTION 11. Amends Section 48-e, Article III, Texas Constitution, to make a nonsubstantive change.

SECTION 12. Amends Section 48-f, Article III, Texas Constitution, to make a nonsubstantive change.

SECTION 13. Amends Section 49a, Article III, Texas Constitution, to make nonsubstantive

changes.

SECTION 14. Amends Sections 49-b, 49-b-1, 49-b-2, and 49-b-3, Article III, Texas Constitution, to combine, reenact as Section 49-b, and amend it to authorize the Veterans' Land Board to provide for, issue, and sell bonds or obligations of the State of Texas as authorized by constitutional amendment or by a debt proposition under Section 49 of this article, rather than in an amount not to exceed \$950,000,000. Authorizes expenses of the board in connection with the issuance of bonds for the benefit of the Veterans Housing Assistance Fund to be paid from money in the fund. Deletes existing text regarding limitations on the dollar amount of outstanding obligations, restrictions on the sale, issuance, retirement and interest rate for investments, bonds, and land. Makes conforming and nonsubstantive changes.

SECTION 15. Amends Sections 49-c, 49-d, 49-d-1, 49-d-2, 49-d-5, 49-d-6, 49-d-7, and 49-d-8, Article III, Texas Constitution, to require the Texas Water Development Board to provide for, issue, and sell general obligation bonds of the State of Texas as authorized by constitutional amendment or by a debt proposition under Section 49 of this article, rather than in an amount not to exceed \$100,000,000. Authorizes the Texas Water Development Fund to transfer other moneys and assets in the Texas Water Development Fund to the appropriate account of the Texas Water Development Fund II, as determined by the Texas Water Development Board, without the necessity of issuing refunding bonds to effect the transfer, to the extent not inconsistent with the proceedings authorizing any outstanding bonds issued to augment the Texas Water Development Fund. Deletes existing text regarding limitation of the interest rate; excess funds; administration funds; and termination of financial assistance. Makes conforming and nonsubstantive changes.

SECTION 16. Amends Section 49-e, Article III, Texas Constitution, to require the Parks and Wildlife Department to provide for, issue, and sell general obligation bonds of the State of Texas as authorized by constitutional amendment or by a debt proposition under Section 49 of this article, rather than in an amount not to exceed \$75,000,000. Deletes existing text regarding limitations of the interest rate. Makes conforming and nonsubstantive changes.

SECTION 17. Amends Section 49-h, Article III, Texas Constitution, to authorize the legislature to provide for, issue, and sell general obligation bonds of the State of Texas as authorized by constitutional amendment or by a debt proposition under Section 49 of this article. Deletes existing text regarding limitations of the allowed dollar amount of outstanding obligations and the use of the funds. Makes conforming and nonsubstantive changes.

SECTION 18. Amends Subsection (a), Section 50-b-4, Article III, Texas Constitution, to authorize the Texas Higher Education Coordinating Board to issue and sell general obligation bonds of the State of Texas as authorized by constitutional amendment or by a debt proposition under Section 49 of this article, rather than in an amount not to exceed \$300,000,000. Makes conforming and nonsubstantive changes.

SECTION 19. Amends Section 51, Article III, Texas Constitution, to delete existing text regarding the authority of the legislature to grant aid to indigent and disabled Confederate soldiers and sailors and to their widows.

SECTION 20. Amends Section 51-a, Article III, Texas Constitution, to delete existing text regarding specific dollar limitations of state funds for assistance grants to needy dependent children and their caretakers. Makes conforming and nonsubstantive changes.

SECTION 21. Amends Subsections (b) and (c), Section 52, Article III, Texas Constitution, to make nonsubstantive changes.

SECTION 22. Amends Section 52d, Article III, Texas Constitution, to make nonsubstantive changes.

SECTION 23. Amends Section 52g, Article III, Texas Constitution, to delete existing text limiting Dallas County's ability to issue bonds for road construction without further legislation. Makes nonsubstantive changes.

- SECTION 24. Amends Section 7, Article IV, Texas Constitution, to delete existing text regarding protecting the frontier from hostile incursions by Indians or other predatory bands.
- SECTION 25. Amends Section 16, Article IV, Texas Constitution, to make nonsubstantive changes.
- SECTION 26. Amends Section 22, Article IV, Texas Constitution, to delete existing text regarding the term of office, residency requirement, and salary of the attorney general.
- SECTION 27. Amends Section 23, Article IV, Texas Constitution, to make nonsubstantive changes.
- SECTION 28. Amends Section 9, Article V, Texas Constitution, to make nonsubstantive changes.
- SECTION 29. Amends Section 2, Article VI, Texas Constitution, to delete the requirement that voters be 18 years of age. Makes nonsubstantive changes.
- SECTION 30. Amends Subsections (a) and (b), Section 2a, Article VI, Texas Constitution, to make nonsubstantive changes.
- SECTION 31. Amends Section 3, Article VI, Texas Constitution, to make nonsubstantive changes.
- SECTION 32. Amends Section 3a, Article VI, Texas Constitution, to make nonsubstantive changes.
- SECTION 33. Amends Section 3, Article VII, Texas Constitution, to delete the references to the poll tax. Deletes existing text regarding property taxes to maintain and support the public schools. Provides that increases in property taxes must be approved by voters. Makes nonsubstantive changes.
- SECTION 34. Amends Sections 10 and 13, Article VII, Texas Constitution, to make nonsubstantive changes.
- SECTION 35. Amends Section 14, Article VII, Texas Constitution, to make nonsubstantive changes.
- SECTION 36. Amends Section 1-a, Article VIII, Texas Constitution, to delete existing text regarding counties and political subdivisions from which tax donations have been granted. Makes nonsubstantive changes.
- SECTION 37. Amends Subsection (b), Section 1-b, Article VIII, Texas Constitution, to delete existing text regarding county education districts. Makes a nonsubstantive change.
- SECTION 38. Amends Subsection (b), Section 1-j, Article VIII, Texas Constitution, to make nonsubstantive changes.
- SECTION 39. Amends Section 6, Article VIII, Texas Constitution, to make nonsubstantive changes.
- SECTION 40. Amends Section 9, Article VIII, Texas Constitution, to provide that no county, city, or town may levy a tax rate in excess of 80 cents on the \$100 valuation in any one year for general fund, permanent improvement fund, road and bridge fund, and jury fund purposes. Deletes existing text regarding limitations on the state tax on property. Makes nonsubstantive changes.
- SECTION 41. Amends Section 16a, Article VIII, Texas Constitution, to make nonsubstantive changes.
- SECTION 42. Amends Section 20, Article VIII, Texas Constitution, to make a nonsubstantive change.
- SECTION 43. Amends Section 1, Article IX, Texas Constitution, to make nonsubstantive changes.
- SECTION 44. Amends Section 2, Article IX, Texas Constitution, to make nonsubstantive changes.

SECTION 45. Amends Section 4, Article IX, Texas Constitution, to make nonsubstantive changes.

SECTION 46. Amends Subsections (a), (c), and (e), Section 5, Article IX, Texas Constitution, to make nonsubstantive changes.

SECTION 47. Amends Subsection (a), Section 8, Article IX, Texas Constitution, to make nonsubstantive changes.

SECTION 48. Amends Section 11, Article IX, Texas Constitution, to make nonsubstantive changes.

SECTION 49. Amends Section 12, Article IX, Texas Constitution, to make nonsubstantive changes.

SECTION 50. Amends Section 2, Article XI, Texas Constitution, to make nonsubstantive changes.

SECTION 51. Amends Subsection (b), Section 30, Article XVI, Texas Constitution, to make nonsubstantive changes.

SECTION 52. Amends Section 44, Article XVI, Texas Constitution, to provide that the office of county treasurer or county surveyor does not exist in those counties in which the office has been abolished. Makes nonsubstantive changes.

SECTION 53. Amends Subsection (c), Section 59, Article XVI, Texas Constitution, to make nonsubstantive changes.

SECTION 54. Amends Section 61, Article XVI, Texas Constitution, to make nonsubstantive changes.

SECTION 55. Amends Section 65, Article XVI, Texas Constitution, to make nonsubstantive changes.

SECTION 56. Amends Section 1, Article XVII, Texas Constitution, to make nonsubstantive changes.

SECTION 57. Repealer: Article III, Sections 26a (Counties With More Than Seven Representatives); 50b (Student Loans); 50b-1 (Additional Student Loans); 50b-2 (Additional Student Loans); 50b-3 (Additional Student Loans); and 54 (Liens on Railroad; Release, Alienation, or Change);

Article VIII, Sections 1-b-1 (References to County Education Districts); 1-c (Effectiveness of Resolution); and 5 (Railroad Property; Liability to Municipal Taxation);

Article IX, Section 6 (Lamar County Hospital District; Abolition; Transfer of Assets);

Article XI, Section 6 (Taxes to Pay Interest and Create Sinking Fund to Satisfy Indebtedness);

Article XVI, Sections 18 (Existing Rights of Property and of Action; Rights or Actions not Revived); 47 (Conscientious Scruples as to Bearing Arms); 53 (Process and Writs not Executed or Returned at Adoption of Constitution); 66 (Texas Rangers; Retirement and Disability Pension System for Rangers Ineligible for Membership in Employees Retirement System); and 70(r) (Texas Growth Fund); and

Article XVII, Section 2 (Constitutional Revision Commission; Constitutional Convention).

SECTION 58. Amends the Texas Constitution by adding a temporary transition provision, as follows:

TEMPORARY TRANSITION PROVISIONS. (a) Provides that this section applies to amendments proposed by this Act.

(b) Provides that this Act does not impair any obligation created by the issuance of bonds or other evidences of indebtedness in accordance with prior law, and all bonds or other evidences of indebtedness validly issued under provisions amended or repealed remain valid, enforceable, and binding according to their terms and are required to be paid from the sources pledged. Authorizes the issuance of bonds or other evidences of indebtedness authorized, but unissued on the effective date of this Act. Provides that this Act does not reduce or expand the authority to provide for, issue, or sell bonds or other evidences of indebtedness previously authorized.

(c) States that as of the date of the adoption of H.J.R. 62 the Veterans' Land Board has authorized but unissued bonds in the aggregate principal amount of \$190,002,225 for the purpose of providing funds for the Veterans' Land Fund, \$1,309,997,775 having previously been issued for that purpose, and \$615,000,000 for the purpose of providing funds for the Veterans' Housing Assistance Fund II, \$385,000,000 having previously been issued for that purpose. Provides that the amendments do not in any way impair the authority of the Veterans' Land Board hereafter to issue bonds or incur other evidences of indebtedness, provided that any bonds or other evidences of indebtedness issued or incurred by the Veterans' Land Board prior to adoption of the amendments shall cause the amount of authorized but unissued bonds described in this subsection to be reduced by the amount of the bonds so issued or other evidences of indebtedness so incurred.

(d) States that as of the date of the adoption of H.J.R. 62 the Texas Water Development Board has authorized but unissued bonds in the aggregate principal amount of \$945,765,000 and as of that date the board has issued \$113,300,000 in bonds for the purpose of providing wholesale and retail water and wastewater facilities to economically distressed areas of the state. Provides that the amendments do not in any way impair the authority of the Texas Water Development Board hereafter to issue bonds or incur other evidences of indebtedness, provided that any bonds or other evidences of indebtedness issued or incurred by the Veterans' Land Board prior to adoption of the amendments shall cause the amount of authorized but unissued bonds described in this subsection to be reduced by the amount of the bonds so issued or other evidences of indebtedness so incurred.

(e) States that as of the date of the adoption of H.J.R. 62 the Texas Higher Education Coordinating Board has authorized but unissued bonds in the aggregate principal amount of \$150,000,000, and as of that date the board has issued \$810,000,000 in bonds for the purpose of educational loans to students. Provides that the amendments do not in any way impair the authority of the Texas Higher Education Coordinating Board hereafter to issue bonds or incur other evidences of indebtedness, provided that any bonds or other evidences of indebtedness issued or incurred by the Texas Higher Education Coordinating Board prior to adoption of the amendments shall cause the amount of authorized but unissued bonds described in this subsection to be reduced by the amount of the bonds so issued or other evidences of indebtedness so incurred.

(f) Makes application of Subsection (b), Section 1-b, Article VIII of this Act prospective.

(g) Makes application of Subsection (b), Section 1-j, Article VIII of this Act prospective.

(h) Provides that Subsection (c), Section 5, Article IX, does not affect the validity of a confirmation election held in accordance with that section.

(i) Provides that the repeal of Section 5, Article VIII, does not affect the power of a municipality to impose and collect taxes on the property of railroad companies in accordance with the general authority of municipalities under this constitution to impose and collect those taxes.

(j) Provides that the repeal of Section 6, Article IX, does not affect the disposition of assets of the Lamar County Hospital District in accordance with that section.

(k) Provides that the amendment of Section 44, Article XVI, does not affect the power of a county to abolish the office of county treasurer or county surveyor in accordance with previously adopted amendments of that section, and the power is preserved in accordance with the prior law.

(l) Provides that the repeal of Section 66, Article XVI, does not affect the pensions payable under that section and requires those pensions to be paid in accordance with the prior law.

(m) Provides that the reenactment of any provision for purposes of amendment does not revive a provision that may have been impliedly repealed by the adoption of a later amendment.

(n) Provides that the amendment of any provision does not affect vested rights.

SECTION 59. Requires this constitutional amendment to be submitted to the voters at an election to be held on November 2, 1999. Sets forth the required ballot language.

COMPARISON OF ORIGINAL TO SUBSTITUTE

The substitute differs from the original in SECTION 4 by providing an exception to proposed Subsection (c) of Section 5, Article III, Texas State Constitution, not present in the original.

The substitute differs from the original by deleting SECTION 8 of the original relating to a proposed amendment to Section 25, Article III, Texas Constitution, regarding the division of the state into senatorial districts.

The substitute differs from the original in SECTION 14 (SECTION 15 of the original) by deleting text requiring the legislature to appropriate an amount sufficient to prevent default in payment on bonds. The substitute also specifies that the expenses of the Veterans' Land Board in connection with the issuance of the bonds for the benefit of the Veterans' Housing Assistance Fund may be paid from money in the fund. Makes conforming and nonsubstantive changes.

The substitute differs from the original in SECTION 15 (SECTION 16 of the original) by also amending Section 49-d-2, Article III, Texas Constitution, to delete language limiting the ability of the Texas Water Development Board to issue bonds. Further amends Section 49-d-2, Article III, Texas Constitution, to authorize the Texas Water Development Fund to transfer other moneys and assets in the Texas Water Development Fund to the appropriate account of the Texas Water Development Fund II, as determined by the Texas Water Development Board, without the necessity of issuing refunding bonds to effect the transfer, to the extent not inconsistent with the proceedings authorizing any outstanding bonds issued to augment the Texas Water Development Fund. Makes nonsubstantive changes.

The substitute differs from the original in SECTION 18 by inserting a new SECTION 18 which amends Section 50-b-4, Article III, Texas Constitution, to authorize the Texas Higher Education Coordinating Board to issue and sell general obligation bonds of the State of Texas as authorized by constitutional amendment or by a debt proposition under Section 49 of this article, rather than in an amount not to exceed \$300,000,000.

The substitute does not include the text of SECTION 19 of the original, relating to amending Section 50b, Article III, Texas Constitution, authorizing the Texas Higher Education Coordinating Board, rather than the Texas College and University System, to provide for, issue, and sell general obligation bonds of the State of Texas as authorized by constitutional amendment or by a debt proposition under Section 49 of this article, rather than in an amount not to exceed \$85,000,000, and

The substitute differs from the original in SECTION 57 (SECTION 58 of the original) by repealing Section 50b (Student Loans), Article III, Texas Constitution, but not Sections 49-d-2 (Additional Bonding Authority of Texas Water Development Board; Dedicated Use of Some Proceeds) or

Section 50b-4 (Additional Student Loans).

The substitute differs from the original in SECTION 58 (SECTION 59 of the original) by adding Subsections (c)-(e) which provide for bonds which are authorized but unissued for certain state agencies. For a more complete analysis of these subsections, please see the Section-by-Section analysis section of this document.

The substitute differs from the original by redesignating proposed Subsections (c)-(k) of SECTION 59 of the original as Subsections (f)-(n) of SECTION 58 of the substitute.

The substitute differs from the original by redesignating SECTIONS 9-18 as SECTIONS 8-17.

The substitute differs from the original by redesignating SECTIONS 20-60 as SECTIONS 19-59.

SUMMARY OF COMMITTEE ACTION

HJR 62

April 12, 1999 1 hour after adjournment

Considered in public hearing

Testimony taken in committee

Left pending in committee

April 19, 1999 1 hour after adjournment

Considered in public hearing

Testimony taken in committee

Amendment(s) considered in committee

Committee substitute considered in committee

Reported favorably as substituted

WITNESS LIST

HJR 62
HOUSE COMMITTEE REPORT
Constitutional Revision, Select Committee

April 12, 1999 - One Hour After Adjournment

On: Collins, Steve (Texas Legislative Counsel)
Martin, M. Paul (Veterans' Land Board)
Schwartz, Suzanne (Texas Water Development Board)

Registering, but not testifying:

On: Martin, Rusty (Texas General Land Office)
Ward, Kevin (Texas Water Development Board)

April 19, 1999 - One hour after adjournment

Committee Substitute (Mowery Substitute #1)

On: Collins, Steven (Texas Legislative Council)

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 76th Regular Session

April 22, 1999

TO: Honorable Joe Driver, Chair, House Committee on Constitutional Revision

FROM: John Keel, Director, Legislative Budget Board

IN RE: HJR62 by Mowery (proposing a constitutional amendment to eliminate duplicative, executed, obsolete, archaic, and ineffective constitutional provisions), **Committee Report 1st House, Substituted**

No fiscal implication to the State is anticipated, other than the cost of publication.

The cost to the state for publication of the resolution is \$76,352.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 302 Office Of The Attorney General, 307 Secretary of State, 701 Texas Education Agency - Administration, 304 Comptroller of Public Accounts, 305 General Land Office and Veterans' Land Board

LBB Staff: JK, SD, RS

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 76th Regular Session

March 15, 1999

TO: Honorable Joe Driver, Chair, House Committee on Constitutional Revision

FROM: John Keel, Director, Legislative Budget Board

IN RE: HJR62 by Mowery (Proposing a constitutional amendment to eliminate duplicative, executed, obsolete, archaic, and ineffective constitutional provisions.), **As Introduced**

No fiscal implication to the State is anticipated, other than the cost of publication.

The cost to the state for publication of the resolution is \$76,352.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 302 Office Of The Attorney General, 307 Secretary of State, 701 Texas Education Agency - Administration, 304 Comptroller of Public Accounts, 305 General Land Office and Veterans' Land Board

LBB Staff: JK, SD, RS

LEGISLATIVE BUDGET BOARD

Water Development Impact Statement

April 27, 1999

TO: Honorable Joe Driver, Chair
Committee on Constitutional Revision
House of Representatives
Austin, Texas

IN RE: House Joint Resolution
No. 62, Committee
Report 1st House, Substituted
By: Mowery

FROM: John Keel, Director

In response to your request for a Water Development Impact Statement on HJR62 (proposing a constitutional amendment to eliminate duplicative, executed, obsolete, archaic, and ineffective constitutional provisions,) this office, in cooperation with the Water Development Board (TWDB), has determined the following:

The bill does not create a water district or amend Article XVI, Section 59 of the Texas Constitution relating to the creation of water districts.

Therefore, the bill is not in conflict with the objectives of the State Water Plan.

LEGISLATIVE BUDGET BOARD
Equalized Education Funding Impact Statement

April 25, 1999

TO: Honorable Joe Driver, Chair
Committee on Constitutional Revision
House
Austin, Texas

IN RE: House Joint Resolution
No. 62, Committee
Report 1st House, Substituted
By: Mowery

FROM: John Keel, Director

In response to your request for a Equalized Education Funding Impact Statement on HJR62 (proposing a constitutional amendment to eliminate duplicative, executed, obsolete, archaic, and ineffective constitutional provisions) this office has determined the following:

No impact on equalized funding requirements and policies affecting public education is anticipated from any of the provisions of this bill.

LEGISLATIVE BUDGET BOARD

Tax/Fee Equity Note

April 23, 1999

TO: Honorable Joe Driver, Chair
Committee on Constitutional Revision
House
Austin, Texas

IN RE: House Joint Resolution
No. 62, Committee
Report 1st House, Substituted
By: Mowery

FROM: John Keel, Director

In response to your request for a Tax/Fee Equity Note on HJR62 (Proposing a constitutional amendment to eliminate duplicative, executed, obsolete, archaic, and ineffective constitutional provisions.) this office has determined the following:

No statistically significant impact on the overall distribution of a state tax or fee burden among individuals and businesses is anticipated from the provisions of this resolution.

ADOPTED

MAY 06 1999 as amended

Sharon Carter
Clerk
House of Representatives

1 / m

By Mowery

H.J.R. No. 62

Substitute the following for H.J.R. No. 62 :

By Mowery

C.S. H.J.R. No. 62

A JOINT RESOLUTION

1 proposing a constitutional amendment to eliminate duplicative,
2 executed, obsolete, archaic, and ineffective constitutional
3 provisions.

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

5 SECTION 1. Section 2, Article III, Texas Constitution, is
6 amended to read as follows:

7 Sec. 2. The Senate shall consist of thirty-one members [~~7-and~~
8 ~~shall--never--be--increased--above--this--number~~]. The House of
9 Representatives shall consist of 150 [~~ninety-three~~] members [~~until~~
10 ~~the-first-apportionment-after-the-adoption--of--this--Constitution,~~
11 ~~when---or---at---any---apportionment---thereafter,~~ ~~7--the--number--of~~
12 ~~Representatives-may-be-increased-by-the-legislature,~~ ~~upon-the-ratio~~
13 ~~of-not-more-than-one--Representative--for--every--fifteen--thousand~~
14 ~~inhabitants,~~ ~~7--provided,~~ ~~7--the--number-of-Representatives-shall-never~~
15 ~~exceed-one-hundred-and-fifty~~].

16 SECTION 2. Section 3, Article III, Texas Constitution, is
17 amended to read as follows:

18 Sec. 3. The Senators shall be chosen by the qualified voters
19 [~~electors~~] for the term of four years; but a new Senate shall be
20 chosen after every apportionment, and the Senators elected after
21 each apportionment shall be divided by lot into two classes. The
22 seats of the Senators of the first class shall be vacated at the
23 expiration of the first two years, and those of the second class at
24 the expiration of four years, so that one half of the Senators

1 shall be chosen biennially thereafter. Senators shall take office
2 following their election, on the day set by law for the convening
3 of the Regular Session of the Legislature, and shall serve
4 thereafter for the full term of years to which elected [~~and--until~~
5 ~~their-successors-shall-have-been-elected-and-qualified~~].

6 SECTION 3. Section 4, Article III, Texas Constitution, is
7 amended to read as follows:

8 Sec. 4. The Members of the House of Representatives shall be
9 chosen by the qualified voters [~~electors~~] for the term of two
10 years. Representatives shall take office following their election,
11 on the day set by law for the convening of the Regular Session of
12 the Legislature, and shall serve thereafter for the full term of
13 years to which elected [~~and-until-their-successors-shall-have-been~~
14 ~~elected-and-qualified~~].

15 SECTION 4. Section 5, Article III, Texas Constitution, is
16 amended to read as follows:

17 Sec. 5. (a) The Legislature shall meet every two years at
18 such time as may be provided by law and at other times when
19 convened by the Governor.

20 (b) When convened in regular Session, the first thirty days
21 thereof shall be devoted to the introduction of bills and
22 resolutions, acting upon emergency appropriations, passing upon the
23 confirmation of the recess appointees of the Governor and such
24 emergency matters as may be submitted by the Governor in special
25 messages to the Legislature. During [~~provided-that-during~~] the
26 succeeding thirty days of the regular session of the Legislature
27 the various committees of each House shall hold hearings to

1 consider all bills and resolutions and other matters then pending;
2 and such emergency matters as may be submitted by the Governor.
3 During[~~,-provided-further-that-during~~] the remainder of the session
4 [~~following-sixty-days~~] the Legislature shall act upon such bills
5 and resolutions as may be then pending and upon such emergency
6 matters as may be submitted by the Governor in special messages to
7 the Legislature.

8 (c) Notwithstanding Subsection (b), either[~~,-provided,~~
9 however~~,~~-either] House may [otherwise] determine its order of
10 business by an affirmative vote of four-fifths of its membership.

11 SECTION 5. Section 6, Article III, Texas Constitution, is
12 amended to read as follows:

13 Sec. 6. No person shall be a Senator, unless he be a citizen
14 of the United States, and, at the time of his election a qualified
15 voter [~~elector~~] of this State, and shall have been a resident of
16 this State five years next preceding his election, and the last
17 year thereof a resident of the district for which he shall be
18 chosen, and shall have attained the age of twenty-six years.

19 SECTION 6. Section 7, Article III, Texas Constitution, is
20 amended to read as follows:

21 Sec. 7. No person shall be a Representative, unless he be a
22 citizen of the United States, and, at the time of his election, a
23 qualified voter [~~elector~~] of this State, and shall have been a
24 resident of this State two years next preceding his election, the
25 last year thereof a resident of the district for which he shall be
26 chosen, and shall have attained the age of twenty-one years.

27 SECTION 7. Section 14, Article III, Texas Constitution, is

1 amended to read as follows:

2 Sec. 14. Senators and Representatives shall, except in cases
3 of treason, felony, or breach of the peace, be privileged from
4 arrest during the session of the Legislature, and in going to and
5 returning from the same [~~7-allowing-one-day-for-every-twenty-miles~~
6 ~~such-member-may-reside-from-the-place-at-which-the--Legislature--is~~
7 ~~convened~~].

8 SECTION 8. Section 33, Article III, Texas Constitution, is
9 amended to read as follows:

10 Sec. 33. All bills for raising revenue shall originate in
11 the House of Representatives [~~7-but-the-Senate-may-amend-or-reject~~
12 ~~them-as-other-bills~~].

13 SECTION 9. Section 32, Article III, Texas Constitution, is
14 amended to read as follows:

15 Sec. 32. No bill shall have the force of a law, until it has
16 been read on three several days in each House, and free discussion
17 allowed thereon; but [~~in--cases--of--imperative--public--necessity~~
18 ~~(which--necessity--shall--be-stated-in-a-preamble-or-in-the-body-of~~
19 ~~the-bill)~~] four-fifths of the House, in which the bill may be
20 pending, may suspend this rule, the yeas and nays being taken on
21 the question of suspension, and entered upon the journals.

22 SECTION 10. Section 39, Article III, Texas Constitution, is
23 amended to read as follows:

24 Sec. 39. No law passed by the Legislature, except the
25 general appropriation act, shall take effect or go into force until
26 ninety days after the adjournment of the session at which it was
27 enacted, unless [~~in-case-of-an-emergency-which-emergency--must--be~~

1 ~~expressed-in-a-preamble-or-in-the-body-of-the-act~~7] the Legislature
2 shall, by a vote of two-thirds of all the members elected to each
3 House, otherwise direct; said vote to be taken by yeas and nays,
4 and entered upon the journals.

5 SECTION 11. Section 48-e, Article III, Texas Constitution,
6 is amended to read as follows:

7 Sec. 48-e. Laws may be enacted to provide for the
8 establishment and creation of special districts to provide
9 emergency services and to authorize the commissioners courts of
10 participating counties to levy a tax on the ad valorem property
11 situated in said districts not to exceed Ten Cents (10¢) on the One
12 Hundred Dollars (\$100.00) valuation for the support thereof;
13 provided that no tax shall be levied in support of said districts
14 until approved by a vote of the qualified voters [electors]
15 residing therein. Such a district may provide emergency medical
16 services, emergency ambulance services, rural fire prevention and
17 control services, or other emergency services authorized by the
18 Legislature.

19 SECTION 12. Section 48-f, Article III, Texas Constitution,
20 is amended to read as follows:

21 Sec. 48-f. The legislature, by law, may provide for the
22 creation, operation, and financing of jail districts and may
23 authorize each district to issue bonds and other obligations and to
24 levy an ad valorem tax on property located in the district to pay
25 principal of and interest on the bonds and to pay for operation of
26 the district. An ad valorem tax may not be levied and bonds secured
27 by a property tax may not be issued until approved by the qualified

1 voters [electors] of the district voting at an election called and
2 held for that purpose.

3 SECTION 13. Section 49a, Article III, Texas Constitution, is
4 amended to read as follows:

5 Sec. 49a. (a) It shall be the duty of the Comptroller of
6 Public Accounts in advance of each Regular Session of the
7 Legislature to prepare and submit to the Governor and to the
8 Legislature upon its convening a statement under oath showing fully
9 the financial condition of the State Treasury at the close of the
10 last fiscal period and an estimate of the probable receipts and
11 disbursements for the then current fiscal year. There shall also
12 be contained in said statement an itemized estimate of the
13 anticipated revenue based on the laws then in effect that will be
14 received by and for the State from all sources showing the fund
15 accounts to be credited during the succeeding biennium and said
16 statement shall contain such other information as may be required
17 by law. Supplemental statements shall be submitted at any Special
18 Session of the Legislature and at such other times as may be
19 necessary to show probable changes.

20 (b) Except [~~From--and--after--January-17-19457--save~~] in the
21 case of emergency and imperative public necessity and with a
22 four-fifths vote of the total membership of each House, no
23 appropriation in excess of the cash and anticipated revenue of the
24 funds from which such appropriation is to be made shall be valid.
25 No [~~From--and--after--January--17--19457--no~~] bill containing an
26 appropriation shall be considered as passed or be sent to the
27 Governor for consideration until and unless the Comptroller of

1 Public Accounts endorses his certificate thereon showing that the
2 amount appropriated is within the amount estimated to be available
3 in the affected funds. When the Comptroller finds an appropriation
4 bill exceeds the estimated revenue he shall endorse such finding
5 thereon and return to the House in which same originated. Such
6 information shall be immediately made known to both the House of
7 Representatives and the Senate and the necessary steps shall be
8 taken to bring such appropriation to within the revenue, either by
9 providing additional revenue or reducing the appropriation.

10 ~~[For--the-purpose-of-financing-the-outstanding-obligations-of~~
11 ~~the-General-Revenue-Fund-of--the--State--and--placing--its--current~~
12 ~~accounts--on--a-cash-basis-the-Legislature-of-the-State-of-Texas-is~~
13 ~~hereby-authorized-to-provide-for-the-issuance,-sale, and-retirement~~
14 ~~of-serial-bonds, equal--in--principal--to--the--total--outstanding,~~
15 ~~valid,--and-approved-obligations-owing-by-said-fund-on-September-1,~~
16 ~~1943, provided-such-bonds-shall-not-draw-interest-in-excess-of--two~~
17 ~~(2)--per--cent--per-annum-and-shall-mature-within-twenty-(20)-years~~
18 ~~from-date.]~~

19 SECTION 14. Sections 49-b, 49-b-1, 49-b-2, and 49-b-3,
20 Article III, Texas Constitution, are combined, reenacted as Section
21 49-b, and amended to read as follows:

22 Sec. 49-b. (a) The ~~[By-virtue-of-prior-Amendments--to--this~~
23 ~~Constitution,--there--has-been-created-a-governmental-agency-of-the~~
24 ~~State-of--Texas--performing--governmental--duties--which--has--been~~
25 ~~designated--the] Veterans' Land Board[~~--Said-Board-shall-continue~~~~
26 ~~to-function--for--the--purposes--specified--in--all--of--the--prior~~
27 ~~Constitutional--Amendments--except-as-modified-herein,~~--Said-Board]~~~~

1 shall be composed of the Commissioner of the General Land Office
2 and two (2) citizens of the State of Texas, one (1) of whom shall
3 be well versed in veterans' affairs and one (1) of whom shall be
4 well versed in finances. One (1) such citizen member shall, with
5 the advice and consent of the Senate, be appointed biennially by
6 the Governor to serve for a term of four (4) years. In the event
7 of the resignation or death of any such citizen member, the
8 Governor shall appoint a replacement to serve for the unexpired
9 portion of the term to which the deceased or resigning member had
10 been appointed. The compensation for said citizen members shall be
11 as is now or may hereafter be fixed by the Legislature; and each
12 shall make bond in such amount as is now or may hereafter be
13 prescribed by the Legislature.

14 (b) The Commissioner of the General Land Office shall act as
15 Chairman of said Board and shall be the administrator of the
16 Veterans' Land Program under such terms and restrictions as are now
17 or may hereafter be provided by law. In the absence or illness of
18 said Commissioner, the Chief Clerk of the General Land Office shall
19 be the Acting Chairman of said Board with the same duties and
20 powers that said Commissioner would have if present.

21 (c) The Veterans' Land Board may provide for, issue and sell
22 [~~not-to-exceed-Nine-Hundred-Fifty--Million--Dollars--(\$950,000,000)~~
23 ~~in~~] bonds or obligations of the State of Texas as authorized by
24 constitutional amendment or by a debt proposition under Section 49
25 of this article for the purpose of creating a fund to be known as
26 the Veterans' Land Fund [~~7---Seven---Hundred---Million---Dollars~~
27 ~~(\$700,000,000)] of which have heretofore been authorized. Such~~

1 bonds-or-obligations-shall-be-sold-for-not-less-than-par-value--and
2 accrued--interest,---shall--be-issued-in-such-forms,denominations,
3 and-upon-such-terms-as-are-now-or-may-hereafter-be-provided-by-law,
4 shall-be-issued-and-sold-at-such-times,at-such-places,--and-in-such
5 installments-as-may-be-determined-by-said-Board,--and-shall--bear--a
6 rate--or--rates--of--interest-as-may-be-fixed-by-said-Board-but-the
7 weighted-average-annual-interest-rate,as-that-phrase--is--commonly
8 and-ordinarily-used-and-understood-in-the-municipal-bond-market,of
9 all--the--bonds-issued-and-sold-in-any-installment-of-any-bonds-may
10 not-exceed-the-rate-specified-in-Section-65-of-this--Article.---All
11 bonds--or--obligations--issued--and--sold--hereunder--shall,--after
12 execution--by-the-Board,approval-by-the-Attorney-General-of-Texas,
13 registration-by-the-Comptroller-of-Public-Accounts-of-the-State--of
14 Texas,---and---delivery---to---the---purchaser--or--purchasers,--be
15 incontestable-and-shall-constitute-general-obligations-of-the-State
16 of-Texas-under-the-Constitution-of-Texas,--and-all-bonds--heretofore
17 issued--and-sold-by-said-Board-are-hereby-in-all-respects-validated
18 and-declared-to-be-general-obligations-of-the-State-of--Texas.---In
19 order-to-prevent-default-in-the-payment-of-principal-or-interest-on
20 any--such--bonds,--the--legislature--shall-appropriate-a-sufficient
21 amount-to-pay-the-same].

22 (d) In the sale of any such bonds or obligations, a
23 preferential right of purchase shall be given to the administrators
24 of the various Teacher Retirement Funds, the Permanent University
25 Funds, and the Permanent School Funds.

26 [Said---Veterans+---Land--Fund--shall--consist--of--any--lands
27 heretofore-or-hereafter-purchased-by-said--Board,--until--the--sale

1 price--therefor--together--with--any--interest--and--penalties--due--have
2 been--received--by--said--Board--(although--notwithstanding--herein--shall--be
3 construed--to--prevent--said--Board--from--accepting--such--payments--for--a
4 portion--of--any--tract)--and--of--the--moneys--attributable--to--any--bonds
5 heretofore--or--hereafter--issued--and--sold--by--said--Board--which--moneys
6 so--attributable--shall--incidentally--but--shall--not--be--imputed--to--the
7 proceeds--from--the--issuance--and--sale--of--such--bonds--the--moneys
8 received--from--the--sale--or--resale--of--any--lands--or--rights--therein
9 purchased--with--such--proceeds--the--moneys--received--from--the--sale--or
10 resale--of--any--lands--or--rights--therein--purchased--with--other--moneys
11 attributable--to--such--bonds--the--interest--and--penalties--received
12 from--the--sale--or--resale--of--such--lands--or--rights--therein--the
13 bonuses--income--rents--royalties--and--any--other--pecuniary--benefits
14 received--by--said--Board--from--any--such--lands--sums--received--by--way
15 of--indemnity--or--forfeiture--for--the--failure--of--any--bidder--for--the
16 purchase--of--any--such--bonds--to--comply--with--his--bid--and--accept--and
17 pay--for--such--bonds--or--for--the--failure--of--any--bidder--for--the
18 purchase--of--any--lands--comprising--a--part--of--said--Fund--to--comply--with
19 his--bid--and--accept--and--pay--for--any--such--lands--and--interest
20 received--from--investments--of--any--such--moneys--The--principal--and
21 interest--on--the--bonds--heretofore--and--hereafter--issued--by--said--Board
22 shall--be--paid--out--of--the--moneys--of--said--Fund--in--conformance--with
23 the--Constitution--provisions--authorizing--such--bonds--but--the
24 moneys--of--said--Fund--which--are--not--immediately--committed--to--the
25 payment--of--principal--and--interest--on--such--bonds--the--purchase--of
26 lands--as--herein--provided--or--the--payment--of--expenses--as--herein
27 provided--may--be--invested--as--authorized--by--law--until--such--moneys--are

1 needed-for-such-purposes.

2 [All--moneys--comprising-a-part-of-said-Fund-and-not-expended
3 for-the-purposes-herein-provided-shall-be-a-part-of-said-Fund-until
4 there-are-sufficient-moneys-therein-to--retire--fully--all--of--the
5 bonds--heretofore--or--hereafter--issued-and-sold-by-said-Board, at
6 which-time-all-such-moneys-remaining--in--said--Fund,--except--such
7 portion--thereof-as-may-be-necessary-to-retire-all-such-bonds-which
8 portion-shall-be-set-aside--and--retained--in--said--Fund--for--the
9 purpose--of--retiring--all--such--bonds, shall-be-deposited-to-the
10 credit-of-the-General-Revenue--Fund--to--be--appropriated--to--such
11 purposes--as--may-be-prescribed-by-law. All-moneys-becoming-a-part
12 of-said-Fund-thereafter-shall-likewise-be-deposited-to--the--credit
13 of-the-General-Revenue-Fund.

14 [When--a--Division--of-said-Fund--(each-Division-consisting-of
15 the-moneys-attributable-to-the-bonds-issued-and-sold-pursuant-to--a
16 single--Constitutional--authorization--and--the--lands--purchased
17 therewith)--contains-sufficient-moneys-to-retire-all--of--the--bonds
18 secured--by--such-Division, the-moneys-thereof, except-such-portion
19 as-may-be-needed-to--retire--all--of--the--bonds--secured--by--such
20 Division-which-portion-shall-be-set-aside-and-remain-a-part-of-such
21 Division--for--the--purpose-of-retiring-all-such-bonds, may-be-used
22 for-the-purpose-of-paying-the-principal-and-the--interest--thereon,
23 together--with--the--expenses-herein-authorized, of-any-other-bonds
24 heretofore-or-hereafter-issued-and-sold-by-said--Board. Such--use
25 shall--be--a-matter-for-the-discretion-and-direction-of-said-Board,
26 but-there-may-be-no-such-use-of-any-such--moneys--contrary--to--the
27 rights--of--any--holder-of-any-of-the-bonds-issued-and-sold-by-said

1 Board-of-vicariate-of-any-contract-to-which-said-Board-is-a-party

2 [The-Veterans'-Land-Fund-should-be-used-by-said-Board-for-the
3 purpose-of-purchasing-lands-situated-in-the-State-of-Texas-owned-by
4 the--United-States-or-any-governmental-agency-thereof-owned-by-the
5 Texas-Prison-System-or-any-other-governmental-agency-of--the--State
6 of--Texas-or-owned-by-any-person-firm-or-corporation--the-lands
7 thus-purchased-should-be-acquired-at-the-lowest-price-obtainable-to
8 be-paid-for-in-cash-and-should-be-a-part-of-said-Fund--Such-lands
9 heretofore--or--hereafter--purchased--and-comprising-a-part-of-said
10 Fund-are-hereby-declared-to-be-held--for--a--governmental--purpose
11 although--the--individual-purchasers--thereof--should-be-subject-to
12 taxation-to--the--same--extent--and--in--the--same--manner--as--are
13 purchasers--of--lands-dedicated-to-the-Permanent-Free-Public-School
14 Fund]

15 [The-lands-of-the-Veterans'-Land-Fund-should-be-sold--by--said
16 Board--in--such--quantities--on--such--terms--at--such--prices--at--such
17 rates-of-interest-and-under-such-rules-and-regulations-as--are--now
18 or-may-hereafter-be-provided-by-law-to-veterans-as-they-are-now-or
19 may--hereafter--be--defined-by-the-laws-of-the-State-of-Texas--The
20 foregoing-notwithstanding-any-lands-in--the--Veterans'-Land-Fund
21 which--have--been-offered-for-sale-to-veterans-and-which-have
22 not-been-sold-may-be-sold-or-resold-to--such--purchasers--in--such
23 quantities--and--on--such--terms--and--at--such--prices--and--rates-of
24 interest--and--under-such-rules-and-regulations-as-are--now--or--may
25 hereafter-be-provided-by-law]

26 (e) Said Veterans' Land Fund, to the extent of the moneys
27 attributable to any bonds hereafter issued and sold by said Board

1 may be used by said Board, as is now or may hereafter be provided
2 by law, for the purpose of paying the expenses of surveying,
3 monumenting, road construction, legal fees, recordation fees,
4 advertising and other like costs necessary or incidental to the
5 purchase and sale, or resale, of any lands purchased with any of
6 the moneys attributable to such additional bonds, such expenses to
7 be added to the price of such lands when sold, or resold, by said
8 Board; for the purpose of paying the expenses of issuing, selling,
9 and delivering any such additional bonds; and for the purpose of
10 meeting the expenses of paying the interest or principal due or to
11 become due on any such additional bonds.

12 ~~[All--of--the--moneys--attributable--to--any--series--of--bonds~~
13 ~~hereafter--issued--and--sold--by--said--Board--(a--"series--of--bonds"--being~~
14 ~~all--of--the--bonds--issued--and--sold--in--a--single--transaction--as--a~~
15 ~~single--installment--of--bonds)--may--be--used--for--the--purchase--of--lands~~
16 ~~as--herein--provided,--to--be--sold--as--herein--provided,--for--a--period~~
17 ~~ending--eight--(8)--years--after--the--date--of--sale--of--such--series--of~~
18 ~~bonds,--provided,--however,--that--so--much--of--such--moneys--as--may--be~~
19 ~~necessary--to--pay--interest--on--bonds--hereafter--issued--and--sold--shall~~
20 ~~be--set--aside--for--that--purpose--in--accordance--with--the--resolution~~
21 ~~adopted--by--said--Board--authorizing--the--issuance--and--sale--of--such~~
22 ~~series--of--bonds.---After--such--eight--(8)--year--period,--all--of--such~~
23 ~~moneys--shall--be--set--aside--for--the--retirement--of--any--bonds--hereafter~~
24 ~~issued--and--sold--and--to--pay--interest--thereon,--together--with--any~~
25 ~~expenses--as--provided--herein,--in--accordance--with--the--resolution--or~~
26 ~~resolutions--authorizing--the--issuance--and--sale--of--such--additional~~
27 ~~bonds,--until--there--are--sufficient--moneys--to--retire--all--of--the--bonds~~

1 hereafter--issued--and--sold--at--which--time--such--money--then
2 remain--a--part--of--said--Veterans--Band--Fund--and--hereafter
3 becoming--a--part--of--said--Fund--shall--be--governed--as--elsewhere
4 provided--herein.

5 [This--Amendment--being--intended--only--to--establish--a--basic
6 framework--and--not--to--be--a--comprehensive--treatment--of--the--Veterans--
7 Band--Program--there--is--hereby--reposed--in--the--Legislature--full--power
8 to--implement--and--execute--the--design--and--objects--of--this
9 Amendment--in--exercising--the--power--to--delegate--such--duties
10 responsibilties--functions--and--authority--to--the--Veterans--Band
11 Board--as--it--deems--necessary.]

12 [Should--the--Legislature--enact--any--enabling--laws--in
13 anticipation--of--this--Amendment--no--such--law--shall--be--void--by--reason
14 of--its--anticipatory--nature.]

15 [Sec--49-b--(a)--in--addition--to--the--general--obligation
16 bonds--authorized--to--be--issued--and--to--be--sold--by--the--Veterans--Band
17 Board--by--Section--49-b--of--this--article--the--Veterans--Band--Board--may
18 provide--for--issue--and--sell--not--to--exceed--\$1--million--in--bonds--of
19 the--State--of--Texas--\$100--million--of--which--have--heretofore--been
20 authorized--to--provide--financing--to--veterans--of--the--state--in
21 recognition--of--their--service--to--their--state--and--country.]

22 (f) (b) For purposes of this section, "veteran" means a
23 person who satisfies the definition of "veteran" as [is--now--or--may
24 hereafter--be] set forth by the laws of the State of Texas.

25 [c) The bonds shall be sold for not less than par value and
26 accrued interest--shall be issued in such forms and denominations
27 upon such terms--at such times--and places--and in such installments

1 as may be determined by the board, and, notwithstanding the rate of
2 interest specified by any other provision of this constitution,
3 shall bear a rate or rates of interest fixed by the board. All
4 bonds issued and sold pursuant to Subsections (a) through (f) of
5 this section shall, after execution by the board, approval by the
6 Attorney General of Texas, registration by the Comptroller of
7 Public Accounts of the State of Texas, and delivery to the
8 purchaser or purchasers, be incontestable and shall constitute
9 general obligations of the state under the Constitution of Texas.

10 [(d) Three hundred million dollars of the state bonds
11 authorized by this section shall be used to augment the Veterans'
12 Land Fund. The Veterans' Land Fund shall be used by the board for
13 the purpose of purchasing lands situated in the State of Texas
14 owned by the United States government or any agency thereof, the
15 State of Texas or any subdivision or agency thereof, or any person,
16 firm, or corporation. The lands shall be sold to veterans in such
17 quantities, on such terms, at such prices, at such rates of
18 interest, and under such rules and regulations as may be authorized
19 by law. The expenses of the board in connection with the issuance
20 of the bonds and the purchase and sale of the lands may be paid
21 from money in the fund. The Veterans' Land Fund shall continue to
22 consist of any lands purchased by the board until the sale price
23 therefor, together with any interest and penalties due, have been
24 received by the board (although nothing herein shall prevent the
25 board from accepting full payment for a portion of any tract) and
26 of the money attributable to any bonds issued and sold by the board
27 for the Veterans' Land Fund, which money so attributable shall

1 in the event of the death of the person named in the certificate of insurance
2 and the proceeds of such insurance shall be paid to the person named in the certificate
3 of insurance or to the person named in the certificate of insurance or to the person named
4 in the certificate of insurance or to the person named in the certificate of insurance or to the person named
5 in the certificate of insurance or to the person named in the certificate of insurance or to the person named
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24 in the certificate of insurance or to the person named in the certificate of insurance or to the person named
25 in the certificate of insurance or to the person named in the certificate of insurance or to the person named

26 (g) [(f)] The Veterans' Housing Assistance Fund [is created]
27 and [is] a part of the estate of the person named in the certificate of insurance

1 be-used-for-the-Veterans'-Housing-Assistance-Fund, \$500-million--of
2 which--have--heretofore--been--authorized,---Money-in-the-Veterans'-
3 Housing-Assistance-Fund] shall be administered by the Veterans'
4 Land Board and shall be used for the purpose of making home
5 mortgage loans to veterans for housing within the State of Texas in
6 such quantities, on such terms, at such rates of interest, and
7 under such rules and regulations as may be authorized by law. The
8 expenses of the board in connection with the issuance of the bonds
9 for the benefit of the Veterans' Housing Assistance Fund and the
10 making of the loans may be paid from money in the fund. [The
11 Veterans'-Housing-Assistance-Fund-shall-consist-of-any-interest-of
12 the-board-in-all-home-mortgage-loans-made-to-veterans-by-the--board
13 pursuant--to--a--Veterans'-Housing--Assistance--Program--which-the
14 legislature-may-establish-by-appropriate--legislation--until,--with
15 respect--to--any--such--home--mortgage--loan, the principal amount,
16 together-with-any-interest-and-penalties-due, have-been-received-by
17 the-board, the-money-attributable-to-any-bonds-issued-and--sold--by
18 the---board---to--provide--money--for--the--fund,--which--money--so
19 attributable-shall-include-but-shall-not-be-limited-to-the-proceeds
20 from-the-issuance-and-sale-of-such-bonds, income, rents,--and--any
21 other-pecuniary-benefit-received-by-the-board-as-a-result-of-making
22 such-loans, sums-received-by-way-of-indemnity-or-forfeiture-for-the
23 failure--of-any-bidder-for-the-purchase-of-any-such-bonds-to-comply
24 with-his-bid-and-accept--and--pay--for--such--bonds,--and--interest
25 received-from-investments-of-any-such-money.] The principal of and
26 interest on the general obligation bonds authorized by this section
27 for the benefit of the Veterans' Housing Assistance Fund shall be

1 paid out of the money of the fund, but the money of the fund which
2 is not immediately committed to the payment of principal and
3 interest on such bonds, the making of home mortgage loans as herein
4 provided, or the payment of expenses as herein provided may be
5 invested as authorized by law until the money is needed for such
6 purposes.

7 (f) -- To the extent there is not money in either the
8 Veterans' Bond Fund or the Veterans' Housing Assistance Fund as the
9 case may be available for payment of principal of and interest on
10 the general obligation bonds authorized by this section to provide
11 money for either of the funds, there is hereby appropriated out of
12 the first money coming into the treasury in each fiscal year not
13 otherwise appropriated by this constitution, an amount which is
14 sufficient to pay the principal of and interest on such general
15 obligation bonds that mature or become due during that fiscal year.

16 (g) -- Receipt of all kinds of the funds determined by the
17 board not to be required for the payment of principal of and
18 interest on the general obligation bonds herein authorized
19 heretofore authorized or hereafter authorized by this constitution
20 to be issued by the board to provide money for either of the funds
21 may be used by the board to the extent not inconsistent with the
22 proceedings authorizing such bonds to pay the principal of and
23 interest on general obligation bonds issued to provide money for
24 the other fund or to pay the principal of and interest on revenue
25 bonds of the board issued for the purposes of providing funds for
26 the purchasing of lands and making the same thereof to veterans or
27 making home mortgage loans to veterans as provided by this section.

1 The revenue bonds shall be special obligations and payable only
2 from the receipt of the funds and shall not constitute indebtedness
3 of the state or the Veterans' Land Board. The board is authorized
4 to issue such revenue bonds from time to time which shall not
5 exceed an aggregate principal amount that can be fully retired from
6 the receipts of the funds and other revenues pledged to the
7 retirement of the revenue bonds. The revenue bonds shall be issued
8 in such forms and denominations, upon such terms, at such times and
9 places, and in such installments as may be determined by the board,
10 and, notwithstanding the rate of interest specified by any other
11 provision of the constitution, shall bear a rate or rates of
12 interest fixed by the board.

13 [(h) This Amendment being intended only to establish a basic
14 framework and not to be a comprehensive treatment of the Veterans'
15 Housing Assistance Program and the Veterans' Land Program, there is
16 hereby reposed in the legislature full power to implement and
17 effectuate the design and objects of this Amendment, including the
18 power to delegate such duties, responsibilities, functions, and
19 authority to the Veterans' Land Board as it believes necessary.

20 [Sec. 49-b-2. (a) In addition to the general obligation
21 bonds authorized to be issued and to be sold by the Veterans' Land
22 Board by Sections 49-b and 49-b-1 of this article, the Veterans'
23 Land Board may provide for, issue, and sell general obligation
24 bonds of the state in an amount not to exceed \$750 million, to
25 provide financing to veterans of the state in recognition of their
26 service to their state and the United States of America.]

27 (h) The [(b) Two hundred fifty million dollars of the

1 general--obligation--bonds--authorized--by--this--section--shall--be--used
2 to--augment--the--Veterans'--Land--Fund--Notwithstanding--any--provision
3 of--Section--49-b--or--49-b-1--of--this--article--to--the--contrary--the
4 Veterans' Land Fund shall be used by the Veterans' Land Board to
5 purchase lands situated in the state owned by the United States
6 government, an agency of the United States government, this state,
7 a political subdivision or agency of this state, or a person, firm,
8 or corporation.

9 (i) Lands purchased and comprising a part of the Veterans'
10 Land Fund are declared to be held for a governmental purpose, but
11 the individual purchasers of those lands shall be subject to
12 taxation to the same extent and in the same manner as are
13 purchasers of lands dedicated to the Permanent Free Public School
14 Fund. The lands shall be sold to veterans in quantities, on terms,
15 at prices, and at fixed, variable, floating, or other rates of
16 interest, determined by the Board and in accordance with rules of
17 the Board. Notwithstanding any provisions of this section to the
18 contrary, lands in the Veterans' Land Fund that are offered for
19 sale to veterans and that are not sold may be sold or resold to the
20 purchasers in quantities, on terms, at prices, and at rates of
21 interest determined by the Board and in accordance with rules of
22 the Board.

23 (j) The expenses of the Board in connection with the
24 issuance of the bonds for the benefit of the Veterans' Land Fund
25 and the purchase and sale of the lands may be paid from money in
26 the Veterans' Land Fund.

27 (k) ~~(c)~~ The Veterans' Land Fund shall consist of:

1 (1) lands heretofore or hereafter purchased by the
2 Board;

3 (2) money attributable to bonds heretofore or
4 hereafter issued and sold by the Board for the fund, including
5 proceeds from the issuance and sale of the bonds;

6 (3) money received from the sale or resale of lands or
7 rights in lands purchased from those proceeds;

8 (4) money received from the sale or resale of lands or
9 rights in lands purchased with other money attributable to the
10 bonds;

11 (5) proceeds derived from the sale or other
12 disposition of the Board's interest in contracts for the sale or
13 resale of lands or rights in lands;

14 (6) interest and penalties received from the sale or
15 resale of lands or rights in lands;

16 (7) bonuses, income, rents, royalties, and other
17 pecuniary benefits received by the Board from lands;

18 (8) money received by way of indemnity or forfeiture
19 for the failure of a bidder for the purchase of bonds to comply
20 with the bid and accept and pay for the bonds or for the failure of
21 a bidder for the purchase of lands comprising a part of the
22 Veterans' Land Fund to comply with the bid and accept and pay for
23 the lands;

24 (9) payments received by the Board under a bond
25 enhancement agreement with respect to the bonds; and

26 (10) interest received from investments of money in
27 the fund.

1 (1) [†d†] The principal of and interest on the general
2 obligation bonds [authorized-by-this-section] for the benefit of
3 the Veterans' Land Fund, including payments by the Board under a
4 bond enhancement agreement with respect to principal of or interest
5 on the bonds, shall be paid out of the money of the Veterans' Land
6 Fund, but the money in the fund that is not immediately committed
7 to the payment of principal and interest on the bonds, the purchase
8 of lands, or the payment of expenses may be invested as authorized
9 by law until the money is needed for those purposes.

10 (m) [†e†] The Veterans' Housing Assistance Fund II [is
11 created,---and---\$500---million---of---the---general---obligation---bonds
12 authorized-by-this-section-shall-be-used-for-the-Veterans'-Housing
13 Assistance-Fund-II---The-Veterans'-Housing-Assistance-Fund-II] is a
14 separate and distinct fund from the Veterans' Housing Assistance
15 Fund [established-under-Section-49-b-1-of-this-article]. Money in
16 the Veterans' Housing Assistance Fund II shall be administered by
17 the Veterans' Land Board and shall be used to make home mortgage
18 loans to veterans for housing within this state in quantities, on
19 terms, and at fixed, variable, floating, or other rates of
20 interest, determined by the Board and in accordance with rules of
21 the Board. The expenses of the Board in connection with the
22 issuance of the bonds for the benefit of the Veterans' Housing
23 Assistance Fund II and the making of the loans may be paid from
24 money in the Veterans' Housing Assistance Fund II.

25 (n) [†f†] The Veterans' Housing Assistance Fund II shall
26 consist of:

27 (1) the Board's interest in home mortgage loans the

1 Board makes to veterans from money in the fund under the Veterans'
2 Housing Assistance Program established by law;

3 (2) proceeds derived from the sale or other
4 disposition of the Board's interest in home mortgage loans;

5 (3) money attributable to bonds issued and sold by the
6 Board to provide money for the fund, including the proceeds from
7 the issuance and sale of bonds;

8 (4) income, rents, and other pecuniary benefits
9 received by the Board as a result of making loans;

10 (5) money received by way of indemnity or forfeiture
11 for the failure of a bidder for the purchase of bonds to comply
12 with the bid and accept and pay for the bonds;

13 (6) payments received by the Board under a bond
14 enhancement agreement with respect to the bonds; and

15 (7) interest received from investments of money.

16 (o) [~~g~~] The principal of and interest on the general
17 obligation bonds [~~authorized--by--this--section~~] for the benefit of
18 the Veterans' Housing Assistance Fund II, including payments by the
19 Board under a bond enhancement agreement with respect to principal
20 of or interest on the bonds, shall be paid out of the money of the
21 Veterans' Housing Assistance Fund II, but the money in the fund
22 that is not immediately committed to the payment of principal and
23 interest on the bonds, the making of home mortgage loans, or the
24 payment of expenses may be invested as authorized by law until the
25 money is needed for those purposes.

26 (p) The [~~h~~--~~Notwithstanding--the--provisions--of--Section~~
27 ~~49-b-1--of--this--article--to--the--contrary,~~-the] Veterans' Housing

1 Assistance Fund shall consist of:

2 (1) the Board's interest in home mortgage loans the
3 Board makes to veterans from money in the fund under the Veterans'
4 Housing Assistance Program established by law;

5 (2) proceeds derived from the sale or other
6 disposition of the Board's interest in home mortgage loans;

7 (3) money attributable to bonds issued and sold by the
8 Board to provide money for the fund, including proceeds from the
9 issuance and sale of bonds;

10 (4) income, rents, and other pecuniary benefits
11 received by the Board as a result of making loans;

12 (5) money received by way of indemnity or forfeiture
13 for the failure of a bidder for the purchase of bonds to comply
14 with the bid and accept and pay for the bonds;

15 (6) payments received by the Board under a bond
16 enhancement agreement with respect to the bonds; and

17 (7) interest received from investments of money.

18 (g) [††] The principal of and interest on the general
19 obligation bonds [authorized-by-Section-49-b-1-of-this-article] for
20 the benefit of the Veterans' Housing Assistance Fund, including
21 payments by the Board under a bond enhancement agreement with
22 respect to principal of or interest on the bonds, shall be paid out
23 of money in the Veterans' Housing Assistance Fund.

24 (r) [††] If there is not enough money in the Veterans' Land
25 Fund, the Veterans' Housing Assistance Fund, or the Veterans'
26 Housing Assistance Fund II, as the case may be, available to pay
27 the principal of and interest on the general obligation bonds

1 benefiting those funds [~~authorized by this section or by Section~~
2 ~~49-b or 49-b-1 of this article~~], including money to make payments
3 by the Board under a bond enhancement agreement with respect to
4 principal of or interest on the bonds, there is appropriated out of
5 the first money coming into the treasury in each fiscal year, not
6 otherwise appropriated by this constitution, an amount that is
7 sufficient to pay the principal of and interest on the general
8 obligation bonds that mature or become due during that fiscal year
9 or to make bond enhancement payments with respect to those bonds.

10 (s) Receipts [~~(k) Notwithstanding any provisions of Section~~
11 ~~49-b or 49-b-1 of this article to the contrary, receipts~~] of all
12 kinds of the Veterans' Land Fund, the Veterans' Housing Assistance
13 Fund, or the Veterans' Housing Assistance Fund II that the Board
14 determines are not required for the payment of principal of and
15 interest on the general obligation bonds benefiting those funds,
16 including payments by the Board under a bond enhancement agreement
17 with respect to principal of or interest on the bonds, [~~authorized~~
18 ~~by this section or by Section 49-b or 49-b-1 of this article or~~
19 ~~otherwise authorized by this constitution to be issued by the Board~~
20 ~~to provide money for the fund~~], may be used by the Board, to the
21 extent not inconsistent with the proceedings authorizing the bonds
22 to:

23 (1) make temporary transfers to another of those funds
24 to avoid a temporary cash deficiency in that fund or make a
25 transfer to another of those funds for the purposes of that fund;

26 (2) pay the principal of and interest on general
27 obligation bonds issued to provide money for another of those funds

1 or make bond enhancement payments with respect to the bonds; or

2 (3) pay the principal of and interest on revenue bonds
3 of the Board or make bond enhancement payments with respect to the
4 bonds if the bonds are issued to provide funds to purchase lands
5 and sell lands to veterans or make home mortgage loans to veterans.

6 (t) ~~{t}~~ If the Board determines that assets from the
7 Veterans' Land Fund, the Veterans' Housing Assistance Fund, or the
8 Veterans' Housing Assistance Fund II are not required for the
9 purposes of the fund, the Board may transfer the assets to another
10 of those funds or use the assets to secure revenue bonds issued by
11 the Board under this section.

12 (u) ~~{u}~~ The revenue bonds shall be special obligations of
13 the Board and payable only from and secured only by receipts of the
14 funds, assets transferred from the funds, and other revenues and
15 assets as determined by the Board and shall not constitute
16 indebtedness of the state or the Veterans' Land Board. The Board
17 may issue revenue bonds from time to time, which bonds may not
18 exceed an aggregate principal amount that the Board determines can
19 be fully retired from the receipts of the funds, the assets
20 transferred from the funds, and the other revenues and assets
21 pledged to the retirement of the revenue bonds. ~~[The revenue bonds~~
22 ~~shall be issued and sold in forms and denominations in the manner~~
23 ~~on terms at times and places and in installments the Board~~
24 ~~determines.]~~ Notwithstanding the rate of interest specified by any
25 other provision of this constitution, ~~[the]~~ revenue bonds shall
26 bear a rate or rates of interest the Board determines. ~~A~~
27 determination made by the Board under this subsection shall be

1 binding and conclusive as to the matter determined.

2 (v) ~~The [(n)--Notwithstanding-any-provisions-of-Section-49-b~~
3 ~~or-49-b-1-of-this-article-to-the-contrary,-the]~~ bonds authorized to
4 be issued and sold by the Veterans' Land Board [~~by-this-section-or~~
5 ~~by-Sections-49-b-and-49-b-1-of-this-article]~~ shall be issued and
6 sold in forms and denominations, on terms, at times, in the manner,
7 at places, and in installments the Board determines. The bonds
8 shall bear a rate or rates of interest the Board determines. The
9 bonds shall be incontestable after execution by the Board, approval
10 by the Attorney General of Texas, and delivery to the purchaser or
11 purchasers of the bonds.

12 (w) ~~[(t)]~~ This Amendment being intended only to establish a
13 basic framework and not to be a comprehensive treatment of the
14 Veterans' Housing Assistance Program and the Veterans' Land
15 Program, there is hereby reposed in the Legislature full power to
16 implement and effectuate the design and objects of this Amendment,
17 including the power to delegate such duties, responsibilities,
18 functions, and authority to the Veterans' Land Board as it believes
19 necessary.

20 ~~[(p)--In-this-section,-"veteran"-has-the-meaning-assigned--by~~
21 ~~Section-49-b-1-of-this-article-~~

22 ~~[Sec.-49-b-3.----(a)---In--addition-to-the-general-obligation~~
23 ~~bonds-authorized-to-be-issued-and-to-be-sold-by-the-Veterans'-Land~~
24 ~~Board--by--Sections--49-b,-49-b-1,-and-49-b-2-of-this-article,-the~~
25 ~~Veterans'-Land-Board-may--provide--for,-issue,-and--sell--general~~
26 ~~obligation--bonds--of--the--state--in--an-amount-not-to-exceed-\$500~~
27 ~~million-to-provide-housing-financing-to-veterans-of--the--state--in~~

1 recognize--of--their--service--to--their--state--and--the--United--States
2 The--Veterans--Band--Board--may--enter--into--bond--enhancement--agreements
3 with--respect--to--the--bonds--The--proceeds--from--the--issuance--and--sale
4 of--the--bonds--authorized--by--this--section--shall--be--used--to--augment
5 the--Veterans--Housing--Assistance--Fund--to--be--administered--and
6 invested--as--provided--by--law

7 [(b)--The--principal--of--and--interest--on--the--general--obligation
8 bonds--authorized--by--this--section--including--payments--under--bond
9 enhancement--agreements--with--respect--to--principal--of--or--interest--on
10 the--bonds--shall--be--payable--from--the--sources--and--in--the--manner
11 provided--by--Section--49-b-2--of--this--article--for--general--obligation
12 bonds--issued--under--this--section--to--augment--the--Veterans--Housing
13 Assistance--Fund--]

14 [(c)--The--general--obligation--bonds--authorized--by--this--section
15 shall--be--issued--and--sold--in--forms--and--denominations--on--terms--at
16 times--in--the--manner--at--places--and--in--instalments--the--Veterans--
17 Band--Board--determines--The--bonds--shall--bear--a--rate--or--rates--of
18 interest--the--Veterans--Band--Board--determines--The--bonds--authorized
19 by--this--section--shall--be--incontestable--after--execution--by--the
20 Veterans--Band--Board--approved--by--the--attorney--general--and
21 delivery--to--the--purchaser--or--purchasers--of--the--bonds]

22 SECTION 15. Sections 49-c, 49-d, 49-d-1, 49-d-2, 49-d-5,
23 49-d-6, 49-d-7, and 49-d-8, Article III, Texas Constitution, are
24 amended to read as follows:

25 Sec. 49-c. (a) The Texas Water Development Board, [There--is
26 hereby--created--as] an agency of the State of Texas, shall [the
27 Texas--Water--Development--Board--to] exercise such powers as necessary

1 under this provision together with such other duties and
2 restrictions as may be prescribed by law. The qualifications,
3 compensation, and number of members of said Board shall be
4 determined by law. They shall be appointed by the Governor with
5 the advice and consent of the Senate in the manner and for such
6 terms as may be prescribed by law.

7 (b) The Texas Water Development Board shall have the
8 authority to provide for, issue and sell general obligation bonds
9 of the State of Texas as authorized by constitutional amendment or
10 by a debt proposition under Section 49 of this article [in-an
11 ~~amount-not-to-exceed-One-Hundred-Million--Dollars--(\$100,000,000)~~].
12 [The--Legislature--of--Texas,--upon--two-thirds--(2/3)--vote-of-the
13 ~~elected-Members-of-each-House,--may-authorize--the--Board--to--issue~~
14 ~~additional--bonds--in--an--amount-not-exceeding-One-Hundred-Million~~
15 ~~Dollars--(\$100,000,000);~~] The bonds [authorized-herein-or-permitted
16 ~~to-be-authorized-by-the-Legislature~~] shall be called "Texas Water
17 Development Bonds," shall be executed in such form, denominations
18 and upon such terms as may be prescribed by law, and [provided,
19 ~~however,--that--the--bonds--shall--not--bear--more--than--four--per--cent--(4%)~~
20 ~~interest-per-annum,--they~~] may be issued in such installments as the
21 Board finds feasible and practical in accomplishing the purpose set
22 forth herein.

23 (c) All moneys received from the sale of the [State] bonds
24 shall be deposited in a fund hereby created in the State Treasury
25 to be known as the Texas Water Development Fund to be administered
26 (without further appropriation) by the Texas Water Development
27 Board in such manner as prescribed by law.

1 (d) Such fund shall be used only for the purpose of aiding
2 or making funds available upon such terms and conditions as the
3 Legislature may prescribe, to the various political subdivisions or
4 bodies politic and corporate of the State of Texas including river
5 authorities, conservation and reclamation districts and districts
6 created or organized or authorized to be created or organized under
7 Article XVI, Section 59 or Article III, Section 52, of this
8 Constitution, interstate compact commissions to which the State of
9 Texas is a party and municipal corporations, in the conservation
10 and development of the water resources of this State, including the
11 control, storing and preservation of its storm and flood waters and
12 the waters of its rivers and streams, for all useful and lawful
13 purposes by the acquisition, improvement, extension, or
14 construction of dams, reservoirs and other water storage projects,
15 including any system necessary for the transportation of water from
16 storage to points of treatment and/or distribution, including
17 facilities for transporting water therefrom to wholesale
18 purchasers, or for any one or more of such purposes or methods.

19 (e) Any or all financial assistance as provided herein shall
20 be repaid with interest upon such terms, conditions and manner of
21 repayment as may be provided by law.

22 (f) While any of the Texas Water Development Bonds [bonds
23 ~~authorized by this provision or while any of the bonds that may be~~
24 ~~authorized by the legislature under this provision], or any
25 interest on any of such bonds, is outstanding and unpaid, there is
26 hereby appropriated out of the first moneys coming into the
27 Treasury in each fiscal year, not otherwise appropriated by this~~

1 Constitution, an amount which is sufficient to pay the principal
2 and interest on such bonds that mature or become due during such
3 fiscal year, less the amount in the sinking fund at the close of
4 the prior fiscal year.

5 (g) The Legislature may provide for the investment of moneys
6 available in the Texas Water Development Fund, and the interest and
7 sinking funds established for the payment of bonds issued by the
8 Texas Water Development Board. Income from such investment shall
9 be used for the purposes prescribed by the Legislature. The
10 Legislature may also make appropriations from the General Revenue
11 Fund for paying administrative expenses of the Board.

12 (h) From the moneys received by the Texas Water Development
13 Board as repayment of principal for financial assistance or as
14 interest thereon, there shall be deposited in the interest and
15 sinking fund for the bonds [~~authorized-by-this-Section~~] sufficient
16 moneys to pay the interest and principal to become due during the
17 ensuing year and sufficient to establish and maintain a reserve in
18 said fund equal to the average annual principal and interest
19 requirements on all outstanding bonds [~~issued-under-this--Section~~].
20 If any year [~~prior--to-December-31,--1982~~] moneys are received in
21 excess of the foregoing requirements then such excess shall be
22 deposited to the Texas Water Development Fund, and may be used for
23 administrative expenses of the Board and for the same purposes and
24 upon the same terms and conditions prescribed for the proceeds
25 derived from the sale of such State bonds. [~~No-grant-of--financial~~
26 ~~assistance-shall-be-made-under-the-provisions-of-this-Section-after~~
27 ~~December--31,--1982,--and--all--moneys--thereafter--received--as--repayment~~

1 of principal for financial assistance or as interest thereon shall
2 be deposited in the interest and sinking fund for the State bonds
3 except that such amount as may be required to meet the
4 administrative expenses of the Board may be annually set aside and
5 provided that after all State bonds have been fully paid with
6 interest or after there are on deposit in the interest and sinking
7 fund sufficient moneys to pay all future maturities of principal
8 and interest additional moneys so received shall be deposited to
9 the General Revenue Fund.]

10 (i) All Texas Water Development Bonds [bonds issued
11 hereunder] shall after approval by the Attorney General,
12 registration by the Comptroller of Public Accounts of the State of
13 Texas, and delivery to the purchasers, be incontestable and shall
14 constitute general obligations of the State of Texas under the
15 Constitution of Texas.

16 [Should the Legislature enact enabling laws in anticipation
17 of the adoption of this amendment, such acts shall not be void by
18 reason of their anticipatory nature.]

19 Sec. 49-d. (a) It is hereby declared to be the policy of
20 the State of Texas to encourage the optimum development of the
21 limited number of feasible sites available for the construction or
22 enlargement of dams and reservoirs for conservation of the public
23 waters of the state, which waters are held in trust for the use and
24 benefit of the public, and to encourage the optimum regional
25 development of systems built for the filtration, treatment, and
26 transmission of water and wastewater. The proceeds from the sale
27 of [the additional] bonds [authorized hereunder] deposited in the

1 Texas Water Development Fund [~~and the proceeds of bonds previously~~
2 ~~authorized by Article III, Section 49-c of this Constitution,~~] may
3 be used by the Texas Water Development Board, under such provisions
4 as the Legislature may prescribe by General Law, including the
5 requirement of a permit for storage or beneficial use, for the
6 additional purposes of acquiring and developing storage facilities,
7 and any system or works necessary for the filtration, treatment and
8 transportation of water or wastewater, or for any one or more of
9 such purposes or methods, whether or not such a system or works is
10 connected with a reservoir in which the state has a financial
11 interest; provided, however, the Texas Water Development Fund or
12 any other state fund provided for water development, transmission,
13 transfer or filtration shall not be used to finance any project
14 which contemplates or results in the removal from the basin of
15 origin of any surface water necessary to supply the reasonably
16 foreseeable future water requirements for the next ensuing
17 fifty-year period within the river basin of origin, except on a
18 temporary, interim basis.

19 (b) Under such provisions as the Legislature may prescribe
20 by General Law the Texas Water Development Fund may be used for the
21 conservation and development of water for useful purposes by
22 construction or reconstruction or enlargement of reservoirs
23 constructed or to be constructed or enlarged within the State of
24 Texas or on any stream constituting a boundary of the State of
25 Texas, together with any system or works necessary for the
26 filtration, treatment and/or transportation of water, by any one or
27 more of the following governmental agencies: by the United States

1 of America or any agency, department or instrumentality thereof; by
2 the State of Texas or any agency, department or instrumentality
3 thereof; by political subdivisions or bodies politic and corporate
4 of the state; by interstate compact commissions to which the State
5 of Texas is a party; and by municipal corporations. The
6 Legislature shall provide terms and conditions under which the
7 Texas Water Development Board may sell, transfer or lease, in whole
8 or in part, any reservoir and associated system or works which the
9 Texas Water Development Board has financed in whole or in part.

10 (c) Under such provisions as the Legislature may prescribe
11 by General Law, the Texas Water Development Board may also execute
12 long-term contracts with the United States or any of its agencies
13 for the acquisition and development of storage facilities in
14 reservoirs constructed or to be constructed by the Federal
15 Government. Such contracts when executed shall constitute general
16 obligations of the State of Texas in the same manner and with the
17 same effect as state bonds issued under the authority of [the
18 preceding] Section 49-c of this article [Constitution], and the
19 provisions of [in-said] Section 49-c of this article with respect
20 to payment of principal and interest on state bonds issued shall
21 likewise apply with respect to payment of principal and interest
22 required to be paid by such contracts. If storage facilities are
23 required for a term of years, such contracts shall contain
24 provisions for renewal that will protect the state's investment.

25 [~~The--aggregate--of--the--bonds--authorized--hereunder--shall--not~~
26 ~~exceed--\$200,000,000--and--shall--be--in--addition--to--the--aggregate--of~~
27 ~~the--bonds--previously--authorized--by--said--Section--49-c--of--Article--XX~~

1 of--this--Constitution.--The-Legislature-upon-two-thirds-(2/3)-vote
2 of-the-elected-members-of-each-House,--may-authorize--the--Board--to
3 issue--all--or-any-portion-of-such-\$200,000,000-in-additional-bonds
4 herein-authorized.]

5 (d) The Legislature shall provide terms and conditions for
6 the Texas Water Development Board to sell, transfer or lease, in
7 whole or in part, any acquired facilities or the right to use such
8 facilities at a price not less than the direct cost of the Board in
9 acquiring same; and the Legislature may provide terms and
10 conditions for the Board to sell any unappropriated public waters
11 of the state that might be stored in such facilities. As a
12 prerequisite to the purchase of such storage or water, the
13 applicant therefor shall have secured a valid permit from the state
14 [~~Texas--Water--Commission--or--its--successor~~] authorizing the
15 acquisition of such storage facilities or the water impounded
16 therein. The money received from any sale, transfer or lease of
17 facilities shall be used to pay principal and interest on state
18 bonds issued or contractual obligations incurred by the Texas Water
19 Development Board, provided that when moneys are sufficient to pay
20 the full amount of indebtedness then outstanding and the full
21 amount of interest to accrue thereon, any further sums received
22 from the sale, transfer or lease of such facilities shall be
23 deposited and used as provided by law. Money received from the
24 sale of water, which shall include standby service, may be used for
25 the operation and maintenance of acquired facilities, and for the
26 payment of principal and interest on debt incurred.

27 [~~Should-the-Legislature-enact-enabling-laws--in--anticipation~~

1 of--the--adoption-of-this-Amendment,--such-Acts-shall-not-be-void-by
2 reason-of-their-anticipatory-character.]

3 Sec. 49-d-1. (a) The Texas Water Development Board may
4 [shall--upon--direction--of--the--Texas-Water-Quality-Board--or--any
5 successor-agency-designated-by-the-legislature] issue [additional]
6 Texas Water Development Bonds as authorized by constitutional
7 amendment or by a debt proposition under Section 49 of this article
8 [up-to-an-additional-aggregate-principal-amount-of-\$20070007000] to
9 provide grants, loans, or any combination of grants and loans for
10 water quality enhancement purposes as established by the
11 Legislature[----The--Texas--Water--Quality--Board--or--any-successor
12 agency-designated-by-the-legislature--may--make--such--grants--and
13 loans] to political subdivisions or bodies politic and corporate of
14 the State of Texas, including municipal corporations, river
15 authorities, conservation and reclamation districts, and districts
16 created or organized or authorized to be created or organized under
17 Article XVI, Section 59, or Article III, Section 52, of this
18 Constitution, State agencies, and interstate agencies and compact
19 commissions to which the State of Texas is a party, and upon such
20 terms and conditions as the Legislature may authorize by general
21 law. The bonds shall be issued for such terms, in such
22 denominations, form and installments, and upon such conditions as
23 the Legislature may authorize.

24 [(b)--The--proceeds--from--the--sale--of--such-bonds-shall-be
25 deposited-in-the-Texas-Water-Development-Fund-to-be--invested--and
26 administered-as-prescribed-by-law.]

27 [(c)--The--bonds--authorized--in--this-Section-49-d-1--and--all

1 bonds authorized by Sections 49-c and 49-d of Article III shall
2 bear interest at not more than 6% per annum and mature as the Texas
3 Water Development Board shall prescribe, subject to the limitations
4 as may be imposed by the Legislature.]

5 (b) [(d)] The Texas Water Development Fund shall be used for
6 the purposes heretofore permitted by, and subject to the
7 limitations in this Section and Sections 49-c and [7] 49-d [and
8 49-d-1]; provided, however, that the financial assistance may be
9 made [pursuant to the provisions of Sections 49-c, 49-d and 49-d-1]
10 subject only to the availability of funds [and without regard to
11 the provisions in Section 49-c that such financial assistance
12 shall terminate after December 31, 1982].

13 [(e)] Texas Water Development Bonds are secured by the
14 general credit of the State and shall after approval by the
15 Attorney General, registration by the Comptroller of Public
16 Accounts of the State of Texas, and delivery to the purchasers, be
17 incontestable and shall constitute general obligations of the State
18 of Texas under the Constitution of Texas.

19 [(f)] Should the Legislature enact enabling laws in
20 anticipation of the adoption of this amendment, such Acts shall not
21 be void by reason of their anticipatory character.]

22 Sec. 49-d-2. [(a)] The Texas Water Development Board may
23 issue [additional] Texas Water Development Bonds [up to an
24 additional aggregate principal amount of \$980 million. Of the
25 additional bonds authorized to be issued, \$590 million of those
26 bonds are dedicated for use for the purposes provided by Sections
27 49-c and 49-d of this article with \$400 million of those bonds to

1 ~~[(e) Bonds issued under this section shall bear interest as~~
2 ~~provided by Section 65 of this article.]~~

3 Sec. 49-d-5. For the purpose of any program established or
4 authorized by ~~[Section 49-c, 49-d, 49-d-1, 49-d-2, or 49-d-4 of]~~
5 this article and administered by the Texas Water Development Board,
6 the legislature by law may extend any benefits to nonprofit water
7 supply corporations that it may extend to a district created or
8 organized under Article XVI, Section 59, of this constitution.

9 Sec. 49-d-6. ~~[(a) The Texas Water Development Board may~~
10 ~~issue additional Texas Water Development Bonds up to an additional~~
11 ~~aggregate principal amount of \$400 million. Of the additional~~
12 ~~bonds authorized to be issued, \$200 million of those bonds shall be~~
13 ~~used for purposes provided by Section 49-c of this article, \$150~~
14 ~~million of those bonds shall be used for purposes provided by~~
15 ~~Section 49-d-1 of this article, and \$50 million of those bonds~~
16 ~~shall be used for flood control as provided by law.]~~

17 ~~[(b)]~~ The legislature may require review and approval of the
18 issuance of Texas Water Development Bonds ~~[the bonds]~~, of the use
19 of the bond proceeds, or of the rules adopted by an agency to
20 govern use of the bond proceeds. Notwithstanding any other
21 provision of this constitution, any entity created or directed to
22 conduct this review and approval may include members or appointees
23 of members of the executive, legislative, and judicial departments
24 of state government.

25 ~~[(c) The Texas Water Development Board shall issue the~~
26 ~~additional bonds authorized by this section for the terms, in the~~
27 ~~denominations, form, and installments, on the conditions, and~~

1 subject to the limitations provided by Sections 49-c and 49-d-1 of
2 this article and by laws adopted by the legislature implementing
3 this section.

4 (d) Subsections (c) through (e) of Section 49-d-2 of this
5 article apply to the bonds authorized by this section.]

6 Sec. 49-d-7. (a) [The Texas Water Development Board may
7 issue additional Texas water development bonds up to an additional
8 aggregate principal amount of \$500 million of the additional
9 bonds authorized to be issued, \$250 million of those bonds shall be
10 used for purposes provided by Section 49-c of this article, \$200
11 million of those bonds shall be used for purposes provided by
12 Section 49-d-1 of this article, and \$50 million of those bonds
13 shall be used for flood control as provided by law.]

14 (b) The Texas Water Development Board may use the proceeds
15 of Texas water development bonds issued for the purposes provided
16 by Section 49-c of this article for the additional purpose of
17 providing financial assistance, on terms and conditions provided by
18 law, to various political subdivisions and bodies politic and
19 corporate of the state and to nonprofit water supply corporations
20 to provide for acquisition, improvement, extension, or construction
21 of water supply projects that involve the distribution of water to
22 points of delivery to wholesale or retail customers.

23 (c) The legislature may require review and approval of the
24 issuance of the bonds, the use of the bond proceeds, or the rules
25 adopted by an agency to govern use of the bond proceeds.
26 Notwithstanding any other provision of this constitution, any
27 entity created or directed to conduct this review and approval may

1 include---members--or--appointees--of--members--of--the--executive,
2 legislative, and judicial departments of state government.

3 [~~(d)~~ Except as specifically provided by Subsection ~~(e)~~ of
4 this section, the Texas Water Development Board shall issue the
5 additional bonds authorized by this section for the terms, in the
6 denominations, form, and installments, on the conditions, and
7 subject to the limitations provided by Sections 49-c and 49-d-1 of
8 this article and by laws adopted by the legislature implementing
9 this section.]

10 (b) [~~(e)~~] The legislature may provide by law for subsidized
11 loans and grants from the proceeds of Texas water development bonds
12 [~~authorized by this section~~] to provide wholesale and retail water
13 and wastewater facilities to economically distressed areas of the
14 state as defined by law, provided, the principal amount of bonds
15 that may be issued for the purposes under this subsection may not
16 exceed \$250 million [~~50 percent of the total amount of bonds~~
17 ~~authorized by this section~~]. Separate accounts shall be
18 established in the water development fund for administering the
19 proceedings of bonds issued for purposes under this subsection, and
20 an interest and sinking fund separate from and not subject to the
21 limitations of the interest and sinking fund created [~~pursuant to~~
22 ~~Section 49-c~~] for other Texas water development bonds is
23 established in the State Treasury to be used for paying the
24 principal of and interest on bonds for the purposes of the
25 subsection. While any of the bonds authorized for the purposes of
26 this subsection or any of the interest on those bonds is
27 outstanding and unpaid, there is appropriated out of the first

1 money coming into the State Treasury in each fiscal year, not
2 otherwise appropriated by this constitution, an amount that is
3 sufficient to pay the principal of and interest on those bonds
4 issued for the purposes under this subsection that mature or become
5 due during that fiscal year.

6 [~~(f)~~--Subsections--~~(e)~~--through--~~(e)~~--of--Section--49-d-2--of--this
7 article--apply--to--the--bonds--authorized--by--this--section]

8 Sec. 49-d-8. (a) The Texas Water Development Fund II is
9 [created] in the state treasury as a fund separate and distinct
10 from the Texas Water Development Fund established under Section
11 49-c of this article. Money in the Texas Water Development Fund II
12 shall be administered without further appropriation by the Texas
13 Water Development Board and shall be used for any one or more of
14 the purposes currently or formerly authorized by Sections 49-c,
15 49-d, 49-d-1, 49-d-2, 49-d-5, 49-d-6, and 49-d-7 of this article,
16 as determined by the Texas Water Development Board. Separate
17 accounts shall be established in the Texas Water Development Fund
18 II for administering proceedings related to the purposes described
19 in Section 49-d of this article, the purposes described in
20 Subsection (b) [~~(e)~~] of Section 49-d-7 of this article, and all
21 other authorized purposes. The Texas Water Development Board is
22 hereby authorized, at its determination, to issue general
23 obligation bonds for one or more accounts of the Texas Water
24 Development Fund II in an aggregate principal amount equal to the
25 amount of bonds previously authorized pursuant to former Section
26 49-d-6 and Sections 49-d-2[7-49-d-67] and 49-d-7 of this article
27 less the amount of bonds issued pursuant to those sections to

1 augment the Texas Water Development Fund and the amount of bonds
2 issued to augment the Texas Water Development Fund II. Nothing in
3 this section, however, shall grant to the Texas Water Development
4 Board the authority to issue bonds [~~under this section and under~~
5 ~~Sections 49-d-2, 49-d-6, and 49-d-7 of this article~~] in excess of
6 the total amount of those previously authorized bonds [~~described in~~
7 ~~Sections 49-d-2, 49-d-6, and 49-d-7 of this article~~] or to issue
8 bonds for purposes described in Subsection (b) [~~(e)~~] of Section
9 49-d-7 of this article in excess of \$250 million. The expenses of
10 the Texas Water Development Board in connection with the issuance
11 of bonds for an account of the Texas Water Development Fund II and
12 administration of such account may be paid from money in such
13 account.

14 (b) The Texas Water Development Board is hereby authorized,
15 at its determination, to issue general obligation bonds for one or
16 more accounts of the Texas Water Development Fund II in order to
17 refund outstanding bonds previously issued to augment the Texas
18 Water Development Fund, as long as the principal amount of the
19 refunding bonds does not exceed the outstanding principal amount of
20 the refunded bonds, and to refund the general obligation of the
21 State of Texas under long-term contracts entered into by the Texas
22 Water Development Board with the United States or any of its
23 agencies under authority granted by Section 49-d of this article,
24 as long as the principal amount of the refunding bonds does not
25 exceed the principal amount of the contractual obligation of the
26 Texas Water Development Board. Money and assets in the Texas Water
27 Development Fund attributable to such refunding bonds shall be

1 transferred to the appropriate account of the Texas Water
2 Development Fund II, as determined by the Texas Water Development
3 Board, to the extent not inconsistent with the proceedings
4 authorizing any outstanding bonds issued to augment the Texas Water
5 Development Fund and the terms of any long-term contracts entered
6 into by the Texas Water Development Board with the United States or
7 any of its agencies. In addition, the Texas Water Development
8 Board may transfer other moneys and assets in the Texas Water
9 Development Fund to the appropriate account of the Texas Water
10 Development Fund II, as determined by the Texas Water Development
11 Board, without the necessity of issuing refunding bonds to effect
12 the transfer, to the extent not inconsistent with the proceedings
13 authorizing any outstanding bonds issued to augment the Texas Water
14 Development Fund. Further, at such time as all bonds issued to
15 augment the Texas Water Development Fund and all such contractual
16 obligations have been paid or otherwise discharged, all money and
17 assets in the Texas Water Development Fund shall be transferred to
18 the credit of the Texas Water Development Fund II and deposited to
19 the accounts therein, as determined by the Texas Water Development
20 Board.

21 (c) Subject to the limitations set forth in Section 49-d of
22 this article, the legislature shall provide terms and conditions
23 under which the Texas Water Development Board may sell, transfer,
24 or lease, in whole or in part, facilities held for the account
25 established within the Texas Water Development Fund II for
26 administering proceedings related to the purposes described in
27 Section 49-d of this article, and the legislature may provide terms

1 and conditions under which the Texas Water Development Board may
2 sell any unappropriated public waters of the state that may be
3 stored in such facilities. Money received from any sale, transfer,
4 or lease of such facilities or water shall be credited to the
5 account established within the Texas Water Development Fund II for
6 the purpose of administering proceedings related to the purposes
7 described in Section 49-d of this article.

8 (d) Each account of the Texas Water Development Fund II
9 shall consist of:

10 (1) the Texas Water Development Board's rights to
11 receive repayment of financial assistance provided from such
12 account, together with any evidence of such rights;

13 (2) money received from the sale or other disposition
14 of the Texas Water Development Board's rights to receive repayment
15 of such financial assistance;

16 (3) money received as repayment of such financial
17 assistance;

18 (4) money and assets attributable to bonds issued and
19 sold by the Texas Water Development Board for such account,
20 including money and assets transferred from the Texas Water
21 Development Fund pursuant to this section;

22 (5) money deposited in such account pursuant to
23 Subsection (c) of this section;

24 (6) payments received by the Texas Water Development
25 Board under a bond enhancement agreement as authorized by law with
26 respect to bonds issued for such account; and

27 (7) interest and other income received from investment

1 of money in such account.

2 (e) Notwithstanding the other provisions of [Sections
3 49-d-27--49-d-67--and-49-d-7-of] this article, the principal of and
4 interest on the general obligation bonds issued for an account of
5 the Texas Water Development Fund II, including payments by the
6 Texas Water Development Board under a bond enhancement agreement as
7 authorized by law with respect to principal of or interest on such
8 bonds, shall be paid out of such account, but the money in such
9 account that is not immediately committed to the purposes of such
10 account or the payment of expenses may be invested as authorized by
11 law until the money is needed for those purposes. If there is not
12 enough money in any account available to pay the principal of and
13 interest on the general obligation bonds issued for such account,
14 including money to make payments by the Texas Water Development
15 Board under a bond enhancement agreement as authorized by law with
16 respect to principal of or interest on such bonds, there is
17 appropriated out of the first money coming into the state treasury
18 in each fiscal year not otherwise appropriated by this constitution
19 an amount that is sufficient to pay the principal of and interest
20 on such general obligation bonds that mature or become due during
21 that fiscal year or to make bond enhancement payments with respect
22 to those bonds.

23 (f) The general obligation bonds authorized by this section
24 may be issued as bonds, notes, or other obligations as permitted by
25 law and shall be sold in forms and denominations, on terms, at
26 times, in the manner, at places, and in installments, all as
27 determined by the Texas Water Development Board. The bonds shall

1 bear a rate or rates of interest the Texas Water Development Board
2 determines. The bonds authorized by this section shall be
3 incontestable after execution by the Texas Water Development Board,
4 approval by the attorney general, and delivery to the purchaser or
5 purchasers of the bonds.

6 (g) This section being intended only to establish a basic
7 framework and not to be a comprehensive treatment of the Texas
8 Water Development Fund II, there is hereby reposed in the
9 legislature full power to implement and effectuate the design and
10 objects of this section, including the power to delegate such
11 duties, responsibilities, functions, and authority to the Texas
12 Water Development Board as it believes necessary.

13 (h) The Texas Water Development Fund II, including any
14 account in that fund, may not be used to finance or aid any project
15 that contemplates or results in the removal from the basin of
16 origin of any surface water necessary to supply the reasonably
17 foreseeable future water requirements for the next ensuing 50-year
18 period within the river basin of origin, except on a temporary,
19 interim basis.

20 SECTION 16. Section 49-e, Article III, Texas Constitution,
21 is amended to read as follows:

22 Sec. 49-e. (a) The Parks and Wildlife Department, or its
23 successor vested with the powers, duties, and authority which deals
24 with the operation, maintenance, and improvement of State Parks,
25 shall have the authority to provide for, issue and sell general
26 obligation bonds of the State of Texas in an amount authorized by
27 constitutional amendment or by a debt proposition under Section 49

1 of this article [~~not--to--exceed--Seventy-Five--Million--Dollars~~
2 ~~(\$75,000,000)~~]. The bonds [authorized--herein] shall be called
3 "Texas Park Development Bonds," shall be executed in such form,
4 denominations, and upon such terms as may be prescribed by law,
5 [provided--however--that--the--bonds] shall bear a rate or rates of
6 interest as may be fixed by the Parks and Wildlife Department or
7 its successor, not to exceed the maximum prescribed by Section 65
8 of this article, and [~~but--the--weighted--average--annual--interest~~
9 ~~rate--as--that--phrase--is--commonly--and--ordinarily--used--and--understood~~
10 ~~in--the--municipal--bond--market--of--all--the--bonds--issued--and--sold--in~~
11 ~~any--installment--of--any--bonds--shall--not--exceed--four--and--one-half~~
12 ~~percent--(4--1/2%)--interest--per--annum--they]~~ may be issued in such
13 installments as said Parks and Wildlife Department, or its said
14 successor, finds feasible and practical in accomplishing the
15 purpose set forth herein.

16 (b) All moneys received from the sale of said bonds shall be
17 deposited in a fund hereby created with the Comptroller of Public
18 Accounts of the State of Texas to be known as the Texas Park
19 Development Fund to be administered (without further appropriation)
20 by the said Parks and Wildlife Department, or its said successor,
21 in such manner as prescribed by law.

22 (c) Such fund shall be used by said Parks and Wildlife
23 Department, or its said successor, under such provisions as the
24 Legislature may prescribe by general law, for the purposes of
25 acquiring lands from the United States, or any governmental agency
26 thereof, from any governmental agency of the State of Texas, or
27 from any person, firm, or corporation, for State Park Sites and for

1 developing said sites as State Parks.

2 (d) While any of the bonds [~~authorized-by-this-provision~~],
3 or any interest on any such bonds, is outstanding and unpaid, there
4 is hereby appropriated out of the first moneys coming into the
5 Treasury in each fiscal year, not otherwise appropriated by this
6 Constitution, an amount which is sufficient to pay the principal
7 and interest on such bonds that mature or become due during such
8 fiscal year, less the amount in the interest and sinking fund at
9 the close of the prior fiscal year, which includes any receipts
10 derived during the prior fiscal year by said Parks and Wildlife
11 Department, or its said successor, from admission charges to State
12 Parks, as the Legislature may prescribe by general law.

13 (e) The Legislature may provide for the investment of moneys
14 available in the Texas Park Development Fund and the interest and
15 sinking fund established for the payment of bonds issued by said
16 Parks and Wildlife Department, or its said successor. Income from
17 such investment shall be used for the purposes prescribed by the
18 Legislature.

19 (f) From the moneys received by said Parks and Wildlife
20 Department, or its said successor, from the sale of the bonds
21 issued hereunder, there shall be deposited in the interest and
22 sinking fund for the bonds authorized by this section sufficient
23 moneys to pay the interest to become due during the State fiscal
24 year in which the bonds were issued. After all bonds have been
25 fully paid with interest, or after there are on deposit in the
26 interest and sinking fund sufficient moneys to pay all future
27 maturities of principal and interest, additional moneys received

1 from admission charges to State Parks shall be deposited to the
2 State Parks Fund, or any successor fund which may be established by
3 the Legislature as a depository for Park revenue earned by said
4 Parks and Wildlife Department, or its said successor.

5 (a) All bonds issued hereunder shall after approval by the
6 Attorney General, registration by the Comptroller of Public
7 Accounts of the State of Texas, and delivery to the purchasers, be
8 incontestable and shall constitute general obligations of the State
9 of Texas under the Constitution of Texas.

10 [~~Should the Legislature enact enabling laws in anticipation~~
11 ~~of the adoption of this amendment, such Acts shall not be void by~~
12 ~~reason of their anticipatory nature.~~]

13 SECTION 17. Section 49-h, Article III, Texas Constitution,
14 is amended to read as follows:

15 Sec. 49-h. (a) In amounts authorized by constitutional
16 amendment or by a debt proposition under Section 49 of this
17 article, the [The] legislature may provide for [authorize] the
18 issuance of [up to \$500 million in] general obligation bonds and
19 the use of the bond proceeds for acquiring, constructing, or
20 equipping new facilities or for major repair or renovation of
21 existing facilities of corrections institutions, including youth
22 corrections institutions, and mental health and mental retardation
23 institutions. The legislature may require the review and approval
24 of the issuance of the bonds and the projects to be financed by the
25 bond proceeds. Notwithstanding any other provision of this
26 constitution, the issuer of the bonds or any entity created or
27 directed to review and approve projects may include members or

1 appointees of members of the executive, legislative, and judicial
2 departments of state government.

3 (b) Bonds issued under this section constitute a general
4 obligation of the state. While any of the bonds or interest on the
5 bonds is outstanding and unpaid, there is appropriated out of the
6 first money coming into the treasury in each fiscal year, not
7 otherwise appropriated by this constitution, the amount sufficient
8 to pay the principal of and interest on the bonds that mature or
9 become due during the fiscal year, less any amount in any sinking
10 fund at the end of the preceding fiscal year that is pledged to
11 payment of the bonds or interest.

12 (c) In addition to the purposes authorized under Subsection
13 (a), the [~~(1) The~~] legislature may authorize the issuance of the
14 [up to \$400 million in] general obligation bonds [~~in addition to~~
15 ~~the amount authorized by Subsection (a) of this section, and use~~
16 ~~the proceeds of the bonds] for acquiring, constructing, or
17 equipping:~~

18 (1) new [~~corrections institutions, mental health and~~
19 ~~mental retardation institutions, youth corrections institutions,~~
20 and] statewide law enforcement facilities and for major repair or
21 renovation of existing facilities; and [~~of these institutions.~~

22 [~~(2) The provisions of Subsection (a) of this section~~
23 ~~relating to the review and approval of bonds and the provisions of~~
24 ~~Subsection (b) of this section relating to the status of the bonds~~
25 ~~as a general obligation of the state and to the manner in which the~~
26 ~~principal and interest on the bonds are paid apply to bonds~~
27 ~~authorized under this subsection.~~

1 [(d) (1) -- The legislature may authorize the issuance of up to
2 \$1.1 billion in general obligation bonds in addition to the amount
3 authorized by Subsections (a) and (c) of this section and may use
4 the proceeds of the bonds for acquiring, constructing, or
5 equipping]

6 (2) new prisons and substance abuse felony punishment
7 facilities to confine criminals [mental health and mental
8 retardation institutions] and [youth corrections institutions
9 for] major repair or renovation of existing facilities of those
10 institutions, and for the acquisition of, major repair to, or
11 renovation of other facilities for use as state prisons or
12 substance abuse felony punishment facilities. [Proceeds of general
13 obligation bonds issued under this subsection may not be
14 appropriated by any session of the legislature other than the 2nd
15 called session of the 72nd legislature or any subsequent session of
16 the legislature]

17 [(2) -- The provisions of Subsection (a) of this section
18 relating to the review and approval of bonds and the provisions of
19 Subsection (b) of this section relating to the status of the bonds
20 as a general obligation of the state and to the manner in which the
21 principal and interest on the bonds are paid apply to bonds
22 authorized under this subsection]

23 [(c) (1) -- The legislature may authorize the issuance of up to
24 \$1 billion in general obligation bonds in addition to the amount
25 authorized by Subsections (a) (1) (c) and (d) of this section and
26 use the proceeds of the bonds for acquiring, constructing, or
27 equipping new corrections institutions including youth corrections

1 institutions, and mental health and mental retardation institutions
2 and for major repair or renovation of existing facilities of these
3 corrections and mental health and mental retardation institutions.

4 [~~2~~--The--provisions--of--Subsection--(a)--of--this--section
5 relating--to--the--review--and--approval--of--bonds--and--the--provisions--of
6 Subsection--(b)--of--this--section--relating--to--the--status--of--the--bonds
7 as--a--general--obligation--of--the--state--and--to--the--manner--in--which--the
8 principal--and--interest--on--the--bonds--are--paid--apply--to--bonds
9 authorized--under--this--subsection.]

10 SECTION 18. Subsection (a), Section 50b-4, Article III,
11 Texas Constitution, is amended to read as follows:

12 (a) The legislature by general law may authorize the Texas
13 Higher Education Coordinating Board or its successor or successors
14 to issue and sell general obligation bonds of the State of Texas in
15 an amount authorized by constitutional amendment or by a debt
16 proposition under Section 49 of this article [not-to-exceed-\$300
17 million] to finance educational loans to students. [The-bonds--are
18 in--addition--to--those--bonds--issued--under--Sections-50b-1, 50b-2,
19 50b-3, Article III, Texas Constitution.]

20 SECTION 19. Section 51, Article III, Texas Constitution, is
21 amended to read as follows:

22 Sec. 51. The Legislature shall have no power to make any
23 grant or authorize the making of any grant of public moneys to any
24 individual, association of individuals, municipal or other
25 corporations whatsoever; [provided, however, the Legislature may
26 grant aid to indigent and disabled Confederate soldiers and sailors
27 under such regulations and limitations as may be deemed by the

1 Legislature--as--expedient7--and--to--their--widows---in---indigent
2 circumstances--under--such--regulations--and--limitations-as-may-be
3 deemed--by--the--Legislature--as--expedient7] provided that the
4 provisions of this Section shall not be construed so as to prevent
5 the grant of aid in cases of public calamity.

6 SECTION 20. Section 51-a, Article III, Texas Constitution,
7 is amended to read as follows:

8 Sec. 51-a. (a) The Legislature shall have the power, by
9 General Laws, to provide, subject to limitations herein contained,
10 and such other limitations, restrictions and regulations as may by
11 the Legislature be deemed expedient, for assistance grants to needy
12 dependent children and the caretakers of such children, needy
13 persons who are totally and permanently disabled because of a
14 mental or physical handicap, needy aged persons and needy blind
15 persons.

16 (b) The Legislature may provide by General Law for medical
17 care, rehabilitation and other similar services for needy persons.
18 The Legislature may prescribe such other eligibility requirements
19 for participation in these programs as it deems appropriate and may
20 make appropriations out of state funds for such purposes. The
21 maximum amount paid out of state funds for assistance grants, to or
22 on behalf of needy dependent children and their caretakers shall
23 not exceed [the-amount--of--Eighty--Million--Dollars--(\$80,000,000)
24 during--any--fiscal--year7--except--that--the--limit--shall--be--One--Hundred
25 Sixty--Million--Dollars--(\$160,000,000)--for--the--two--years--of--the
26 1982-1983-biennium7--For--the--two--years--of--each--subsequent--biennium7
27 the--maximum--amount--shall--not--exceed] one percent of the state

1 budget. The Legislature by general statute shall provide for the
2 means for determining the state budget amounts, including state and
3 other funds appropriated by the Legislature, to be used in
4 establishing the biennial limit.

5 (c) Provided further, that if the limitations and
6 restrictions herein contained are found to be in conflict with the
7 provisions of appropriate federal statutes, as they now are or as
8 they may be amended to the extent that federal matching money is
9 not available to the state for these purposes, then and in that
10 event the Legislature is specifically authorized and empowered to
11 prescribe such limitations and restrictions and enact such laws as
12 may be necessary in order that such federal matching money will be
13 available for assistance and/or medical care for or on behalf of
14 needy persons.

15 (d) Nothing in this Section shall be construed to amend,
16 modify or repeal Section 31 of Article XVI of this Constitution;
17 provided further, however, that such medical care, services or
18 assistance shall also include the employment of objective or
19 subjective means, without the use of drugs, for the purpose of
20 ascertaining and measuring the powers of vision of the human eye,
21 and fitting lenses or prisms to correct or remedy any defect or
22 abnormal condition of vision. Nothing herein shall be construed to
23 permit optometrists to treat the eyes for any defect whatsoever in
24 any manner nor to administer nor to prescribe any drug or physical
25 treatment whatsoever, unless such optometrist is a regularly
26 licensed physician or surgeon under the laws of this state.

27 SECTION 21. Subsections (b) and (c), Section 52, Article

1 III, Texas Constitution, are amended to read as follows:

2 (b) Under Legislative provision, any county, [any] political
3 subdivision of a county, [any] number of adjoining counties, [or
4 any] political subdivision of the State, or [any] defined district
5 now or hereafter to be described and defined within the State of
6 Texas, and which may or may not include, towns, villages or
7 municipal corporations, upon a vote of two-thirds majority of the
8 [~~resident--property--taxpayers~~] voting [~~thereon-who-are~~] qualified
9 voters [~~electors~~] of such district or territory to be affected
10 thereby, [~~in--addition--to--all--other--debts~~] may issue bonds or
11 otherwise lend its credit in any amount not to exceed one-fourth of
12 the assessed valuation of the real property of such district or
13 territory, except that the total bonded indebtedness of any city or
14 town shall never exceed the limits imposed by other provisions of
15 this Constitution, and levy and collect taxes to pay the interest
16 thereon and provide a sinking fund for the redemption thereof, as
17 the Legislature may authorize, and in such manner as it may
18 authorize the same, for the following purposes to wit:

19 (1) The improvement of rivers, creeks, and streams to
20 prevent overflows, and to permit of navigation thereof, or
21 irrigation thereof, or in aid of such purposes.

22 (2) The construction and maintenance of pools, lakes,
23 reservoirs, dams, canals and waterways for the purposes of
24 irrigation, drainage or navigation, or in aid thereof.

25 (3) The construction, maintenance and operation of
26 macadamized, graveled or paved roads and turnpikes, or in aid
27 thereof.

1 (c) Notwithstanding the provisions of Subsection (b) of this
2 Section, bonds may be issued by any county in an amount not to
3 exceed one-fourth of the assessed valuation of the real property in
4 the county, for the construction, maintenance, and operation of
5 macadamized, graveled, or paved roads and turnpikes, or in aid
6 thereof, upon a vote of a majority of the [~~resident--property~~
7 ~~taxpayers~~] voting [~~thereon-who-are~~] qualified voters [~~electors~~] of
8 the county, and without the necessity of further or amendatory
9 legislation. The county may levy and collect taxes to pay the
10 interest on the bonds as it becomes due and to provide a sinking
11 fund for redemption of the bonds.

12 SECTION 22. Section 52d, Article III, Texas Constitution, is
13 amended to read as follows:

14 Sec. 52d. (a) Upon the vote of a majority of the [~~resident~~
15 ~~qualified voters~~] [~~electors--owning--rendered--taxable--property~~
16 ~~therein~~] so authorizing, a county or road district may collect an
17 annual tax for a period not exceeding five (5) years to create a
18 fund for constructing lasting and permanent roads and bridges or
19 both. No contract involving the expenditure of any of such fund
20 shall be valid unless, when it is made, money shall be on hand in
21 such fund.

22 (b) At such election, the Commissioners' Court shall submit
23 for adoption a road plan and designate the amount of special tax to
24 be levied; the number of years said tax is to be levied; the
25 location, description, and character of the roads and bridges; and
26 the estimated cost thereof. The funds raised by such taxes shall
27 not be used for purposes other than those specified in the plan

1 submitted to the voters. Elections may be held from time to time
2 to extend or discontinue said plan or to increase or diminish said
3 tax. The Legislature shall enact laws prescribing the procedure
4 hereunder.

5 (c) The provisions of this section shall apply only to
6 Harris County and road districts therein.

7 SECTION 23. Section 52g, Article III, Texas Constitution, is
8 amended to read as follows:

9 Sec. 52g. Bonds to be issued by Dallas County under Section
10 52(b)(3) [52] of Article III of this Constitution [~~for--the~~
11 ~~construction-maintenance-and-operation-of-macadamized-graveled-or~~
12 ~~paved-roads-and-turnpikes-or-in-aid--thereof~~] may, without the
13 necessity of further or amendatory legislation, be issued upon a
14 vote of a majority of the [residents] voting [thereon--who--are]
15 qualified voters [electors] of said county, and bonds heretofore or
16 hereafter issued under Subsections (a) and (b) of said Section 52
17 shall not be included in determining the debt limit prescribed in
18 said Section.

19 SECTION 24. Section 7, Article IV, Texas Constitution, is
20 amended to read as follows:

21 Sec. 7. He shall be Commander-in-Chief of the military
22 forces of the State, except when they are called into actual
23 service of the United States. He shall have power to call forth
24 the militia to execute the laws of the State, to suppress
25 insurrections, and to repel invasions[~~7-and-protect-the-frontier~~
26 ~~from-hostile-incursions-by-Indians-or-other-predatory-bands~~].

27 SECTION 25. Section 16, Article IV, Texas Constitution, is

1 amended to read as follows:

2 Sec. 16. There shall also be a Lieutenant Governor, who
3 shall be chosen at every election for Governor by the same voters
4 [electors], in the same manner, continue in office for the same
5 time, and possess the same qualifications. The voters [electors]
6 shall distinguish for whom they vote as Governor and for whom as
7 Lieutenant Governor. The Lieutenant Governor, shall by virtue of
8 his office, be President of the Senate, and shall have, when in
9 Committee of the Whole, a right to debate and vote on all
10 questions; and when the Senate is equally divided to give the
11 casting vote. In case of the death, resignation, removal from
12 office, inability or refusal of the Governor to serve, or of his
13 impeachment or absence from the State, the Lieutenant Governor
14 shall exercise the powers and authority appertaining to the office
15 of Governor until another be chosen at the periodical election, and
16 be duly qualified; or until the Governor impeached, absent or
17 disabled, shall be acquitted, return, or his disability be removed.

18 SECTION 26. Section 22, Article IV, Texas Constitution, is
19 amended to read as follows:

20 Sec. 22. The Attorney General [~~elected--at--the--general~~
21 ~~election--in-1974-and-thereafter, shall hold office for four years~~
22 ~~and until his successor is duly qualified.--He~~] shall represent the
23 State in all suits and pleas in the Supreme Court of the State in
24 which the State may be a party, and shall especially inquire into
25 the charter rights of all private corporations, and from time to
26 time, in the name of the State, take such action in the courts as
27 may be proper and necessary to prevent any private corporation from

1 exercising any power or demanding or collecting any species of
2 taxes, tolls, freight or wharfage not authorized by law. He shall,
3 whenever sufficient cause exists, seek a judicial forfeiture of
4 such charters, unless otherwise expressly directed by law, and give
5 legal advice in writing to the Governor and other executive
6 officers, when requested by them, and perform such other duties as
7 may be required by law. [~~He shall reside at the seat of government~~
8 ~~during his continuance in office. He shall receive for his~~
9 ~~services an annual salary in an amount to be fixed by the~~
10 ~~Legislature.~~]

11 SECTION 27. Section 23, Article IV, Texas Constitution, is
12 amended to read as follows:

13 Sec. 23. The Comptroller of Public Accounts, the
14 Commissioner of the General Land Office, the Attorney General, and
15 any statutory State officer who is elected by the electorate of
16 Texas at large, unless a term of office is otherwise specifically
17 provided in this Constitution, shall each hold office for the term
18 of four years [~~and until his successor is qualified. The four-year~~
19 ~~term applies to these officers who are elected at the general~~
20 ~~election in 1974 or thereafter]. Each shall receive an annual~~
21 salary in an amount to be fixed by the Legislature; reside at the
22 Capital of the State during his continuance in office, and perform
23 such duties as are or may be required by law. They and the
24 Secretary of State shall not receive to their own use any fees,
25 costs or perquisites of office. All fees that may be payable by
26 law for any service performed by any officer specified in this
27 section or in his office, shall be paid, when received, into the

1 State Treasury.

2 SECTION 28. Section 9, Article V, Texas Constitution, is
3 amended to read as follows:

4 Sec. 9. There shall be a Clerk for the District Court of
5 each county, who shall be elected by the qualified voters [~~for~~
6 ~~State-and-county-officers,~~] and who shall hold his office for four
7 years, subject to removal by information, or by indictment of a
8 grand jury, and conviction of a petit jury. In case of vacancy,
9 the Judge of the District Court shall have the power to appoint a
10 Clerk, who shall hold until the office can be filled by election.

11 SECTION 29. Section 2, Article VI, Texas Constitution, is
12 amended to read as follows:

13 Sec. 2. Every person subject to none of the foregoing
14 disqualifications [~~who shall have attained the age of 18 years and~~
15 who shall be a citizen of the United States and who is a resident
16 of this state shall be deemed a qualified voter [~~elector~~];
17 provided, however, that before offering to vote at an election a
18 voter shall have registered, but such requirement for registration
19 shall not be considered a qualification of a voter [~~an elector~~]
20 within the meaning of the term "qualified voter [~~elector~~]" as used
21 in any other Article of this Constitution in respect to any matter
22 except qualification and eligibility to vote at an election. The
23 Legislature may authorize absentee voting.

24 SECTION 30. Subsections (a) and (b), Section 2a, Article VI,
25 Texas Constitution, are amended to read as follows:

26 (a) Notwithstanding any other provision of this
27 Constitution, the Legislature may enact laws and provide a method

1 of registration, including the time of such registration,
2 permitting any person who is qualified to vote in this State except
3 for the residence requirements within a county or district, as set
4 forth in Section 2 of this Article, to vote for (1) electors for
5 President and Vice President of the United States and (2) all
6 offices, questions or propositions to be voted on by all voters
7 [~~electors~~] throughout this State.

8 (b) Notwithstanding any other provision of this
9 Constitution, the Legislature may enact laws and provide for a
10 method of registration, including the time for such registration,
11 permitting any person (1) who is qualified to vote in this State
12 except for the residence requirements of Section 2 of this Article,
13 and (2) who shall have resided anywhere within this State at least
14 thirty (30) days next preceding a General Election in a
15 presidential election year, and (3) who shall have been a qualified
16 voter [~~elector~~] in another state immediately prior to his removal
17 to this State or would have been eligible to vote in such other
18 state had he remained there until such election, to vote for
19 electors for President and Vice President of the United States in
20 that election.

21 SECTION 31. Section 3, Article VI, Texas Constitution, is
22 amended to read as follows:

23 Sec. 3. All qualified voters [~~electors~~] of the State, as
24 herein described, who reside within the limits of any city or
25 corporate town, shall have the right to vote for Mayor and all
26 other elective officers.

27 SECTION 32. Section 3a, Article VI, Texas Constitution, is

1 amended to read as follows:

2 Sec. 3a. When an election is held by any county, or any
3 number of counties, or any political sub-division of the State, or
4 any political sub-division of a county, or any defined district now
5 or hereafter to be described and defined within the State and which
6 may or may not include towns, villages or municipal corporations,
7 or any city, town or village, for the purpose of issuing bonds or
8 otherwise lending credit, or expending money or assuming any debt,
9 only qualified voters of [~~electors-who-own-taxable-property-in~~] the
10 State, county, political sub-division, district, city, town or
11 village where such election is held[~~7-and-who-have-duly-rendered~~
12 ~~the-same-for--taxation7~~] shall be qualified to vote [~~and--all~~
13 ~~electors-shall-vote-in-the-election-precinct-of-their-residence~~].

14 SECTION 33. Section 3, Article VII, Texas Constitution, is
15 amended to read as follows:

16 Sec. 3. (a) One-fourth of the revenue derived from the
17 State occupation taxes [~~and--poll--tax--of--one--dollar-on-every~~
18 ~~inhabitant-of-the-State7-between-the-ages-of-twenty-one--and--sixty~~
19 ~~years7~~] shall be set apart annually for the benefit of the public
20 free schools.

21 (b) It[~~7-and-in-addition-thereto7--there-shall-be-levied--and~~
22 ~~collected--an--annual-ad-valorem-State-tax-of-such-an-amount-not-to~~
23 ~~exceed-thirty-five-cents--on--the--one--hundred--(\$100.00)--dollars~~
24 ~~valuation7-as-with-the-available-school-fund-arising-from-all-other~~
25 ~~sources7--will--be--sufficient--to--maintain-and-support-the-public~~
26 ~~schools-of-this-State-for-a-period-of-not-less-than-six--months--in~~
27 ~~each--year7--and--it~~] shall be the duty of the State Board of

1 Education to set aside a sufficient amount of available funds [out
2 of-the-said-tax] to provide free text books for the use of children
3 attending the public free schools of this State.

4 (c) Should[7--provided7-however7-that-should] the [~~limit-of~~]
5 taxation herein named be insufficient the deficit may be met by
6 appropriation from the general funds of the State. [~~and-the~~]

7 (d) The Legislature may [~~also~~] provide for the formation of
8 school districts [~~district~~] by general laws, [7] and all such school
9 districts may embrace parts of two or more counties.

10 (e) The[7-and-the] Legislature shall be authorized to pass
11 laws for the assessment and collection of taxes in all school
12 [~~said~~] districts and for the management and control of the public
13 school or schools of such districts, whether such districts are
14 composed of territory wholly within a county or in parts of two or
15 more counties, and the Legislature may authorize an additional ad
16 valorem tax to be levied and collected within all school districts
17 [~~heretofore---formed---or---hereafter---formed7~~] for the further
18 maintenance of public free schools, and for the erection and
19 equipment of school buildings therein; provided that a majority of
20 the qualified [~~property-taxpaying~~] voters of the district voting at
21 an election to be held for that purpose, shall approve the [~~vote~~
22 such] tax [~~not-to-exceed-in-any-one-year-one-(\$1.00)-dollar-on--the~~
23 ~~one--hundred--dollars-valuation-of-the-property-subject-to-taxation~~
24 ~~in-such-district7-but-the-limitation--upon--the--amount--of--school~~
25 ~~district--tax--herein--authorized--shall--not--apply-to-incorporated~~
26 ~~cities--or--towns--constituting--separate--and--independent--school~~
27 ~~districts7-nor-to-independent-or-common-school-districts-created-by~~

1 ~~general-or-special-law~~].

2 SECTION 34. Sections 10 and 13, Article VII, Texas
3 Constitution, are combined, reenacted as Section 10, and amended
4 to read as follows:

5 Sec. 10. The Legislature shall [~~as--soon--as--practicable~~
6 ~~establish,--organize--and~~] provide for the maintenance, support and
7 direction of universities [~~a--University~~] of the first class,
8 including [~~to-be-located-by-a-vote-of-the-people-of-this-State,--and~~
9 ~~styled,~~] "The University of Texas", for the promotion of
10 literature, and the arts and sciences, and [~~including--an~~
11 ~~Agricultural,--and--Mechanical--department.~~

12 [~~Sec.--13,---The-Agricultural-and-Mechanical-College-of~~] Texas
13 A&M University, [~~established-by-an-Act-of--the--Legislature--passed~~
14 ~~April--17th,--1871,~~] located in the county of Brazos, [~~is--hereby~~
15 ~~made,--and--constituted--a--Branch--of--the--University--of--Texas,~~] for
16 instruction in Agriculture, the Mechanic Arts, and the Natural
17 Sciences connected therewith. [~~And--the--Legislature--shall--at--its~~
18 ~~next--session,--make--an--appropriation,--not--to--exceed--forty--thousand~~
19 ~~dollars,--for--the--construction--and--completion--of--the--buildings--and~~
20 ~~improvements,--and--for--providing--the--furniture--necessary--to--put--said~~
21 ~~College--in--immediate--and--successful--operation.~~]

22 SECTION 35. Section 14, Article VII, Texas Constitution, is
23 amended to read as follows:

24 Sec. 14. Prairie View A&M University in Waller County is an
25 institution of the first class under the direction of the same
26 governing board as Texas A&M University [~~referred--to--in--Article~~
27 ~~VII,--Section--13,--of--this--constitution--as--the--Agricultural--and~~

1 ~~Mechanical-College-of-Texas~~].

2 SECTION 36. Section 1-a, Article VIII, Texas Constitution,
3 is amended to read as follows:

4 Sec. 1-a. No ~~[From-and-after-January-17-1957-no]~~ State ad
5 valorem tax shall be levied upon any property within this State
6 ~~[for--general--revenue--purposes]~~. The ~~[From-and-after-January-17~~
7 ~~1957-the]~~ several counties of the State are authorized to levy ad
8 valorem taxes upon all property within their respective boundaries
9 for county purposes, except the first Three Thousand Dollars
10 (\$3,000) value of residential homesteads of married or unmarried
11 adults, male or female, including those living alone, not to exceed
12 thirty cents (30¢) on each One Hundred Dollars (\$100) valuation, in
13 addition to all other ad valorem taxes authorized by the
14 Constitution of this State, provided the revenue derived therefrom
15 shall be used for construction and maintenance of Farm to Market
16 Roads or for Flood Control, except as herein otherwise provided.

17 ~~[Provided-that-in-these-counties-or-political-subdivisions-or~~
18 ~~areas--of--the--State--from-which-tax-donations-have-heretofore-been~~
19 ~~granted-the-State-Automatic-Tax-Board-shall-continue-to--levy--the~~
20 ~~full--amount--of--the-State-ad-valorem-tax-for-the-duration-of-such~~
21 ~~donation-or-until-all-legal-obligations-heretofore--authorized--by~~
22 ~~the--law--granting-such-donation-or-donations-shall-have-been-fully~~
23 ~~discharged-which-ever-shall-first-occur--provided--that--if--such~~
24 ~~donation--to--any--such-county-or-political-subdivision-is-for-less~~
25 ~~than-the-full-amount-of-State--ad--valorem--taxes--so--levied--the~~
26 ~~portion--of-such-taxes-remaining-over-and-above-such-donation-shall~~
27 ~~be-retained-by-said-county-or-subdivision.]~~

1 SECTION 37. Subsection (b), Section 1-b, Article VIII, Texas
2 Constitution, is amended to read as follows:

3 (b) The governing body of any county, city, town, school
4 district, or other political subdivision of the State~~[7-other-than~~
5 ~~a-county-education-district7]~~ may exempt by its own action not less
6 than Three Thousand Dollars (\$3,000) of the market value of
7 residence homesteads of persons, married or unmarried, including
8 those living alone, who are under a disability for purposes of
9 payment of disability insurance benefits under Federal Old-Age,
10 Survivors, and Disability Insurance or its successor or of married
11 or unmarried persons sixty-five (65) years of age or older,
12 including those living alone, from all ad valorem taxes thereafter
13 levied by the political subdivision. As an alternative, upon
14 receipt of a petition signed by twenty percent (20%) of the voters
15 who voted in the last preceding election held by the political
16 subdivision, the governing body of the subdivision shall call an
17 election to determine by majority vote whether an amount not less
18 than Three Thousand Dollars (\$3,000) as provided in the petition,
19 of the market value of residence homesteads of disabled persons or
20 of persons sixty-five (65) years of age or over shall be exempt
21 from ad valorem taxes thereafter levied by the political
22 subdivision. ~~[In-the-manner-provided-by-law7--the-voters--of--a~~
23 ~~county--education-district-at-an-election-held-for-that-purpose-may~~
24 ~~exempt-an-amount-not-less-than-Three-Thousand-Dollars-(\$3,000)7--as~~
25 ~~provided--in--the--petition7--of--the--market--value--of--residence~~
26 ~~homesteads--of-disabled-persons-or-of-persons-sixty-five-(65)-years~~
27 ~~of-age-or-over-from-ad-valorem-taxes--thereafter--levied--by--the~~

1 county--education--district.] An eligible disabled person who is
2 sixty-five (65) years of age or older may not receive both
3 exemptions from the same political subdivision in the same year but
4 may choose either if the subdivision has adopted both. Where any
5 ad valorem tax has theretofore been pledged for the payment of any
6 debt, the taxing officers of the political subdivision shall have
7 authority to continue to levy and collect the tax against the
8 homestead property at the same rate as the tax so pledged until the
9 debt is discharged, if the cessation of the levy would impair the
10 obligation of the contract by which the debt was created. [An
11 exemption--adopted--under--this--subsection--based--on--assessed--value--is
12 increased--effective--January--1--1979--to--an--amount--that--when
13 converted--to--market--value--provides--the--same--reduction--in--taxes--
14 except--that--the--market--value--exemption--shall--be--rounded--to--the
15 nearest--\$100.]

16 SECTION 38. Subsection (b), Section 1-j, Article VIII, Texas
17 Constitution, is amended to read as follows:

18 (b) [Tangible--personal--property--exempted--from--taxation--in
19 subsection--(a)--of--this--section--is--subject--to--the--following:

20 [1]--A--county--common--or--independent--school--district--
21 junior--college--district--or--municipality--including--a--home--rule
22 city--may--tax--such--property--otherwise--exempt--if--the--governing--body
23 of--the--county--common--or--independent--school--district--junior
24 college--district--or--municipality--takes--official--action--as--provided
25 in--this--section--and--in--the--manner--provided--by--law--to--provide--for
26 the--taxation--of--such--property.

27 [2]--Any--official--action--to--tax--such--exempt--property

1 must-be-taken-before-April-17-1990.--If-official-action-is-taken-to
2 tax-such-exempt-property-before-January-17-1990,-such-property-is
3 taxable-effective-for-the-tax-year-1990.--However,-if-such-official
4 action-to-tax-such-exempt-property-is-taken-prior-to-April-17-1990,
5 but--after--January--17--1990,-the-official-action-shall-not-become
6 effective-to-tax-such-property-until-the-1991-tax-year.

7 [~~3~~]-Any-of-the-above-named-political-subdivisions
8 shall-have-the-authority-to-exempt-from-payment-of-taxation-such
9 property-located-in-such-above-named-political-subdivisions-for-the
10 taxing-year-1989.--If-a-governing-body-exempts-the-property-from
11 1989-taxes,-the-governing-body-shall-waive-1989-taxes-already
12 imposed-and-refund-1989-taxes-already-paid-on-such-property-for
13 that-year.

14 [~~4~~] The governing body of a county, common, or
15 independent school district, junior college district, or
16 municipality that, acting under previous constitutional authority,
17 taxes [~~acts under Subdivision (2) of Subsection (b) of this section~~
18 ~~to tax the~~] property otherwise exempt by Subsection (a) of this
19 section may subsequently exempt the property from taxation by
20 rescinding its action to tax the property. The exemption applies
21 to each tax year that begins after the date the action is taken and
22 applies to the tax year in which the action is taken if the
23 governing body so provides. A governing body that rescinds its
24 action to tax the property may not take action to tax such property
25 after the rescission.

26 SECTION 39. Section 6, Article VIII, Texas Constitution, is
27 amended to read as follows:

1 Sec. 6. No money shall be drawn from the Treasury but in
2 pursuance of specific appropriations made by law; nor shall any
3 appropriation of money be made for a longer term than two years(
4 except---by---the---first---legislature---to---assemble---under---this
5 Constitution, which may make the necessary appropriations to carry
6 on---the---government---until---the---assemblage---of---the---sixteenth
7 legislature).

8 SECTION 40. Section 9, Article VIII, Texas Constitution, is
9 amended to read as follows:

10 Sec. 9. (a) No [The State tax on property, exclusive of the
11 tax necessary to pay the public debt, and of the taxes provided for
12 the benefit of the public free schools, shall never exceed
13 thirty-five cents (35¢) on the One Hundred Dollars (\$100)
14 valuation, and no] county, city or town shall levy a tax rate in
15 excess of Eighty Cents (80¢) on the One Hundred Dollars (\$100)
16 valuation in any one (1) year for general fund, permanent
17 improvement fund, road and bridge fund and jury fund purposes.

18 (b) At [,---provided---further---that---at] the time the
19 Commissioners Court meets to levy the annual tax rate for each
20 county it shall levy whatever tax rate may be needed for the four
21 (4) constitutional purposes; namely, general fund, permanent
22 improvement fund, road and bridge fund and jury fund so long as the
23 Court does not impair any outstanding bonds or other obligations
24 and so long as the total of the foregoing tax levies does not
25 exceed Eighty Cents (80¢) on the One Hundred Dollars (\$100)
26 valuation in any one (1) year. Once the Court has levied the
27 annual tax rate, the same shall remain in force and effect during

1 that taxable year.

2 (c) The~~[,--and--the]~~ Legislature may [~~also~~] authorize an
3 additional annual ad valorem tax to be levied and collected for the
4 further maintenance of the public roads; provided, that a majority
5 of the qualified [~~property-taxpaying~~] voters of the county voting
6 at an election to be held for that purpose shall approve the [~~vote~~
7 ~~such~~] tax, not to exceed Fifteen Cents (15¢) on the One Hundred
8 Dollars (\$100) valuation of the property subject to taxation in
9 such county.

10 (d) Any county may put all tax money collected by the county
11 into one general fund, without regard to the purpose or source of
12 each tax.

13 (e) The [~~And--the~~] Legislature may pass local laws for the
14 maintenance of the public roads and highways, without the local
15 notice required for special or local laws.

16 (f) This Section shall not be construed as a limitation of
17 powers delegated to counties, cities or towns by any other Section
18 or Sections of this Constitution.

19 SECTION 41. Section 16a, Article VIII, Texas Constitution,
20 is amended to read as follows:

21 Sec. 16a. In any county having a population of less than ten
22 thousand (10,000) inhabitants, as determined by the last preceding
23 census of the United States, the Commissioners Court may submit to
24 the qualified [~~property-taxpaying~~] voters of such county at an
25 election the question of adding an Assessor-Collector of Taxes to
26 the list of authorized county officials. If a majority of such
27 voters voting in such election shall approve of adding an

1 Assessor-Collector of Taxes to such list, then such official shall
2 be elected at the next General Election for such Constitutional
3 term of office as is provided for other Tax Assessor-Collectors in
4 this State.

5 SECTION 42. Section 20, Article VIII, Texas Constitution, is
6 amended to read as follows:

7 Sec. 20. No property of any kind in this State shall ever be
8 assessed for ad valorem taxes at a greater value than its fair cash
9 market value nor shall any Board of Equalization of any
10 governmental or political subdivision or taxing district within
11 this State fix the value of any property for tax purposes at more
12 than its fair cash market value; provided that in order to
13 encourage the prompt payment of taxes, the Legislature shall have
14 the power to provide that the taxpayer shall be allowed by the
15 State and all governmental and political subdivisions and taxing
16 districts of the State a three per cent (3%) discount on ad valorem
17 taxes due the State or due any governmental or political
18 subdivision or taxing district of the State if such taxes are paid
19 ninety (90) days before the date when they would otherwise become
20 delinquent; and the taxpayer shall be allowed a two per cent (2%)
21 discount on said taxes if paid sixty (60) days before said taxes
22 would become delinquent; and the taxpayer shall be allowed a one
23 per cent (1%) discount if said taxes are paid thirty (30) days
24 before they would otherwise become delinquent. [~~This amendment~~
25 ~~shall be effective January 17, 1939.~~] The Legislature shall pass
26 necessary laws for the proper administration of this Section.

27 SECTION 43. Section 1, Article IX, Texas Constitution, is

1 amended to read as follows:

2 Sec. 1. The Legislature shall have power to create counties
3 for the convenience of the people subject to the following
4 provisions:

5 [~~First.---In the territory of the State exterior to all~~
6 ~~counties now existing, no new counties shall be created with a less~~
7 ~~area than nine hundred square miles, in a square form, unless~~
8 ~~prevented by pre-existing boundary lines. Should the State lines~~
9 ~~render this impracticable in border counties, the area may be less.~~
10 ~~The territory referred to may, at any time, in whole or in part, be~~
11 ~~divided into counties in advance of population and attached for~~
12 ~~judicial and land surveying purposes to the most convenient~~
13 ~~organized county or counties.]~~

14 (1) [~~Second.~~] Within the territory of any county or
15 counties [~~now existing~~], no new county shall be created with a less
16 area than seven hundred square miles, nor shall any such county now
17 existing be reduced to a less area than seven hundred square miles.
18 No new counties shall be created so as to approach nearer than
19 twelve miles of the county seat of any county from which it may in
20 whole or in part be taken. Counties of a less area than nine
21 hundred, but of seven hundred or more square miles, within counties
22 now existing, may be created by a two-thirds vote of each House of
23 the Legislature, taken by yeas and nays and entered on the
24 journals. Any county now existing may be reduced to an area of not
25 less than seven hundred square miles by a like two-thirds vote.
26 When any part of a county is stricken off and attached to, or
27 created into another county, the part stricken off shall be holden

1 for and obliged to pay its proportion of all the liabilities then
2 existing, of the county from which it was taken, in such manner as
3 may be prescribed by law.

4 (2) [~~Third-~~] No part of any existing county shall be
5 detached from it and attached to another existing county until the
6 proposition for such change shall have been submitted, in such
7 manner as may be provided by law, to a vote of the voters
8 [~~electors~~] of both counties, and shall have received a majority of
9 those voting on the question in each.

10 SECTION 44. Section 2, Article IX, Texas Constitution, is
11 amended to read as follows:

12 Sec. 2. The Legislature shall pass laws regulating the
13 manner of removing county seats, but no county seat situated within
14 five miles of the geographical centre of the county shall be
15 removed, except by a vote of two-thirds of all the voters
16 [~~electors~~] voting on the subject. A majority of such voters
17 [~~electors~~], however, voting at such election, may remove a county
18 seat from a point more than five miles from the geographical centre
19 of the county to a point within five miles of such centre, in
20 either case the centre to be determined by a certificate from the
21 Commissioner of the General Land Office.

22 SECTION 45. Section 4, Article IX, Texas Constitution, is
23 amended to read as follows:

24 Sec. 4. The Legislature may by law authorize the creation of
25 county-wide Hospital Districts in counties having a population in
26 excess of 190,000 and in Galveston County, with power to issue
27 bonds for the purchase, acquisition, construction, maintenance and

1 operation of any county owned hospital, or where the hospital
2 system is jointly operated by a county and city within the county,
3 and to provide for the transfer to the county-wide Hospital
4 District of the title to any land, buildings or equipment, jointly
5 or separately owned, and for the assumption by the district of any
6 outstanding bonded indebtedness theretofore issued by any county or
7 city for the establishment of hospitals or hospital facilities; to
8 levy a tax not to exceed seventy-five (\$.75) cents on the One
9 Hundred (\$100.00) Dollars valuation of all taxable property within
10 such district, provided, however, that such district shall be
11 approved at an election held for that purpose, and that only
12 qualified [~~7--property-taxpaying~~] voters in such county shall vote
13 therein; provided further, that such Hospital District shall assume
14 full responsibility for providing medical and hospital care to
15 needy inhabitants of the county, and thereafter such county and
16 cities therein shall not levy any other tax for hospital purposes;
17 and provided further that should such Hospital District construct,
18 maintain and support a hospital or hospital system, that the same
19 shall never become a charge against the State of Texas, nor shall
20 any direct appropriation ever be made by the Legislature for the
21 construction, maintenance or improvement of the said hospital or
22 hospitals. [~~Should--the--Legislature--enact--enabling---laws---in
23 anticipation-of-the-adoption-of-this-amendment,-such-Acts-shall-not
24 be-invalid-because-of-their-anticipatory-character-]~~

25 SECTION 46. Subsections (a), (c), and (e), Section 5,
26 Article IX, Texas Constitution, are amended to read as follows:

27 (a) The Legislature may by law authorize the creation of two

1 hospital districts, one to be coextensive with and have the same
2 boundaries as the incorporated City of Amarillo, as such boundaries
3 now exist or as they may hereafter be lawfully extended, and the
4 other to be coextensive with Wichita County.

5 If such district or districts are created, they may be
6 authorized to levy a tax not to exceed Seventy-five Cents (75¢) on
7 the One Hundred Dollars (\$100.00) valuation of taxable property
8 within the district; provided, however, no tax may be levied until
9 approved by a majority vote of the participating resident qualified
10 [property-taxpaying] voters [who-have-duty-rendered-their--property
11 for--taxation]. The maximum rate of tax may be changed at
12 subsequent elections so long as obligations are not impaired, and
13 not to exceed the maximum limit of Seventy-five Cents (75¢) per One
14 Hundred Dollars (\$100.00) valuation, and no election shall be
15 required by subsequent changes in the boundaries of the City of
16 Amarillo.

17 If such tax is authorized, no political subdivision or
18 municipality within or having the same boundaries as the district
19 may levy a tax for medical or hospital care for needy individuals,
20 nor shall they maintain or erect hospital facilities, but the
21 district shall by resolution assume all such responsibilities and
22 shall assume all of the liabilities and obligations (including
23 bonds and warrants) of such subdivisions or municipalities or both.
24 The maximum tax rate submitted shall be sufficient to discharge
25 such obligations, liabilities, and responsibilities, and to
26 maintain and operate the hospital system, and the Legislature may
27 authorize the district to issue tax bonds for the purpose of the

1 purchase, construction, acquisition, repair or renovation of
2 improvements and initially equipping the same, and such bonds shall
3 be payable from said Seventy-five Cents (75¢) tax. The Legislature
4 shall provide for transfer of title to properties to the district.

5 (c) The Legislature may by law authorize the creation of a
6 hospital district within Jefferson County, the boundaries of which
7 shall include only the area comprising the Jefferson County
8 Drainage District No. 7 and the Port Arthur Independent School
9 District, as such boundaries existed on the first day of January,
10 1957, with the power to issue bonds for the sole purpose of
11 purchasing a site for, and the construction and initial equipping
12 of, a hospital system, and with the power to levy a tax of not to
13 exceed Seventy-five Cents (75¢) on the One Hundred Dollars
14 (\$100.00) valuation of property therein for the purpose of paying
15 the principal and interest on such bonds.

16 The [~~creation-of-such-hospital-district-shall--not--be--final~~
17 ~~until--approved--at--an--election--by--a--majority--of-the-resident~~
18 ~~property-taxpaying-voters-voting-at-said--election--who--have--duly~~
19 ~~rendered--their--property-for-taxation-upon-the-tax-rolls-of-either~~
20 ~~said-Drainage-or-said-School-District,-nor-shall--such]~~ bonds may
21 not be issued or such tax be levied until [so] approved by such
22 voters.

23 The district shall not have the power to levy any tax for
24 maintenance or operation of the hospital or facilities, but shall
25 contract with other political subdivisions of the state or private
26 individuals, associations, or corporations for such purposes.

27 If the district hereinabove authorized is finally created, no

1 other hospital district may be created embracing any part of the
2 territory within its boundaries, but the Legislature by law may
3 authorize the creation of a hospital district incorporating therein
4 the remainder of Jefferson County, having the powers and duties and
5 with the limitations presently provided by Article IX, Section 4,
6 of the Constitution of Texas [~~7-except-that-such-district--shall--be~~
7 ~~confirmed--at--an--election-wherein-the-resident-qualified-property~~
8 ~~taxpaying-voters-who-have-duty-rendered-their-property-within--such~~
9 ~~proposed--district--for--taxation--on--the--county--rolls--shall--be~~
10 ~~authorized-to-vote~~]. A majority of those participating in the
11 election voting in favor of the district shall be necessary for
12 [~~its-confirmation-and-for~~] bonds to be issued.

13 (e) The legislature by law may authorize Randall County to
14 render financial assistance to the Amarillo Hospital District by
15 paying part of the district's operating and maintenance expenses
16 and the debts assumed or created by the district and to levy a tax
17 for that purpose in an amount not to exceed seventy-five cents
18 (75¢) on the One Hundred Dollars (\$100.00) valuation on all
19 property in Randall County that is not within the boundaries of the
20 City of Amarillo or the South Randall County Hospital District.
21 This tax is in addition to any other tax authorized by this
22 constitution. If the tax is authorized by the legislature and
23 approved by the voters of the area to be taxed, the Amarillo
24 Hospital District shall, by resolution, assume the
25 responsibilities, obligations, and liabilities of Randall County in
26 accordance with Subsection (a) of this section and, except as
27 provided by this subsection, Randall County may not levy taxes or

1 issue bonds for hospital purposes or for providing hospital care
2 for needy inhabitants of the county. [~~Not later than the end of~~
3 ~~the first tax year during which taxes are levied under this~~
4 ~~subsection, Randall County shall deposit in the State Treasury to~~
5 ~~the credit of the state General Revenue Fund \$457,000 to reimburse~~
6 ~~the state for the cost of publishing the resolution required by~~
7 ~~this subsection.~~]

8 SECTION 47. Subsection (a), Section 8, Article IX, Texas
9 Constitution, is amended to read as follows:

10 (a) The Legislature may by law authorize the creation of a
11 Hospital District to be co-extensive with the limits of County
12 Commissioners Precinct No. 4 of Comanche County, Texas.

13 If such District is created, it may be authorized to levy a
14 tax not to exceed seventy-five cents (75¢) on the One Hundred
15 Dollar (\$100) valuation of taxable property within the District;
16 provided, however, no tax may be levied until approved by a
17 majority vote of the participating resident qualified [property
18 taxpaying] voters [who have duly rendered their property for
19 taxation]. The maximum rate of tax may be changed at subsequent
20 elections so long as obligations are not impaired, and not to
21 exceed the maximum limit of seventy-five cents (75¢) per One
22 Hundred Dollar (\$100) valuation, and no election shall be required
23 by subsequent changes in the boundaries of the Commissioners
24 Precinct No. 4 of Comanche County.

25 If such tax is authorized, no political subdivision or
26 municipality within or having the same boundaries as the District
27 may levy a tax for medical or hospital care for needy individuals,

1 nor shall they maintain or erect hospital facilities, but the
2 District shall by resolution assume all such responsibilities and
3 shall assume all of the liabilities and obligations (including
4 bonds and warrants) of such subdivisions or municipalities or both.
5 The maximum tax rate submitted shall be sufficient to discharge
6 such obligations, liabilities, and responsibilities, and to
7 maintain and operate the hospital system, and the Legislature may
8 authorize the District to issue tax bonds for the purpose of the
9 purchase, construction, acquisition, repair or renovation of
10 improvements and initially equipping the same, and such bonds shall
11 be payable from said seventy-five cent (75¢) tax. The Legislature
12 shall provide for transfer of title to properties to the District.

13 SECTION 4³. Section 11, Article IX, Texas Constitution, is
14 amended to read as follows:

15 Sec. 11. (a) The Legislature may by law authorize the
16 creation of hospital districts in Ochiltree, Castro, Hansford and
17 Hopkins Counties, each district to be coextensive with the limits
18 of such county.

19 (b) If any such district is created, it may be authorized to
20 levy a tax not to exceed Seventy-five Cents (75¢) on the One
21 Hundred Dollar (\$100) valuation of taxable property within the
22 district; provided, however, no tax may be levied until approved by
23 a majority vote of the participating resident qualified
24 [~~property-taxpaying~~] voters [~~who have duly rendered their property~~
25 ~~for taxation~~]. The maximum rate of tax may be changed at
26 subsequent elections so long as obligations are not impaired, and
27 not to exceed the maximum limit of Seventy-five Cents (75¢) per One

1 Hundred Dollar (\$100) valuation.

2 (c) If such tax is authorized, no political subdivision or
3 municipality within or having the same boundaries as the district
4 may levy a tax for medical or hospital care for needy individuals,
5 nor shall they maintain or erect hospital facilities, but the
6 district shall by resolution assume all such responsibilities and
7 shall assume all of the liabilities and obligations (including
8 bonds and warrants) of such subdivisions or municipalities or both.
9 The maximum tax rate submitted shall be sufficient to discharge
10 obligations, liabilities, and responsibilities, and to maintain and
11 operate the hospital system, and the Legislature may authorize the
12 district to issue tax bonds for the purpose of the purchase,
13 construction, acquisition, repair or renovation of improvements and
14 initially equipping the same, and such bonds shall be payable from
15 said Seventy-five Cent (75¢) tax. The Legislature shall provide
16 for transfer of title to properties to the district.

17 [~~Should--the--legislature-enact-enabling-laws-in-anticipation~~
18 ~~of-the-adoption-of-the-amendment,-such-Acts-shall--not--be--invalid~~
19 ~~because-of-their-anticipatory-character.]~~

20 SECTION 49. Section 12, Article IX, Texas Constitution, is
21 amended to read as follows:

22 Sec. 12. (a) The Legislature may by law provide for the
23 creation, establishment, maintenance and operation of Airport
24 Authorities composed of one or more counties, with power to issue
25 general obligation bonds, revenue bonds, either or both of them,
26 for the purchase, acquisition by the exercise of the power of
27 eminent domain or otherwise, construction, reconstruction, repair

1 or renovation of any airport or airports, landing fields and
2 runways, airport buildings, hangars, facilities, equipment,
3 fixtures, and any and all property, real or personal, necessary to
4 operate, equip and maintain an airport.

5 (b) The Legislature[7] shall provide for the option by the
6 governing body of the city or cities whose airport facilities are
7 served by certificated airlines and whose facility or some interest
8 therein, is proposed to be or has been acquired by the Authority,
9 to either appoint or elect a Board of Directors of said Authority.
10 If[7--if] the Directors are appointed such appointment shall be made
11 by the County Commissioners Court after consultation with and
12 consent of the governing body or bodies of such city or cities.
13 If[7-and-if] the Board of Directors is elected they shall be
14 elected by the qualified [taxpaying] voters of the county which
15 chooses to elect the Directors to represent that county.[7--such]
16 Directors shall serve without compensation for a term fixed by the
17 Legislature not to exceed six (6) years, [and] shall be selected on
18 the basis of the proportionate population of each county based upon
19 the last preceding Federal Census, and shall be [a--resident--or]
20 residents of such county. No[7-provide-that-no] county shall have
21 less than one (1) member on the Board of Directors.

22 (c) The Legislature shall[7] provide for the holding of an
23 election in each county proposing the creation of an Authority to
24 be called by the Commissioners Court or Commissioners Courts, as
25 the case may be, upon petition of five per cent (5%) of the
26 qualified [taxpaying] voters within the county or counties. The[7
27 said] elections must [to] be held on the same day if more than one

1 county is included. ~~No~~ more than one (1) such
2 election may be called in a county until after the expiration of
3 one (1) year ~~]~~ in the event such an election has failed, and
4 thereafter only upon a petition of ten per cent (10%) of the
5 qualified ~~[taxpaying]~~ voters being presented to the Commissioners
6 Court or Commissioners Courts of the county or counties in which
7 such an election has failed. ~~In~~ the event that two or
8 more counties vote on the proposition of the creation of an
9 Authority therein, the proposition shall not be deemed to carry
10 unless the majority of the qualified ~~[taxpaying]~~ voters in each
11 county voting thereon vote in favor thereof. ~~An~~
12 ~~however~~ Airport Authority may be created and be composed
13 of the county or counties that vote in favor of its creation if
14 separate propositions are submitted to the voters of each county so
15 that they may vote for a two or more county Authority or a single
16 county Authority.

17 (d) The Legislature shall ~~]~~ provide for the appointment by
18 the Board of Directors of an Assessor and Collector of Taxes in the
19 Authority, whether constituted of one or more counties, whose duty
20 it shall be to assess all taxable property, both real and personal,
21 and collect the taxes thereon, based upon the tax rolls approved by
22 the Board of Directors, the tax to be levied not to exceed
23 Seventy-Five Cents (75¢) per One Hundred Dollars (\$100) assessed
24 valuation of the property. ~~The~~
25 property of state regulated common carriers required by law to pay
26 a tax upon intangible assets shall not be subject to taxation by
27 the Authority. ~~The~~ taxable property shall be assessed on a

1 valuation not to exceed the market value and shall be equal and
2 uniform throughout the Authority as is otherwise provided by the
3 Constitution.

4 (e) ~~The~~ Legislature shall authorize the purchase or
5 acquisition by the Authority of any existing airport facility
6 publicly owned and financed and served by certificated airlines, in
7 fee or of any interest therein, or to enter into any lease
8 agreement therefor, upon such terms and conditions as may be
9 mutually agreeable to the Authority and the owner of such
10 facilities, or authorize the acquisition of same through the
11 exercise of the power of eminent domain. In ~~and in~~ the event of
12 such acquisition, if there are any general obligation bonds that
13 the owner of the publicly owned airport facility has outstanding,
14 the same shall be fully assumed by the Authority and sufficient
15 taxes levied by the Authority to discharge said outstanding
16 indebtedness. If ~~and likewise~~ any city or owner ~~that~~ has
17 outstanding revenue bonds where the revenues of the airport have
18 been pledged or said bonds constitute a lien against the airport
19 facilities, the Authority shall assume and discharge all the
20 obligations of the city under the ordinances and bond indentures
21 under which said revenue bonds have been issued and sold.

22 (f) Any city which owns airport facilities not serving
23 certificated airlines which are not purchased or acquired or taken
24 over as herein provided by such Authority ~~]~~ shall have the power
25 to operate the same under the existing laws or as the same may
26 hereafter be amended.

27 (g) Any such Authority when created may be granted the power

1 and authority to promulgate, adopt and enforce appropriate zoning
2 regulations to protect the airport from hazards and obstructions
3 which would interfere with the use of the airport and its
4 facilities for landing and take-off.

5 (h) An~~[r-an]~~ additional county or counties may be added to
6 an existing Authority if a petition of five per cent (5%) of the
7 qualified ~~[taxpaying]~~ voters is filed with and an election is
8 called by the Commissioners Court of the county or counties seeking
9 admission to an Authority. If ~~[and]~~ the vote is favorable, then
10 admission may be granted to such county or counties by the Board of
11 Directors of the then existing Authority upon such terms and
12 conditions as they may agree upon and evidenced by a resolution
13 approved by two-thirds (2/3rds) of the then existing Board of
14 Directors. The~~[r--providedr--howeverr--the]~~ county or counties that
15 may be so added to the then existing Authority shall be given
16 representation on the Board of Directors by adding additional
17 directors in proportion to their population according to the last
18 preceding Federal census.

19 SECTION 50. Section 2, Article XI, Texas Constitution, is
20 amended to read as follows:

21 Sec. 2. The construction of jails, court-houses and bridges
22 ~~[and--the--establishment--of--county--poor--houses--and--farmsr]~~ and the
23 laying out, construction and repairing of county roads shall be
24 provided for by general laws.

25 SECTION 51. Subsection (b), Section 30, Article XVI, Texas
26 Constitution, is amended to read as follows:

27 (b) The ~~[When-a]~~ Railroad Commission ~~[is-created-by-law--it]~~

1 shall be composed of three Commissioners who shall be elected by
2 the people at a general election for State officers, and their
3 terms of office shall be six years. [~~Railroad Commissioners first~~
4 ~~elected after this amendment goes into effect shall hold office as~~
5 ~~follows:--One shall serve two years, and one four years, and one~~
6 ~~six years, their terms to be decided by lot immediately after they~~
7 ~~shall have qualified.] And one Railroad Commissioner shall be
8 elected every two years [thereafter]. In case of vacancy in said
9 office the Governor of the State shall fill said vacancy by
10 appointment until the next general election.~~

11 SECTION 52. Section 44, Article XVI, Texas Constitution, is
12 amended to read as follows:

13 Sec. 44. (a) Except as otherwise provided by this section,
14 the Legislature shall prescribe the duties and provide for the
15 election by the qualified voters of each county in this State, of a
16 County Treasurer and a County Surveyor, who shall have an office at
17 the county seat, and hold their office for four years, and until
18 their successors are qualified; and shall have such compensation as
19 may be provided by law.

20 (b) The office of County Treasurer or County Surveyor does
21 not exist in those counties in which the office has been abolished
22 pursuant to constitutional amendment or pursuant to the authority
23 of Subsection (c) of this section [~~in the counties of Tarrant and~~
24 ~~Bee is abolished and all the powers, duties, and functions of the~~
25 ~~office in each of these counties are transferred to the County~~
26 ~~Auditor or to the officer who succeeds to the auditor's functions.~~
27 ~~The office of County Treasurer in the counties of Bexar and Collier~~

1 are abolished and all the powers, duties, and functions of the
2 office in each of these counties are transferred to the County
3 Clerk. However, the office of County Treasurer shall be abolished
4 in the counties covered by this subsection only after a local
5 election has been held in each county and the proposition "to
6 abolish the elective office of county treasurer" has passed by a
7 majority of those persons voting in said election].

8 (c) The office of County Treasurer in the counties of
9 Andrews and Gregg is abolished. In Andrews County, the powers,
10 duties, and functions of the office are transferred to the County
11 Auditor of the county or to the officer who succeeds to the
12 auditor's functions. In Gregg County, the functions of the office
13 are transferred to an elected official or the County Auditor as
14 designated by the Commissioners Court, and the Commissioners Court
15 may from time to time change its designation as it considers
16 appropriate.

17 (d) The office of County Treasurer in the counties of El
18 Paso and Fayette is abolished. In El Paso County, the
19 Commissioners Court may employ or contract with a qualified person
20 or may designate another county officer to perform any of the
21 functions that would have been performed by the County Treasurer if
22 the office had not been abolished. In Fayette County, the
23 functions of the abolished office are transferred to the County
24 Auditor or to the officer who succeeds to the auditor's functions.
25 However, the office of County Treasurer in El Paso or Fayette
26 County is abolished under this subsection only if, at the statewide
27 election at which the constitutional amendment providing for the

1 abobexxexxon-oid-ehe-oidixice-xn-ehate-couney-xn-gubmxetced-eo-eha-votefes
2 a--majofxy--oid-eha-votefes-oid-ehate-couney-votexng-on-eha-guesetxon-ate
3 ehate-eteetxon-davor-eha-amendment

4 [fej--the-oidixice--oid--couney--suvveyor--xn--eha--couneyes--oid
5 Benton7--Randax7--Oixxn7--Bixxas7--Xi--Pas7--MeBennan7--and--Bendefeson
6 xn-abobexxshad-xpon-eha-approvat-oid-eha-abobexxexxon-by--a--majofxy--oid
7 eha--gubaxxixced--votefes--oid--eha--repreetxve--couney--votexng--on-eha
8 guesetxon-ate-an-eteetxon-ehate-eha-Commixxonofes-Boert-oid-eha--couney
9 may-caxxix--xi-eha-eteetxon-xn-caxxiced7-eha-Commixxonofes-Boert-shaxxix
10 ofder--eha--baxxixot--ate--eha--eteetxon--eo-be-prfxntced--eo-prfovixde-oid
11 votexng-oid-of-agaxxng-eha-prfopoxixetxon--"Abobexxshxng-eha--oidixice--oid
12 couney--suvveyor."---Xiexh-gubaxxixced-votefes-oid-eha-couney-xn-enetxced
13 eo-vote-xn-eha-eteetxon--xi--eha--oidixice--oid--couney--suvveyor--xn
14 abobexxshad--xndef--ehxn-gubxetxon7-eha-maps7-xixced-notes7-and-oteher
15 reced-xn-eha-cuxetody-oid-eha-couney-suvveyor--dfe--teranofered--eo
16 eha-couney-Exerk-oid-eha-couney--Nixef-abobexxexxon7-eha-Commixxonofes
17 Boert-may-empxoy-of-conetrate-wixeh-a-gubaxxixced-prfeson--eo-prfxofm-an
18 oid--eha--fxnetxon--ehate--waxxixd--have--been-prfxofmed-by-eha-couney
19 suvveyor-xi-eha-oidixice-had-not-been-abobexxshad

20 [fxi)--Xn-gubxetxon-approxixes-onxy-eo-eha-couneyes--oid--Eas7
21 Befes7--Baxax7--Smixeh7--Bexax7--Baxfx7--and--Webb--the-oidixice-oid-couney
22 suvveyor--xn--eha-couney-xn-abobexxshad-on-odnaxxy-x7-x9907-xi-ate-eha
23 gaxetwixde-eteetxon-ate-wixeh-eha-adedixetxon--eo--eha--Eonsetxetxon--oid
24 ehxn--gubxetxon--xn--gubmxetced--eo--eha--votefes7-a-majofxy-oid-eha
25 votefes-oid-ehate-couney-votexng-on-eha-guesetxon-ate-ehate-eteetxon-davor
26 eha-adedixetxon-oid-ehxn-gubxetxon--xi-eha-oidixice-oid-couney--suvveyor
27 xn-abobexxshad-xn-a-couney-xndef-ehxn-gubxetxon7-eha-powers7-dixet

1 and--functions--of--the--office--are--transferred--to--the--county--officer
2 or--employee--designated--by--the--Commissioners--Court--of--the--county--in
3 which--the--office--is--abolished,--and--the--Commissioners--Court--may--from
4 time--to--time--change--its--designation--as--it--considers--appropriate.

5 [~~g~~]-The--office--of--County--Treasurer--in--Nueces--County--is
6 abolished--and--all--powers,--duties,--and--functions--of--this--office--are
7 transferred--to--the--County--Clerk.---However,--the--office--of--County
8 Treasurer--in--Nueces--County--is--abolished--under--this--subsection--only
9 if,--at--the--statewide--election--at--which--this--amendment--is--submitted
10 to--the--voters,--a--majority--of--the--voters--of--Nueces--County--voting--on
11 the--question--at--that--election--favor--the--amendment.---The--office--of
12 County--Treasurer--of--Nueces--County--is--abolished--on--January--1,--1988,
13 if--the--conditions--of--this--subsection--are--met.---If--that--office--in
14 Nueces--County--is--not--abolished,--this--subsection--expires--on--January
15 1,--1988.]

16 (c) [~~h~~] The Commissioners Court of a county may call an
17 election to abolish the office of County Surveyor in the county.
18 The office of County Surveyor in the county is abolished if a
19 majority of the voters of the county voting on the question at that
20 election approve the abolition. If an election is called under
21 this subsection, the Commissioners Court shall order the ballot for
22 the election to be printed to provide for voting for or against the
23 proposition: "Abolishing the office of county surveyor of this
24 county." If the office of County Surveyor is abolished under this
25 subsection, the maps, field notes, and other records in the custody
26 of the County Surveyor are transferred to the county officer or
27 employee designated by the Commissioners Court of the county in

1 which the office is abolished, and the Commissioners Court may from
2 time to time change its designation as it considers appropriate.

3 SECTION 57. Subsection (c), Section 59, Article XVI, Texas
4 Constitution, is amended to read as follows:

5 (c) The Legislature shall authorize all such indebtedness as
6 may be necessary to provide all improvements and the maintenance
7 thereof requisite to the achievement of the purposes of this
8 amendment. All~~[7-and-a&] such indebtedness may be evidenced by~~
9 bonds of such conservation and reclamation districts, to be issued
10 under such regulations as may ~~[any]~~ be prescribed by law. The
11 Legislature ~~[and]~~ shall also~~[7]~~ authorize the levy and collection
12 within such districts of all such taxes, equitably distributed, as
13 may be necessary for the payment of the interest and the creation
14 of a sinking fund for the payment of such bonds~~[7]~~ and ~~[also]~~ for
15 the maintenance of such districts and improvements. Such~~[7-and~~
16 ~~such]~~ indebtedness shall be a lien upon the property assessed for
17 the payment thereof. The~~[7--provided-the]~~ Legislature shall not
18 authorize the issuance of any bonds or provide for any indebtedness
19 against any reclamation district unless such proposition shall
20 first be submitted to the qualified ~~[property-tax-paying]~~ voters of
21 such district and the proposition adopted.

22 SECTION 58. Section 61, Article XVI, Texas Constitution, is
23 amended to read as follows:

24 Sec. 61. (a) All district officers in the State of Texas
25 and all county officers in counties having a population of twenty
26 thousand (20,000) or more, according to the then last preceding
27 Federal Census, shall be compensated on a salary basis.

1 **(b)** In all counties in this State, the Commissioners Courts
2 shall be authorized to determine whether precinct officers shall be
3 compensated on a fee basis or on a salary basis, with the exception
4 that it shall be mandatory upon the Commissioners Courts, to
5 compensate all justices of the peace, constables, deputy constables
6 and precinct law enforcement officers on a salary basis.

7 **(c)** In [~~beginning-January-17-1973,-and-in~~] counties having a
8 population of less than twenty thousand (20,000), according to the
9 then last preceding Federal Census, the Commissioners Courts [~~shall~~
10 ~~also~~] have the authority to determine whether county officers shall
11 be compensated on a fee basis or on a salary basis, with the
12 exception that it shall be mandatory upon the Commissioners Courts
13 to compensate all sheriffs, deputy sheriffs, county law enforcement
14 officers including sheriffs who also perform the duties of assessor
15 and collector of taxes, and their deputies, on a salary basis
16 [~~beginning-January-17-1949~~].

17 **(d)** All fees earned by district, county and precinct
18 officers shall be paid into the county treasury where earned for
19 the account of the proper fund, provided that fees incurred by the
20 State, county and any municipality, or in case where a pauper's
21 oath is filed, shall be paid into the county treasury when
22 collected and provided that where any officer is compensated wholly
23 on a fee basis such fees may be retained by such officer or paid
24 into the treasury of the county as the Commissioners Court may
25 direct.

26 **(e)** All Notaries Public, county surveyors and public
27 weighers shall continue to be compensated on a fee basis.

1 SECTION 55. Section 65, Article XVI, Texas Constitution, is
2 amended to read as follows:

3 Sec. 65. (a) This section applies to the following offices
4 [Staggering--Terms-of-Office--The-following-officers-elected-at-the
5 General-Election-in-November-1954-and-thereafter-shall-serve-for
6 the-full-terms-provided-in-this-Constitution]:

7 (a) District Clerks; (b) County Clerks;
8 (c) County Judges; (d) Judges of the County Courts at Law,
9 County Criminal Courts, County Probate Courts and County Domestic
10 Relations Courts; (e) County Treasurers; (f) Criminal
11 District Attorneys; (g) County Surveyors; (h) Inspectors of
12 Hides and Animals; (i) County Commissioners [for--Precincts--Two
13 and-Four]; (j) Justices of the Peace; [r

14 [Notwithstanding--other--provisions-of-this-Constitution--the
15 following-officers-elected-at-the--General--Election--in--November-
16 1954-shall-serve-only-for-terms-of-two-(2)-years--(a) Sheriffs;
17 (b) Assessors and Collectors of Taxes; (c) District
18 Attorneys; (d) County Attorneys; (e) Public Weighers; and
19 (f)--County--Commissioners--for--Precincts--One--and--Three-
20 (g) Constables. [At-subsequent-elections--such-officers-shall-be
21 elected-for-the-full-terms-provided-in-this-Constitution-

22 [In-any--district--county--or--precinct--where--any--of--the
23 aforementioned--offices--is--of--such--nature--that-two-(2)-or-more
24 persons-hold-such-office--with-the-result-that-candidates-exist--for
25 "Place--No--1" "Place--No--2" etc--the-officers-elected-at-the
26 General-Election-in-November-1954-shall-serve-for-a-term--of--two
27 (2)--years--if-the-designation-of-their-office-is-an-uneven-number-

1 ~~and-for-a-term-of-four-(4)-years-if-the-designation-of-their-office~~
2 ~~is-an-even-number.--Thereafter, all such officers shall be elected~~
3 ~~for-the-terms-provided-in-this-Constitution.]~~

4 (b) If [Provided,--however,--if] any of the officers named
5 herein shall announce their candidacy, or shall in fact become a
6 candidate, in any General, Special or Primary Election, for any
7 office of profit or trust under the laws of this State or the
8 United States other than the office then held, at any time when the
9 unexpired term of the office then held shall exceed one (1) year,
10 such announcement or such candidacy shall constitute an automatic
11 resignation of the office then held, and the vacancy thereby
12 created shall be filled pursuant to law in the same manner as other
13 vacancies for such office are filled.

14 SECTION 56. Section 1, Article XVII, Texas Constitution, is
15 amended to read as follows:

16 Sec. 1. (a) The Legislature, at any regular session, or at
17 any special session when the matter is included within the purposes
18 for which the session is convened, may propose amendments revising
19 the Constitution, to be voted upon by the qualified voters
20 [electors] for statewide offices and propositions, as defined in
21 the Constitution and statutes of this State. The date of the
22 elections shall be specified by the Legislature. The proposal for
23 submission must be approved by a vote of two-thirds of all the
24 members elected to each House, entered by yeas and nays on the
25 journals.

26 (b) A brief explanatory statement of the nature of a
27 proposed amendment, together with the date of the election and the

1 wording of the proposition as it is to appear on the ballot, shall
2 be published twice in each newspaper in the State which meets
3 requirements set by the Legislature for the publication of official
4 notices of officers and departments of the state government. The
5 explanatory statement shall be prepared by the Secretary of State
6 and shall be approved by the Attorney General. The Secretary of
7 State shall send a full and complete copy of the proposed amendment
8 or amendments to each county clerk who shall post the same in a
9 public place in the courthouse at least 30 days prior to the
10 election on said amendment. The first notice shall be published
11 not more than 60 days nor less than 50 days before the date of the
12 election, and the second notice shall be published on the same day
13 in the succeeding week. The Legislature shall fix the standards
14 for the rate of charge for the publication, which may not be higher
15 than the newspaper's published national rate for advertising per
16 column inch.

17 (c) The election shall be held in accordance with procedures
18 prescribed by the Legislature, and the returning officer in each
19 county shall make returns to the Secretary of State of the number
20 of legal votes cast at the election for and against each amendment.
21 If it appears from the returns that a majority of the votes cast
22 have been cast in favor of an amendment, it shall become a part of
23 this Constitution, and proclamation thereof shall be made by the
24 Governor.

25 SECTION 57. The following provisions of the Texas
26 Constitution are repealed:

27 (1) Article III, Sections 26a, 50b, 50b-1, 50b-2,

1 50b-3, and 54;

2 (2) Article VIII, Sections 1-b-1, 1-c, and 5;

3 (3) Article IX, Section 6;

4 (4) Article XI, Section 6;

5 (5) Article XVI, Sections 18, 47, 53, 66, and 70(r);

6 and

7 (6) Article XVII, Section 2.

8 SECTION 58. The following temporary provision is added to
9 the Texas Constitution:

10 TEMPORARY TRANSITION PROVISIONS. (a) This section applies
11 to amendments proposed by H.J.R. No. 62, 76th Legislature, Regular
12 Session, 1999.

13 (b) The amendments do not impair any obligation created by
14 the issuance of bonds or other evidences of indebtedness in
15 accordance with prior law, and all bonds or other evidences of
16 indebtedness validly issued under provisions amended or repealed
17 remain valid, enforceable, and binding according to their terms
18 and shall be paid from the sources pledged. Bonds or other
19 evidences of indebtedness authorized but unissued on the effective
20 date of the amendments may be issued in compliance with and subject
21 to the provisions of the prior law. The amendments do not reduce
22 or expand the authority to provide for, issue, or sell bonds or
23 other evidences of indebtedness previously authorized.

24 (c) As of the date of adoption of H.J.R. No. 62 by the 76th
25 Legislature, Regular Session, 1999, the Veterans' Land Board has
26 authorized but unissued bonds in the aggregate principal amount of
27 \$190,002,225 for the purpose of providing funds for the Veterans'

1 Land Fund, \$1,309,997,775 having previously been issued for that
2 purpose, and \$615,000,000 for the purpose of providing funds for
3 the Veterans' Housing Assistance Fund II, \$385,000,000 having
4 previously been issued for that purpose. The amendments do not in
5 any manner impair the authority of the Veterans' Land Board
6 hereafter to issue bonds or incur other evidences of indebtedness,
7 provided that any bonds or other evidences of indebtedness issued
8 or incurred by the Veterans' Land Board prior to adoption of the
9 amendments shall cause the amount of authorized but unissued bonds
10 described in this subsection to be reduced by the amount of the
11 bonds so issued or other evidences of indebtedness so incurred.

12 (d) As of the date of adoption of H.J.R. No. 62 by the 76th
13 Legislature, Regular Session, 1999, the Texas Water Development
14 Board has authorized but unissued bonds in the aggregate principal
15 amount of \$945,765,000, and as of that date that board has issued
16 \$113,300,000 in bonds for the purpose of providing wholesale and
17 retail water and wastewater facilities to economically distressed
18 areas of the state, as defined by law. The amendments do not in
19 any manner impair the authority of the Texas Water Development
20 Board hereafter to issue bonds or incur other evidences of
21 indebtedness, provided that any bonds or other evidences of
22 indebtedness issued or incurred by the Texas Water Development
23 Board prior to adoption of the amendments shall cause the amount of
24 authorized but unissued bonds described in this subsection to be
25 reduced by the amount of the bonds so issued or other evidences of
26 indebtedness so incurred.

27 (e) As of the date of adoption of H.J.R. No. 62 by the 76th

1 Legislature, Regular Session, 1999, the Texas Higher Education
2 Coordinating Board has authorized but unissued bonds in the
3 aggregate principal amount of \$150,000,000, and as of that date the
4 board has issued \$810,000,000 in bonds for the purpose of
5 educational loans to students. The amendments do not in any manner
6 impair the authority of the Texas Higher Education Coordinating
7 Board hereafter to issue bonds or incur other evidences of
8 indebtedness, provided that any bonds or other evidences of
9 indebtedness issued or incurred by the Texas Higher Education
10 Coordinating Board prior to adoption of the amendments shall cause
11 the amount of authorized but unissued bonds described in this
12 subsection to be reduced by the amount of the bonds so issued or
13 other evidences of indebtedness so incurred.

14 (f) The amendment of Subsection (b), Section 1-b, Article
15 VIII, does not affect the increase in the amount of an exemption
16 effective January 1, 1979, under that subsection, and that increase
17 is preserved and given effect in accordance with the prior law.

18 (g) The amendment of Subsection (b), Section 1-j, Article
19 VIII, does not affect the taxation of personal property in
20 accordance with action taken under that section before April 1,
21 1990, and that authority to tax personal property is preserved and
22 given effect in accordance with the prior law.

23 (h) The amendment of Subsection (c), Section 5, Article IX,
24 does not affect the validity of a confirmation election held in
25 accordance with that section.

26 (i) The repeal of Section 5, Article VIII, does not affect
27 the power of a municipality to impose and collect taxes on the

1 property of railroad companies in accordance with the general
2 authority of municipalities under this constitution to impose and
3 collect those taxes.

4 (j) The repeal of Section 6, Article IX, does not affect the
5 disposition of assets of the Lamar County Hospital District in
6 accordance with that section.

7 (k) The amendment of Section 44, Article XVI, does not
8 affect the power of a county to abolish the office of county
9 treasurer or county surveyor in accordance with previously adopted
10 amendments of that section, and the power is preserved in
11 accordance with the prior law.

12 (l) The repeal of Section 66, Article XVI, does not affect
13 the pensions payable under that section and those pensions shall be
14 paid in accordance with the prior law.

15 (m) The reenactment of any provision for purposes of
16 amendment does not revive a provision that may have been impliedly
17 repealed by the adoption of a later amendment.

18 (n) The amendment of any provision does not affect vested
19 rights.

20 SECTION 59. This proposed constitutional amendment shall be
21 submitted to the voters at an election to be held on November 2,
22 1999. The ballot shall be printed to permit voting for or against
23 the proposition: "The constitutional amendment to eliminate
24 duplicative, executed, obsolete, archaic, and ineffective
25 provisions of the Texas Constitution."

LIST OF HOUSE AMENDMENTS CONSIDERED TODAY

HJR62-Second Reading

<u>AMENDMENT#</u>	<u>AUTHOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
1	Uher	Amendment	Adopted



ADOPTED

MAY 06 1999

Sharon Carrier
Chief Clerk
House of Representatives

P

Mowery
BY *Tiker*

FLOOR AMENDMENT NO. 1

- 1 Amend C.S.H.J.R. No. 62 by striking SECTIONS 34 AND 35 and
- 2 renumbering the subsequent SECTIONS accordingly.

HOUSE ENGROSSMENT

By Mowery, Driver, Puente

H.J.R. No. 62

A JOINT RESOLUTION

1 proposing a constitutional amendment to eliminate duplicative,
2 executed, obsolete, archaic, and ineffective constitutional
3 provisions.

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

5 SECTION 1. Section 2, Article III, Texas Constitution, is
6 amended to read as follows:

7 Sec. 2. The Senate shall consist of thirty-one members [~~7--and~~
8 ~~shall--never--be--increased--above--this--number~~]. The House of
9 Representatives shall consist of 150 [~~ninety-three~~] members [~~until~~
10 ~~the-first-apportionment-after-the-adoption--of--this--Constitution,~~
11 ~~when---or---at---any---apportionment---thereafter,~~ ~~the--number--of~~
12 ~~Representatives-may-be-increased-by-the-Legislature,~~ ~~upon-the-ratio~~
13 ~~of-not-more-than-one--Representative--for--every--fifteen--thousand~~
14 ~~inhabitants,~~ ~~provided,~~ ~~the--number-of-Representatives-shall-never~~
15 ~~exceed-one-hundred-and-fifty~~].

16 SECTION 2. Section 3, Article III, Texas Constitution, is
17 amended to read as follows:

18 Sec. 3. The Senators shall be chosen by the qualified voters
19 [~~electors~~] for the term of four years; but a new Senate shall be
20 chosen after every apportionment, and the Senators elected after
21 each apportionment shall be divided by lot into two classes. The
22 seats of the Senators of the first class shall be vacated at the
23 expiration of the first two years, and those of the second class at
24 the expiration of four years, so that one half of the Senators

1 shall be chosen biennially thereafter. Senators shall take office
2 following their election, on the day set by law for the convening
3 of the Regular Session of the Legislature, and shall serve
4 thereafter for the full term of years to which elected [~~and--until~~
5 ~~their-successors-shall-have-been-elected-and-qualified~~].

6 SECTION 3. Section 4, Article III, Texas Constitution, is
7 amended to read as follows:

8 Sec. 4. The Members of the House of Representatives shall be
9 chosen by the qualified voters [~~electors~~] for the term of two
10 years. Representatives shall take office following their election,
11 on the day set by law for the convening of the Regular Session of
12 the Legislature, and shall serve thereafter for the full term of
13 years to which elected [~~and--until--their-successors-shall-have-been~~
14 ~~elected-and-qualified~~].

15 SECTION 4. Section 5, Article III, Texas Constitution, is
16 amended to read as follows:

17 Sec. 5. (a) The Legislature shall meet every two years at
18 such time as may be provided by law and at other times when
19 convened by the Governor.

20 (b) When convened in regular Session, the first thirty days
21 thereof shall be devoted to the introduction of bills and
22 resolutions, acting upon emergency appropriations, passing upon the
23 confirmation of the recess appointees of the Governor and such
24 emergency matters as may be submitted by the Governor in special
25 messages to the Legislature. During [~~provided-that-during~~] the
26 succeeding thirty days of the regular session of the Legislature
27 the various committees of each House shall hold hearings to

1 consider all bills and resolutions and other matters then pending;
2 and such emergency matters as may be submitted by the Governor.
3 During[~~it~~ provided further that during] the remainder of the session
4 [following sixty days] the Legislature shall act upon such bills
5 and resolutions as may be then pending and upon such emergency
6 matters as may be submitted by the Governor in special messages to
7 the Legislature.

8 (c) Notwithstanding Subsection (b), either[~~it~~ provided,
9 however,~~it~~ either] House may [otherwise] determine its order of
10 business by an affirmative vote of four-fifths of its membership.

11 SECTION 5. Section 6, Article III, Texas Constitution, is
12 amended to read as follows:

13 Sec. 6. No person shall be a Senator, unless he be a citizen
14 of the United States, and, at the time of his election a qualified
15 voter [~~elector~~] of this State, and shall have been a resident of
16 this State five years next preceding his election, and the last
17 year thereof a resident of the district for which he shall be
18 chosen, and shall have attained the age of twenty-six years.

19 SECTION 6. Section 7, Article III, Texas Constitution, is
20 amended to read as follows:

21 Sec. 7. No person shall be a Representative, unless he be a
22 citizen of the United States, and, at the time of his election, a
23 qualified voter [~~elector~~] of this State, and shall have been a
24 resident of this State two years next preceding his election, the
25 last year thereof a resident of the district for which he shall be
26 chosen, and shall have attained the age of twenty-one years.

27 SECTION 7. Section 14, Article III, Texas Constitution, is

1 amended to read as follows:

2 Sec. 14. Senators and Representatives shall, except in cases
3 of treason, felony, or breach of the peace, be privileged from
4 arrest during the session of the Legislature, and in going to and
5 returning from the same [~~7-allowing-one-day-for-every-twenty-miles~~
6 ~~such-member-may-reside-from-the-place-at-which-the--legislature--is~~
7 ~~convened~~].

8 SECTION 8. Section 33, Article III, Texas Constitution, is
9 amended to read as follows:

10 Sec. 33. All bills for raising revenue shall originate in
11 the House of Representatives [~~7-but-the-senate-may-amend-or-reject~~
12 ~~them-as-other-bills~~].

13 SECTION 9. Section 32, Article III, Texas Constitution, is
14 amended to read as follows:

15 Sec. 32. No bill shall have the force of a law, until it has
16 been read on three several days in each House, and free discussion
17 allowed thereon; but [~~in-cases--of--imperative--public--necessity~~
18 ~~(which--necessity--shall--be-stated-in-a-preamble-or-in-the-body-of~~
19 ~~the-bill)~~] four-fifths of the House, in which the bill may be
20 pending, may suspend this rule, the yeas and nays being taken on
21 the question of suspension, and entered upon the journals.

22 SECTION 10. Section 39, Article III, Texas Constitution, is
23 amended to read as follows:

24 Sec. 39. No law passed by the Legislature, except the
25 general appropriation act, shall take effect or go into force until
26 ninety days after the adjournment of the session at which it was
27 enacted, unless [~~in-case-of-an-emergency, which-emergency--must--be~~

1 ~~expressed-in-a-preamble-or-in-the-body-of-the-act~~⁷] the Legislature
2 shall, by a vote of two-thirds of all the members elected to each
3 House, otherwise direct; said vote to be taken by yeas and nays,
4 and entered upon the journals.

5 SECTION 11. Section 48-e, Article III, Texas Constitution,
6 is amended to read as follows:

7 Sec. 48-e. Laws may be enacted to provide for the
8 establishment and creation of special districts to provide
9 emergency services and to authorize the commissioners courts of
10 participating counties to levy a tax on the ad valorem property
11 situated in said districts not to exceed Ten Cents (10¢) on the One
12 Hundred Dollars (\$100.00) valuation for the support thereof;
13 provided that no tax shall be levied in support of said districts
14 until approved by a vote of the qualified voters [~~electors~~]
15 residing therein. Such a district may provide emergency medical
16 services, emergency ambulance services, rural fire prevention and
17 control services, or other emergency services authorized by the
18 Legislature.

19 SECTION 12. Section 48-f, Article III, Texas Constitution,
20 is amended to read as follows:

21 Sec. 48-f. The legislature, by law, may provide for the
22 creation, operation, and financing of jail districts and may
23 authorize each district to issue bonds and other obligations and to
24 levy an ad valorem tax on property located in the district to pay
25 principal of and interest on the bonds and to pay for operation of
26 the district. An ad valorem tax may not be levied and bonds secured
27 by a property tax may not be issued until approved by the qualified

1 voters [electors] of the district voting at an election called and
2 held for that purpose.

3 SECTION 13. Section 49a, Article III, Texas Constitution, is
4 amended to read as follows:

5 Sec. 49a. (a) It shall be the duty of the Comptroller of
6 Public Accounts in advance of each Regular Session of the
7 Legislature to prepare and submit to the Governor and to the
8 Legislature upon its convening a statement under oath showing fully
9 the financial condition of the State Treasury at the close of the
10 last fiscal period and an estimate of the probable receipts and
11 disbursements for the then current fiscal year. There shall also
12 be contained in said statement an itemized estimate of the
13 anticipated revenue based on the laws then in effect that will be
14 received by and for the State from all sources showing the fund
15 accounts to be credited during the succeeding biennium and said
16 statement shall contain such other information as may be required
17 by law. Supplemental statements shall be submitted at any Special
18 Session of the Legislature and at such other times as may be
19 necessary to show probable changes.

20 (b) Except [~~From--and--after--January--17--19457--save~~] in the
21 case of emergency and imperative public necessity and with a
22 four-fifths vote of the total membership of each House, no
23 appropriation in excess of the cash and anticipated revenue of the
24 funds from which such appropriation is to be made shall be valid.
25 No [~~From--and--after--January--17--19457--no~~] bill containing an
26 appropriation shall be considered as passed or be sent to the
27 Governor for consideration until and unless the Comptroller of

1 Public Accounts endorses his certificate thereon showing that the
 2 amount appropriated is within the amount estimated to be available
 3 in the affected funds. When the Comptroller finds an appropriation
 4 bill exceeds the estimated revenue he shall endorse such finding
 5 thereon and return to the House in which same originated. Such
 6 information shall be immediately made known to both the House of
 7 Representatives and the Senate and the necessary steps shall be
 8 taken to bring such appropriation to within the revenue, either by
 9 providing additional revenue or reducing the appropriation.

10 ~~[For--the-purpose-of-financing-the-outstanding-obligations-of~~
 11 ~~the-General-Revenue-Fund-of--the--State--and--placing--its--current~~
 12 ~~accounts--on--a-cash-basis-the-Legislature-of-the-State-of-Texas-is~~
 13 ~~hereby-authorized-to-provide-for-the-issuance,-sale,-and-retirement~~
 14 ~~of-serial-bonds,-equal--in--principal--to--the--total--outstanding,-~~
 15 ~~valid,-and-approved-obligations-owing-by-said-fund-on-September-1,~~
 16 ~~1943,-provided-such-bonds-shall-not-draw-interest-in-excess-of--two~~
 17 ~~(2)--per--cent--per-annum-and-shall-mature-within-twenty-(20)-years~~
 18 ~~from-date.]~~

19 SECTION 14. Sections 49-b, 49-b-1, 49-b-2, and 49-b-3,
 20 Article III, Texas Constitution, are combined, reenacted as Section
 21 49-b, and amended to read as follows:

22 Sec. 49-b. (a) The ~~[By-virtue-of-prior-Amendments--to--this~~
 23 ~~Constitution,-there--has-been-created-a-governmental-agency-of-the~~
 24 ~~State-of--Texas--performing--governmental--duties--which--has--been~~
 25 ~~designated--the]~~ Veterans' Land Board~~[-Said-Board-shall-continue~~
 26 ~~to-function--for--the--purposes--specified--in--all--of--the--prior~~
 27 ~~Constitutional--Amendments--except-as-modified-herein,-Said-Board]~~

1 shall be composed of the Commissioner of the General Land Office
 2 and two (2) citizens of the State of Texas, one (1) of whom shall
 3 be well versed in veterans' affairs and one (1) of whom shall be
 4 well versed in finances. One (1) such citizen member shall, with
 5 the advice and consent of the Senate, be appointed biennially by
 6 the Governor to serve for a term of four (4) years. In the event
 7 of the resignation or death of any such citizen member, the
 8 Governor shall appoint a replacement to serve for the unexpired
 9 portion of the term to which the deceased or resigning member had
 10 been appointed. The compensation for said citizen members shall be
 11 as is now or may hereafter be fixed by the Legislature; and each
 12 shall make bond in such amount as is now or may hereafter be
 13 prescribed by the Legislature.

14 (b) The Commissioner of the General Land Office shall act as
 15 Chairman of said Board and shall be the administrator of the
 16 Veterans' Land Program under such terms and restrictions as are now
 17 or may hereafter be provided by law. In the absence or illness of
 18 said Commissioner, the Chief Clerk of the General Land Office shall
 19 be the Acting Chairman of said Board with the same duties and
 20 powers that said Commissioner would have if present.

21 (c) The Veterans' Land Board may provide for, issue and sell
 22 [~~not-to-exceed-Nine-Hundred-Fifty--Million--Dollars--(\$950,000,000)~~
 23 ~~in~~] bonds or obligations of the State of Texas as authorized by
 24 constitutional amendment or by a debt proposition under Section 49
 25 of this article for the purpose of creating a fund to be known as
 26 the Veterans' Land Fund [~~7---Seven---Hundred---Million---Dollars~~
 27 ~~(\$700,000,000)]--of--which--have--heretofore--been--authorized.--Such~~

1 bonds-or-obligations-shall-be-sold-for-not-less-than-par-value--and
2 accrued--interest,---shall--be-issued-in-such-forms,--denominations,
3 and-upon-such-terms-as-are-now-or-may-hereafter-be-provided-by-law,
4 shall-be-issued-and-sold-at-such-times,--at-such-places,--and-in-such
5 installments-as-may-be-determined-by-said-Board,--and-shall--bear--a
6 rate--or--rates--of--interest-as-may-be-fixed-by-said-Board-but-the
7 weighted-average-annual-interest-rate,--as-that-phrase--is--commonly
8 and-ordinarily-used-and-understood-in-the-municipal-bond-market,--of
9 all--the--bonds-issued-and-sold-in-any-installment-of-any-bonds-may
10 not-exceed-the-rate-specified-in-Section-65-of-this--Article.---All
11 bonds--or--obligations--issued--and--sold--hereunder--shall,--after
12 execution--by-the-Board,--approval-by-the-Attorney-General-of-Texas,
13 registration-by-the-Comptroller-of-Public-Accounts-of-the-State--of
14 Texas,---and---delivery---to---the---purchaser--or--purchasers,--be
15 incontestable-and-shall-constitute-general-obligations-of-the-State
16 of-Texas-under-the-Constitution-of-Texas,--and-all-bonds--heretofore
17 issued--and-sold-by-said-Board-are-hereby-in-all-respects-validated
18 and-declared-to-be-general-obligations-of-the-State-of--Texas.---in
19 order-to-prevent-default-in-the-payment-of-principal-or-interest-on
20 any--such--bonds,--the--Legislature--shall-appropriate-a-sufficient
21 amount-to-pay-the-same].

22 (d) In the sale of any such bonds or obligations, a
23 preferential right of purchase shall be given to the administrators
24 of the various Teacher Retirement Funds, the Permanent University
25 Funds, and the Permanent School Funds.

26 [Said---Veterans¹---Land--Fund--shall--consist--of--any--lands
27 heretofore-or-hereafter-purchased-by-said--Board,--until--the--sale

1 needed-for-such-purposes.

2 [All--moneys--comprising-a-part-of-said-Fund-and-not-expended
3 for-the-purposes-herein-provided-shall-be-a-part-of-said-Fund-until
4 there-are-sufficient-moneys-therein-to--retire--fully--all--of--the
5 bonds--heretofore--or--hereafter--issued-and-sold-by-said-Board,--at
6 which-time-all-such-moneys-remaining--in--said--Fund,--except--such
7 portion--thereof-as-may-be-necessary-to-retire-all-such-bonds-which
8 portion-shall-be-set-aside--and--retained--in--said--Fund--for--the
9 purpose--of--retiring--all--such--bonds,--shall-be-deposited-to-the
10 credit-of-the-General-Revenue--Fund--to--be--appropriated--to--such
11 purposes--as--may-be-prescribed-by-law.--All-moneys-becoming-a-part
12 of-said-Fund-thereafter-shall-likewise-be-deposited-to--the--credit
13 of-the-General-Revenue-Fund.

14 [When--a--Division--of-said-Fund--(each-Division-consisting-of
15 the-moneys-attributable-to-the-bonds-issued-and-sold-pursuant-to--a
16 single---Constitutional---authorization--and--the--lands--purchased
17 therewith)--contains-sufficient-moneys-to-retire-all--of--the--bonds
18 secured--by--such-Division,--the-moneys-thereof,--except-such-portion
19 as-may-be-needed-to--retire--all--of--the--bonds--secured--by--such
20 Division-which-portion-shall-be-set-aside-and-remain-a-part-of-such
21 Division--for--the--purpose-of-retiring-all-such-bonds,--may-be-used
22 for-the-purpose-of-paying-the-principal-and-the--interest--thereon,
23 together--with--the--expenses-herein-authorized,--of-any-other-bonds
24 heretofore-or-hereafter-issued-and-sold-by-said--Board.---Such--use
25 shall--be--a-matter-for-the-discretion-and-direction-of-said-Board,
26 but-there-may-be-no-such-use-of-any-such--moneys--contrary--to--the
27 rights--of--any--holder-of-any-of-the-bonds-issued-and-sold-by-said

Board of vicative of any contract to which said Board is a party.

[The Veterans' Land Fund shall be used by said Board for the purpose of purchasing lands situated in the State of Texas owned by the United States or any government agency thereof owned by the Texas Prison System or any other government agency of the State of Texas or owned by any person, firm or corporation. It is intended that such lands be purchased and conveyed to the lowest bidder to be paid for in cash and such be a part of said Fund. Such lands hereafter or hereafter purchased and comprising a part of said Fund are hereby declared to be held for a government purpose and the individual purchasers thereof shall be subject to the same as the lands declared to be held for the Permanent Free Public Schools Fund.]

[The lands of the Veterans' Land Fund shall be sold by said Board in such quantities and such terms and such prices and such rates of interest and under such rules and regulations as are now or may hereafter be provided by law to veterans as they are now or may hereafter be defined by the laws of the State of Texas. The foregoing notwithstanding any lands in the Veterans' Land Fund which have been first offered for sale to veterans and which have not been sold may be sold or resold to such purchasers in such quantities and on such terms and at such prices and rates of interest and under such rules and regulations as are now or may hereafter be provided by law.]

(e) Said Veterans' Land Fund, to the extent of the moneys attributable to any bonds hereafter issued and sold by said Board

1 may be used by said Board, as is now or may hereafter be provided
2 by law, for the purpose of paying the expenses of surveying,
3 monumenting, road construction, legal fees, recordation fees,
4 advertising and other like costs necessary or incidental to the
5 purchase and sale, or resale, of any lands purchased with any of
6 the moneys attributable to such additional bonds, such expenses to
7 be added to the price of such lands when sold, or resold, by said
8 Board; for the purpose of paying the expenses of issuing, selling,
9 and delivering any such additional bonds; and for the purpose of
10 meeting the expenses of paying the interest or principal due or to
11 become due on any such additional bonds.

12 ~~[All--of--the--moneys--attributable--to--any--series--of--bonds~~
13 ~~hereafter--issued--and--sold--by--said--Board--(a--"series--of--bonds"--being~~
14 ~~all--of--the--bonds--issued--and--sold--in--a--single--transaction--as--a~~
15 ~~single--installment--of--bonds)--may--be--used--for--the--purchase--of--lands~~
16 ~~as--herein--provided,--to--be--sold--as--herein--provided,--for--a--period~~
17 ~~ending--eight--(8)--years--after--the--date--of--sale--of--such--series--of~~
18 ~~bonds,---provided,--however,--that--so--much--of--such--moneys--as--may--be~~
19 ~~necessary--to--pay--interest--on--bonds--hereafter--issued--and--sold--shall~~
20 ~~be--set--aside--for--that--purpose--in--accordance--with--the--resolution~~
21 ~~adopted--by--said--Board--authorizing--the--issuance--and--sale--of--such~~
22 ~~series--of--bonds,---After--such--eight--(8)--year--period,--all--of--such~~
23 ~~moneys--shall--be--set--aside--for--the--retirement--of--any--bonds--hereafter~~
24 ~~issued--and--sold--and--to--pay--interest--thereon,--together--with--any~~
25 ~~expenses--as--provided--herein,--in--accordance--with--the--resolution--or~~
26 ~~resolutions--authorizing--the--issuance--and--sale--of--such--additional~~
27 ~~bonds,--until--there--are--sufficient--moneys--to--retire--all--of--the--bonds~~

1 as may be determined by the board, and, notwithstanding the rate of
2 interest specified by any other provision of this constitution,
3 shall bear a rate or rates of interest fixed by the board. All
4 bonds issued and sold pursuant to Subsections (a) through (f) of
5 this section shall, after execution by the board, approval by the
6 Attorney General of Texas, registration by the Comptroller of
7 Public Accounts of the State of Texas, and delivery to the
8 purchaser or purchasers, be incontestable and shall constitute
9 general obligations of the state under the Constitution of Texas:

10 [(d) Three hundred million dollars of the state bonds
11 authorized by this section shall be used to augment the Veterans'
12 Land Fund. The Veterans' Land Fund shall be used by the board for
13 the purpose of purchasing lands situated in the State of Texas
14 owned by the United States government or any agency thereof, the
15 State of Texas or any subdivision or agency thereof, or any person,
16 firm, or corporation. The lands shall be sold to veterans in such
17 quantities, on such terms, at such prices, at such rates of
18 interest, and under such rules and regulations as may be authorized
19 by law. The expenses of the board in connection with the issuance
20 of the bonds and the purchase and sale of the lands may be paid
21 from money in the fund. The Veterans' Land Fund shall continue to
22 consist of any lands purchased by the board until the sale price
23 therefor, together with any interest and penalties due, have been
24 received by the board (although nothing herein shall prevent the
25 board from accepting full payment for a portion of any tract) and
26 of the money attributable to any bonds issued and sold by the board
27 for the Veterans' Land Fund, which money so attributable shall

1 ~~be-used-for-the-Veterans'-Housing-Assistance-Fund, \$500-million--of~~
2 ~~which--have--heretofore--been--authorized.---Money-in-the-Veterans'~~
3 ~~Housing-Assistance-Fund]~~ shall be administered by the Veterans'
4 Land Board and shall be used for the purpose of making home
5 mortgage loans to veterans for housing within the State of Texas in
6 such quantities, on such terms, at such rates of interest, and
7 under such rules and regulations as may be authorized by law. The
8 expenses of the board in connection with the issuance of the bonds
9 for the benefit of the Veterans' Housing Assistance Fund and the
10 making of the loans may be paid from money in the fund. [The
11 ~~Veterans'---Housing-Assistance-Fund-shall-consist-of-any-interest-of~~
12 ~~the-board-in-all-home-mortgage-loans-made-to-veterans-by-the--board~~
13 ~~pursuant--to--a--Veterans'---Housing---Assistance---Program--which-the~~
14 ~~legislature-may-establish-by-appropriate--legislation--until,--with~~
15 ~~respect--to--any--such--home--mortgage--loan, the-principal-amount,~~
16 ~~together-with-any-interest-and-penalties-due, have-been-received-by~~
17 ~~the-board, the-money-attributable-to-any-bonds-issued-and--sold--by~~
18 ~~the---board---to--provide--money--for--the--fund,--which--money--so~~
19 ~~attributable-shall-include-but-shall-not-be-limited-to-the-proceeds~~
20 ~~from-the-issuance-and-sale-of-such-bonds, income, rents,--and--any~~
21 ~~other-pecuniary-benefit-received-by-the-board-as-a-result-of-making~~
22 ~~such-loans, sums-received-by-way-of-indemnity-or-forfeiture-for-the~~
23 ~~failure--of--any-bidder-for-the-purchase-of-any-such-bonds-to-comply~~
24 ~~with-his-bid-and-accept--and--pay--for--such--bonds,--and--interest~~
25 ~~received-from-investments-of-any-such-money.] The principal of and~~
26 interest on the general obligation bonds authorized by this section
27 for the benefit of the Veterans' Housing Assistance Fund shall be

1 paid out of the money of the fund, but the money of the fund which
2 is not immediately committed to the payment of principal and
3 interest on such bonds, the making of home mortgage loans as herein
4 provided, or the payment of expenses as herein provided may be
5 invested as authorized by law until the money is needed for such
6 purposes.

7 [(f) -- The -- extent -- there -- is -- not -- money -- in -- either -- the
8 Veterans' - Bond - Fund - or - the - Veterans' - Housing - Assistance - Fund - as - the
9 case - may - be - available - for - payment - of - principal - or - interest - on
10 the - general - obligation - bonds - authorized - by - the - State - to - provide
11 money - for - either - of - the - funds - here - by - approved - or - of
12 the - State - money - coming - in - the - Treasury - in - cash - or - by - note
13 or - other - ways - approved - by - the - State - Comptroller - and - when - the
14 principal - or - interest - on - the - principal - or - interest - bonds - or - general
15 obligation - bonds - are - to - be - paid - or - when - the - principal - or - interest

16 [(g) -- Receipt - of - the - principal - or - interest - on - the - bonds - by - the
17 board - not - to - be - required - for - the - payment - of - principal - or - interest
18 on - the - general - obligation - bonds - or - the - principal - or - interest - on
19 the - principal - or - interest - bonds - or - when - the - principal - or - interest
20 is - to - be - paid - by - the - board - to - provide - money - for - either - of
21 the - funds - here - by - approved - or - of - the - State - Comptroller - and - when
22 the - principal - or - interest - on - the - principal - or - interest - bonds - or - general
23 obligation - bonds - is - to - be - paid - or - when - the - principal - or - interest
24 on - the - principal - or - interest - bonds - or - when - the - principal - or - interest
25 on - the - principal - or - interest - bonds - or - when - the - principal - or - interest
26 on - the - principal - or - interest - bonds - or - when - the - principal - or - interest
27 on - the - principal - or - interest - bonds - or - when - the - principal - or - interest

1 The revenue bonds shall be special obligations and payable only
2 from the receipt of the funds and shall not constitute indebtedness
3 of the state or the Veterans' Land Board. The board is authorized
4 to issue such revenue bonds from time to time which shall not
5 exceed an aggregate principal amount that can be fully retired from
6 the receipts of the funds and other revenues pledged to the
7 retirement of the revenue bonds. The revenue bonds shall be issued
8 in such forms and denominations, upon such terms, at such times and
9 places, and in such installments as may be determined by the board,
10 and, notwithstanding the rate of interest specified by any other
11 provision of the constitution, shall bear a rate or rates of
12 interest fixed by the board.

13 [(h) This Amendment being intended only to establish a basic
14 framework and not to be a comprehensive treatment of the Veterans'
15 Housing Assistance Program and the Veterans' Land Program, there is
16 hereby reposed in the Legislature full power to implement and
17 effectuate the design and objects of this Amendment, including the
18 power to delegate such duties, responsibilities, functions, and
19 authority to the Veterans' Land Board as it believes necessary.

20 [Sec. 49-b-2. (a) In addition to the general obligation
21 bonds authorized to be issued and to be sold by the Veterans' Land
22 Board by Sections 49-b and 49-b-1 of this article, the Veterans'
23 Land Board may provide for, issue, and sell general obligation
24 bonds of the state in an amount not to exceed \$750 million, to
25 provide financing to veterans of the state in recognition of their
26 service to their state and the United States of America.]

27 (h) The [(b) Two hundred fifty million dollars of the

1 ~~general obligation bonds authorized by this section shall be used~~
2 ~~to augment the Veterans' Land Fund. Notwithstanding any provision~~
3 ~~of Section 49-b or 49-b-1 of this article to the contrary, the~~
4 Veterans' Land Fund shall be used by the Veterans' Land Board to
5 purchase lands situated in the state owned by the United States
6 government, an agency of the United States government, this state,
7 a political subdivision or agency of this state, or a person, firm,
8 or corporation.

9 (i) Lands purchased and comprising a part of the Veterans'
10 Land Fund are declared to be held for a governmental purpose, but
11 the individual purchasers of those lands shall be subject to
12 taxation to the same extent and in the same manner as are
13 purchasers of lands dedicated to the Permanent Free Public School
14 Fund. The lands shall be sold to veterans in quantities, on terms,
15 at prices, and at fixed, variable, floating, or other rates of
16 interest, determined by the Board and in accordance with rules of
17 the Board. Notwithstanding any provisions of this section to the
18 contrary, lands in the Veterans' Land Fund that are offered for
19 sale to veterans and that are not sold may be sold or resold to the
20 purchasers in quantities, on terms, at prices, and at rates of
21 interest determined by the Board and in accordance with rules of
22 the Board.

23 (j) The expenses of the Board in connection with the
24 issuance of the bonds for the benefit of the Veterans' Land Fund
25 and the purchase and sale of the lands may be paid from money in
26 the Veterans' Land Fund.

27 (k) ~~(c)~~ The Veterans' Land Fund shall consist of:

1 (1) lands heretofore or hereafter purchased by the
2 Board;

3 (2) money attributable to bonds heretofore or
4 hereafter issued and sold by the Board for the fund, including
5 proceeds from the issuance and sale of the bonds;

6 (3) money received from the sale or resale of lands or
7 rights in lands purchased from those proceeds;

8 (4) money received from the sale or resale of lands or
9 rights in lands purchased with other money attributable to the
10 bonds;

11 (5) proceeds derived from the sale or other
12 disposition of the Board's interest in contracts for the sale or
13 resale of lands or rights in lands;

14 (6) interest and penalties received from the sale or
15 resale of lands or rights in lands;

16 (7) bonuses, income, rents, royalties, and other
17 pecuniary benefits received by the Board from lands;

18 (8) money received by way of indemnity or forfeiture
19 for the failure of a bidder for the purchase of bonds to comply
20 with the bid and accept and pay for the bonds or for the failure of
21 a bidder for the purchase of lands comprising a part of the
22 Veterans' Land Fund to comply with the bid and accept and pay for
23 the lands;

24 (9) payments received by the Board under a bond
25 enhancement agreement with respect to the bonds; and

26 (10) interest received from investments of money in
27 the fund.

1 (l) [~~t~~] The principal of and interest on the general
 2 obligation bonds [~~authorized-by-this-section~~] for the benefit of
 3 the Veterans' Land Fund, including payments by the Board under a
 4 bond enhancement agreement with respect to principal of or interest
 5 on the bonds, shall be paid out of the money of the Veterans' Land
 6 Fund, but the money in the fund that is not immediately committed
 7 to the payment of principal and interest on the bonds, the purchase
 8 of lands, or the payment of expenses may be invested as authorized
 9 by law until the money is needed for those purposes.

10 (m) [~~t~~] The Veterans' Housing Assistance Fund II [~~is~~
 11 ~~created~~ ~~and~~ ~~\$500 million of the general obligation bonds~~
 12 ~~authorized-by-this-section-shall-be-used-for-the-Veterans' Housing~~
 13 ~~Assistance Fund II. The Veterans' Housing Assistance Fund II~~] is a
 14 separate and distinct fund from the Veterans' Housing Assistance
 15 Fund [~~established under Section 49-b-1 of this article~~]. Money in
 16 the Veterans' Housing Assistance Fund II shall be administered by
 17 the Veterans' Land Board and shall be used to make home mortgage
 18 loans to veterans for housing within this state in quantities, on
 19 terms, and at fixed, variable, floating, or other rates of
 20 interest, determined by the Board and in accordance with rules of
 21 the Board. The expenses of the Board in connection with the
 22 issuance of the bonds for the benefit of the Veterans' Housing
 23 Assistance Fund II and the making of the loans may be paid from
 24 money in the Veterans' Housing Assistance Fund II.

25 (n) [~~t~~] The Veterans' Housing Assistance Fund II shall
 26 consist of:

27 (1) the Board's interest in home mortgage loans the

1 Board makes to veterans from money in the fund under the Veterans'
2 Housing Assistance Program established by law;

3 (2) proceeds derived from the sale or other
4 disposition of the Board's interest in home mortgage loans;

5 (3) money attributable to bonds issued and sold by the
6 Board to provide money for the fund, including the proceeds from
7 the issuance and sale of bonds;

8 (4) income, rents, and other pecuniary benefits
9 received by the Board as a result of making loans;

10 (5) money received by way of indemnity or forfeiture
11 for the failure of a bidder for the purchase of bonds to comply
12 with the bid and accept and pay for the bonds;

13 (6) payments received by the Board under a bond
14 enhancement agreement with respect to the bonds; and

15 (7) interest received from investments of money.

16 (o) [~~g~~] The principal of and interest on the general
17 obligation bonds [~~authorized--by--this--section~~] for the benefit of
18 the Veterans' Housing Assistance Fund II, including payments by the
19 Board under a bond enhancement agreement with respect to principal
20 of or interest on the bonds, shall be paid out of the money of the
21 Veterans' Housing Assistance Fund II, but the money in the fund
22 that is not immediately committed to the payment of principal and
23 interest on the bonds, the making of home mortgage loans, or the
24 payment of expenses may be invested as authorized by law until the
25 money is needed for those purposes.

26 (p) The [~~h~~]~~--Notwithstanding--the--provisions--of--Section~~
27 ~~49-b-1--of--this--article--to--the--contrary,~~7-the] Veterans' Housing

1 Assistance Fund shall consist of:

2 (1) the Board's interest in home mortgage loans the
3 Board makes to veterans from money in the fund under the Veterans'
4 Housing Assistance Program established by law;

5 (2) proceeds derived from the sale or other
6 disposition of the Board's interest in home mortgage loans;

7 (3) money attributable to bonds issued and sold by the
8 Board to provide money for the fund, including proceeds from the
9 issuance and sale of bonds;

10 (4) income, rents, and other pecuniary benefits
11 received by the Board as a result of making loans;

12 (5) money received by way of indemnity or forfeiture
13 for the failure of a bidder for the purchase of bonds to comply
14 with the bid and accept and pay for the bonds;

15 (6) payments received by the Board under a bond
16 enhancement agreement with respect to the bonds; and

17 (7) interest received from investments of money.

18 (g) [~~††~~] The principal of and interest on the general
19 obligation bonds [~~authorized-by-Section-49-b-1-of-this-article~~] for
20 the benefit of the Veterans' Housing Assistance Fund, including
21 payments by the Board under a bond enhancement agreement with
22 respect to principal of or interest on the bonds, shall be paid out
23 of money in the Veterans' Housing Assistance Fund.

24 (r) [~~††~~] If there is not enough money in the Veterans' Land
25 Fund, the Veterans' Housing Assistance Fund, or the Veterans'
26 Housing Assistance Fund II, as the case may be, available to pay
27 the principal of and interest on the general obligation bonds

1 benefiting those funds [~~authorized-by-this-section-or-by-Section~~
 2 ~~49-b-or-49-b-1-of-this-article~~], including money to make payments
 3 by the Board under a bond enhancement agreement with respect to
 4 principal of or interest on the bonds, there is appropriated out of
 5 the first money coming into the treasury in each fiscal year, not
 6 otherwise appropriated by this constitution, an amount that is
 7 sufficient to pay the principal of and interest on the general
 8 obligation bonds that mature or become due during that fiscal year
 9 or to make bond enhancement payments with respect to those bonds.

10 (s) Receipts [~~(k)--Notwithstanding-any-provisions-of-Section~~
 11 ~~49-b-or-49-b-1-of-this-article-to-the-contrary,--receipts~~] of all
 12 kinds of the Veterans' Land Fund, the Veterans' Housing Assistance
 13 Fund, or the Veterans' Housing Assistance Fund II that the Board
 14 determines are not required for the payment of principal of and
 15 interest on the general obligation bonds benefiting those funds,
 16 including payments by the Board under a bond enhancement agreement
 17 with respect to principal of or interest on the bonds, [~~authorized~~
 18 ~~by--this--section--or--by-Section-49-b-or-49-b-1-of-this-article-or~~
 19 ~~otherwise-authorized-by-this-constitution-to-be-issued-by-the-Board~~
 20 ~~to-provide-money-for-the-fund,~~] may be used by the Board, to the
 21 extent not inconsistent with the proceedings authorizing the bonds
 22 to:

23 (1) make temporary transfers to another of those funds
 24 to avoid a temporary cash deficiency in that fund or make a
 25 transfer to another of those funds for the purposes of that fund;

26 (2) pay the principal of and interest on general
 27 obligation bonds issued to provide money for another of those funds

1 or make bond enhancement payments with respect to the bonds; or

2 (3) pay the principal of and interest on revenue bonds
3 of the Board or make bond enhancement payments with respect to the
4 bonds if the bonds are issued to provide funds to purchase lands
5 and sell lands to veterans or make home mortgage loans to veterans.

6 (t) [~~l~~] If the Board determines that assets from the
7 Veterans' Land Fund, the Veterans' Housing Assistance Fund, or the
8 Veterans' Housing Assistance Fund II are not required for the
9 purposes of the fund, the Board may transfer the assets to another
10 of those funds or use the assets to secure revenue bonds issued by
11 the Board under this section.

12 (u) [~~m~~] The revenue bonds shall be special obligations of
13 the Board and payable only from and secured only by receipts of the
14 funds, assets transferred from the funds, and other revenues and
15 assets as determined by the Board and shall not constitute
16 indebtedness of the state or the Veterans' Land Board. The Board
17 may issue revenue bonds from time to time, which bonds may not
18 exceed an aggregate principal amount that the Board determines can
19 be fully retired from the receipts of the funds, the assets
20 transferred from the funds, and the other revenues and assets
21 pledged to the retirement of the revenue bonds. [~~The revenue bonds~~
22 ~~shall be issued and sold in forms and denominations, in the manner,~~
23 ~~on terms, at times, and places, and in installments, the Board~~
24 ~~determines.] Notwithstanding the rate of interest specified by any~~
25 other provision of this constitution, [the] revenue bonds shall
26 bear a rate or rates of interest the Board determines. A
27 determination made by the Board under this subsection shall be

1 binding and conclusive as to the matter determined.

2 (v) ~~The [({n})--Notwithstanding-any-provisions-of-Section-49-b~~
3 ~~or-49-b-1-of-this-article-to-the-contrary,--the]~~ bonds authorized to
4 be issued and sold by the Veterans' Land Board [~~by-this-section-or~~
5 ~~by-Sections-49-b-and-49-b-1-of-this-article]~~ shall be issued and
6 sold in forms and denominations, on terms, at times, in the manner,
7 at places, and in installments the Board determines. The bonds
8 shall bear a rate or rates of interest the Board determines. The
9 bonds shall be incontestable after execution by the Board, approval
10 by the Attorney General of Texas, and delivery to the purchaser or
11 purchasers of the bonds.

12 (w) ~~[({o})]~~ This Amendment being intended only to establish a
13 basic framework and not to be a comprehensive treatment of the
14 Veterans' Housing Assistance Program and the Veterans' Land
15 Program, there is hereby reposed in the Legislature full power to
16 implement and effectuate the design and objects of this Amendment,
17 including the power to delegate such duties, responsibilities,
18 functions, and authority to the Veterans' Land Board as it believes
19 necessary.

20 ~~[({p})--In-this-section,--"veteran"--has-the-meaning-assigned--by~~
21 ~~Section-49-b-1-of-this-article.~~

22 ~~[Sec.-49-b-3.----({a})---In--addition-to-the-general-obligation~~
23 ~~bonds-authorized-to-be-issued-and-to-be-sold-by-the-Veterans'--Land~~
24 ~~Board--by--Sections--49-b,--49-b-1,--and-49-b-2-of-this-article,--the~~
25 ~~Veterans'--Land-Board-may--provide--for,--issue,--and--sell--general~~
26 ~~obligation--bonds--of--the--state--in--an-amount-not-to-exceed-\$500~~
27 ~~million-to-provide-housing-financing-to-veterans-of--the--state--in~~

1 recognition--of--the--service--to--the--state--and--the--United--States
2 The--Veterans--and--Board--may--enter--into--bond--enhancement--agreements
3 with--respect--to--the--bonds.--The--proceeds--from--the--issuance--and--sale
4 of--the--bonds--authorized--by--this--section--shall--be--used--to--augment
5 the--Veterans--and--Board--assistance--fund--to--be--administered--and
6 invested--as--provided--by--law.

7 [(b) --The--principal--of--and--interest--on--the--general--obligation
8 bonds--authorized--by--this--section--and--interest--payments--under--bond
9 enhancement--agreements--with--respect--to--principal--of--or--interest--on
10 the--bonds--shall--be--payable--from--the--sources--and--in--the--manner
11 provided--by--Section--49--b--2--of--the--state--constitution--for--general--obligation
12 bonds--issued--under--that--section--to--augment--the--Veterans--and
13 assistance--fund--.]

14 [(c) --The--general--obligation--bonds--authorized--by--this--section
15 shall--be--issued--and--sold--in--forms--and--denominations--on--terms--at
16 times--in--the--manner--at--places--and--in--installments--the--Veterans
17 and--Board--determine.--The--bonds--shall--bear--a--rate--of--rate--of
18 interest--the--Veterans--and--Board--determine.--The--bonds--authorized
19 by--this--section--shall--be--incontestable--after--execution--by--the
20 Veterans--and--Board--approved--by--the--attorney--general--and
21 delivery--to--the--purchaser--or--purchasers--of--the--bonds.]

22 SECTION 15. Sections 49-c, 49-d, 49-d-1, 49-d-2, 49-d-5,
23 49-d-6, 49-d-7, and 49-d-8, Article III, Texas Constitution, are
24 amended to read as follows:

25 Sec. 49-c. (a) The Texas Water Development Board, [There-is
26 hereby--created--as] an agency of the State of Texas, shall [the
27 Texas-Water-Development-Board-to] exercise such powers as necessary

1 under this provision together with such other duties and
2 restrictions as may be prescribed by law. The qualifications,
3 compensation, and number of members of said Board shall be
4 determined by law. They shall be appointed by the Governor with
5 the advice and consent of the Senate in the manner and for such
6 terms as may be prescribed by law.

7 (b) The Texas Water Development Board shall have the
8 authority to provide for, issue and sell general obligation bonds
9 of the State of Texas as authorized by constitutional amendment or
10 by a debt proposition under Section 49 of this article [~~in an~~
11 ~~amount not to exceed One Hundred Million Dollars--(\$100,000,000)].~~
12 [~~The--Legislature--of--Texas,--upon--two-thirds--(2/3)--vote--of--the~~
13 ~~elected--Members--of--each--House,--may--authorize--the--Board--to--issue~~
14 ~~additional--bonds--in--an--amount--not--exceeding--One--Hundred--Million~~
15 ~~Dollars--(\$100,000,000).]~~ The bonds [authorized herein or permitted
16 to be authorized by the Legislature] shall be called "Texas Water
17 Development Bonds," shall be executed in such form, denominations
18 and upon such terms as may be prescribed by law, and [provided,
19 however,~~that the bonds shall not bear more than four per cent--(4%)~~
20 ~~interest per annum, they~~] may be issued in such installments as the
21 Board finds feasible and practical in accomplishing the purpose set
22 forth herein.

23 (c) All moneys received from the sale of the [State] bonds
24 shall be deposited in a fund hereby created in the State Treasury
25 to be known as the Texas Water Development Fund to be administered
26 (without further appropriation) by the Texas Water Development
27 Board in such manner as prescribed by law.

1 (d) Such fund shall be used only for the purpose of aiding
2 or making funds available upon such terms and conditions as the
3 Legislature may prescribe, to the various political subdivisions or
4 bodies politic and corporate of the State of Texas including river
5 authorities, conservation and reclamation districts and districts
6 created or organized or authorized to be created or organized under
7 Article XVI, Section 59 or Article III, Section 52, of this
8 Constitution, interstate compact commissions to which the State of
9 Texas is a party and municipal corporations, in the conservation
10 and development of the water resources of this State, including the
11 control, storing and preservation of its storm and flood waters and
12 the waters of its rivers and streams, for all useful and lawful
13 purposes by the acquisition, improvement, extension, or
14 construction of dams, reservoirs and other water storage projects,
15 including any system necessary for the transportation of water from
16 storage to points of treatment and/or distribution, including
17 facilities for transporting water therefrom to wholesale
18 purchasers, or for any one or more of such purposes or methods.

19 (e) Any or all financial assistance as provided herein shall
20 be repaid with interest upon such terms, conditions and manner of
21 repayment as may be provided by law.

22 (f) While any of the Texas Water Development Bonds [bonds
23 ~~authorized by this provision or while any of the bonds that may be~~
24 ~~authorized by the legislature under this provision], or any
25 interest on any of such bonds, is outstanding and unpaid, there is
26 hereby appropriated out of the first moneys coming into the
27 Treasury in each fiscal year, not otherwise appropriated by this~~

1 Constitution, an amount which is sufficient to pay the principal
2 and interest on such bonds that mature or become due during such
3 fiscal year, less the amount in the sinking fund at the close of
4 the prior fiscal year.

5 (g) The Legislature may provide for the investment of moneys
6 available in the Texas Water Development Fund, and the interest and
7 sinking funds established for the payment of bonds issued by the
8 Texas Water Development Board. Income from such investment shall
9 be used for the purposes prescribed by the Legislature. The
10 Legislature may also make appropriations from the General Revenue
11 Fund for paying administrative expenses of the Board.

12 (h) From the moneys received by the Texas Water Development
13 Board as repayment of principal for financial assistance or as
14 interest thereon, there shall be deposited in the interest and
15 sinking fund for the bonds [~~authorized-by-this-Section~~] sufficient
16 moneys to pay the interest and principal to become due during the
17 ensuing year and sufficient to establish and maintain a reserve in
18 said fund equal to the average annual principal and interest
19 requirements on all outstanding bonds [~~issued-under-this--Section~~].
20 If any year [~~prior--to-December-31,--1982~~] moneys are received in
21 excess of the foregoing requirements then such excess shall be
22 deposited to the Texas Water Development Fund, and may be used for
23 administrative expenses of the Board and for the same purposes and
24 upon the same terms and conditions prescribed for the proceeds
25 derived from the sale of such State bonds. [~~No-grant-of--financial~~
26 ~~assistance-shall-be-made-under-the-provisions-of-this-Section-after~~
27 ~~December--31,--1982,--and-all-moneys-thereafter-received-as-repayment~~

1 of principal for financial assistance or as interest thereon shall
 2 be deposited in the interest and sinking fund for the State bonds,
 3 except that such amount as may be required to meet the
 4 administrative expenses of the Board may be annuallly set aside, and
 5 provided that after all State bonds have been fully paid with
 6 interest or after there are on deposit in the interest and sinking
 7 fund sufficient moneys to pay all future maturities of principal
 8 and interest, additional moneys so received shall be deposited to
 9 the General Revenue Fund.]

10 (i) All Texas Water Development Bonds [bonds issued
 11 hereunder] shall after approval by the Attorney General,
 12 registration by the Comptroller of Public Accounts of the State of
 13 Texas, and delivery to the purchasers, be incontestable and shall
 14 constitute general obligations of the State of Texas under the
 15 Constitution of Texas.

16 [Should the legislature enact enabling laws in anticipation
 17 of the adoption of this amendment, such acts shall not be void by
 18 reason of their anticipatory nature.]

19 Sec. 49-d. (a) It is hereby declared to be the policy of
 20 the State of Texas to encourage the optimum development of the
 21 limited number of feasible sites available for the construction or
 22 enlargement of dams and reservoirs for conservation of the public
 23 waters of the state, which waters are held in trust for the use and
 24 benefit of the public, and to encourage the optimum regional
 25 development of systems built for the filtration, treatment, and
 26 transmission of water and wastewater. The proceeds from the sale
 27 of [the additional] bonds [authorized hereunder] deposited in the

1 Texas Water Development Fund [~~and the proceeds of bonds previously~~
2 ~~authorized by Article III, Section 49-c of this Constitution~~] may
3 be used by the Texas Water Development Board, under such provisions
4 as the Legislature may prescribe by General Law, including the
5 requirement of a permit for storage or beneficial use, for the
6 additional purposes of acquiring and developing storage facilities,
7 and any system or works necessary for the filtration, treatment and
8 transportation of water or wastewater, or for any one or more of
9 such purposes or methods, whether or not such a system or works is
10 connected with a reservoir in which the state has a financial
11 interest; provided, however, the Texas Water Development Fund or
12 any other state fund provided for water development, transmission,
13 transfer or filtration shall not be used to finance any project
14 which contemplates or results in the removal from the basin of
15 origin of any surface water necessary to supply the reasonably
16 foreseeable future water requirements for the next ensuing
17 fifty-year period within the river basin of origin, except on a
18 temporary, interim basis.

19 (b) Under such provisions as the Legislature may prescribe
20 by General Law the Texas Water Development Fund may be used for the
21 conservation and development of water for useful purposes by
22 construction or reconstruction or enlargement of reservoirs
23 constructed or to be constructed or enlarged within the State of
24 Texas or on any stream constituting a boundary of the State of
25 Texas, together with any system or works necessary for the
26 filtration, treatment and/or transportation of water, by any one or
27 more of the following governmental agencies: by the United States

1 of America or any agency, department or instrumentality thereof; by
 2 the State of Texas or any agency, department or instrumentality
 3 thereof; by political subdivisions or bodies politic and corporate
 4 of the state; by interstate compact commissions to which the State
 5 of Texas is a party; and by municipal corporations. The
 6 Legislature shall provide terms and conditions under which the
 7 Texas Water Development Board may sell, transfer or lease, in whole
 8 or in part, any reservoir and associated system or works which the
 9 Texas Water Development Board has financed in whole or in part.

10 (c) Under such provisions as the Legislature may prescribe
 11 by General Law, the Texas Water Development Board may also execute
 12 long-term contracts with the United States or any of its agencies
 13 for the acquisition and development of storage facilities in
 14 reservoirs constructed or to be constructed by the Federal
 15 Government. Such contracts when executed shall constitute general
 16 obligations of the State of Texas in the same manner and with the
 17 same effect as state bonds issued under the authority of [the
 18 preceding] Section 49-c of this article [~~Constitution~~], and the
 19 provisions of [~~in-said~~] Section 49-c of this article with respect
 20 to payment of principal and interest on state bonds issued shall
 21 likewise apply with respect to payment of principal and interest
 22 required to be paid by such contracts. If storage facilities are
 23 required for a term of years, such contracts shall contain
 24 provisions for renewal that will protect the state's investment.

25 [~~The--aggregate--of--the--bonds--authorized--hereunder--shall--not~~
 26 ~~exceed--\$20070007000--and--shall--be--in--addition--to--the--aggregate--of~~
 27 ~~the--bonds--previously--authorized--by--said--Section--49--c--of--Article--XX~~]

1 of--this--Constitution.--The-Legislature-upon-two-thirds-(2/3)-vote
2 of-the-elected-members-of-each-House, may-authorize--the--Board--to
3 issue--all--or-any-portion-of-such-\$200,000,000-in-additional-bonds
4 herein-authorized.]

5 (d) The Legislature shall provide terms and conditions for
6 the Texas Water Development Board to sell, transfer or lease, in
7 whole or in part, any acquired facilities or the right to use such
8 facilities at a price not less than the direct cost of the Board in
9 acquiring same; and the Legislature may provide terms and
10 conditions for the Board to sell any unappropriated public waters
11 of the state that might be stored in such facilities. As a
12 prerequisite to the purchase of such storage or water, the
13 applicant therefor shall have secured a valid permit from the state
14 [~~Texas--Water--Commission--or--its--successor~~] authorizing the
15 acquisition of such storage facilities or the water impounded
16 therein. The money received from any sale, transfer or lease of
17 facilities shall be used to pay principal and interest on state
18 bonds issued or contractual obligations incurred by the Texas Water
19 Development Board, provided that when moneys are sufficient to pay
20 the full amount of indebtedness then outstanding and the full
21 amount of interest to accrue thereon, any further sums received
22 from the sale, transfer or lease of such facilities shall be
23 deposited and used as provided by law. Money received from the
24 sale of water, which shall include standby service, may be used for
25 the operation and maintenance of acquired facilities, and for the
26 payment of principal and interest on debt incurred.

27 [~~Should-the-Legislature-enact-enabling-laws--in--anticipation~~

1 of--the--adoption--of--this--Amendment--such--Acts--shall--not--be--void--by
2 reason--of--their--anticipatory--character.]

3 Sec. 49-d-1. (a) The Texas Water Development Board may
4 [~~shall--upon--direction--of--the--Texas--Water--Quality--Board--or--any~~
5 ~~successor--agency--designated--by--the--Legislature--]~~ issue [~~additional~~
6 Texas Water Development Bonds as authorized by constitutional
7 amendment or by a debt proposition under Section 49 of this article
8 [~~up--to--an--additional--aggregate--principal--amount--of--\$200,000,000~~] to
9 provide grants, loans, or any combination of grants and loans for
10 water quality enhancement purposes as established by the
11 Legislature[~~---The--Texas--Water--Quality--Board--or--any--successor~~
12 ~~agency--designated--by--the--Legislature--may--make--such--grants--and~~
13 ~~loans]~~ to political subdivisions or bodies politic and corporate of
14 the State of Texas, including municipal corporations, river
15 authorities, conservation and reclamation districts, and districts
16 created or organized or authorized to be created or organized under
17 Article XVI, Section 59, or Article III, Section 52, of this
18 Constitution, State agencies, and interstate agencies and compact
19 commissions to which the State of Texas is a party, and upon such
20 terms and conditions as the Legislature may authorize by general
21 law. The bonds shall be issued for such terms, in such
22 denominations, form and installments, and upon such conditions as
23 the Legislature may authorize.

24 [(b)--The--proceeds--from--the--sale--of--such--bonds--shall--be
25 deposited--in--the--Texas--Water--Development--Fund--to--be--invested--and
26 administered--as--prescribed--by--law.]

27 [(c)--The--bonds--authorized--in--this--Section--49--d--1--and--all

1 ~~bonds authorized by Sections 49-c and 49-d of Article III shall~~
2 ~~bear interest at not more than 6% per annum and mature as the Texas~~
3 ~~Water Development Board shall prescribe, subject to the limitations~~
4 ~~as may be imposed by the Legislature.]~~

5 (b) [(d)] The Texas Water Development Fund shall be used for
6 the purposes heretofore permitted by, and subject to the
7 limitations in this Section and Sections 49-c and [7] 49-d [and
8 49-d-1]; provided, however, that the financial assistance may be
9 made [pursuant to the provisions of Sections 49-c, 49-d and 49-d-1]
10 subject only to the availability of funds [and without regard to
11 the provisions in Section 49-c that such financial assistance
12 shall terminate after December 31, 1982].

13 [(e)] ~~Texas Water Development Bonds are secured by the~~
14 ~~general credit of the State and shall after approval by the~~
15 ~~Attorney General, registration by the Comptroller of Public~~
16 ~~Accounts of the State of Texas, and delivery to the purchasers, be~~
17 ~~incontestable and shall constitute general obligations of the State~~
18 ~~of Texas under the Constitution of Texas.~~

19 [(f)] ~~Should the Legislature enact enabling laws in~~
20 ~~anticipation of the adoption of this amendment, such Acts shall not~~
21 ~~be void by reason of their anticipatory character.]~~

22 Sec. 49-d-2. [(a)] The Texas Water Development Board may
23 issue [additional] Texas Water Development Bonds [up to an
24 additional aggregate principal amount of \$980 million. Of the
25 additional bonds authorized to be issued, \$590 million of those
26 bonds are dedicated for use for the purposes provided by Sections
27 49-c and 49-d of this article with \$400 million of those bonds to

1 be-also-authorized-to-construct-and-operate-in-the-state-of-texas-any-project-which-is-authorized-by-the-legislature-
 2 of-the-state-of-texas-to-be-constructed-or-operated-in-the-state-of-texas-by-the-legislature-
 3 the-legislature-of-the-state-of-texas-authorized-by-the-legislature-of-the-state-of-texas-
 4 the-legislature-of-the-state-of-texas-authorized-by-the-legislature-of-the-state-of-texas-
 5 authorized-by-the-legislature-of-the-state-of-texas-authorized-by-the-legislature-of-the-state-of-texas-
 6 the-legislature-of-the-state-of-texas-authorized-by-the-legislature-of-the-state-of-texas-
 7 authorized-by-the-legislature-of-the-state-of-texas-authorized-by-the-legislature-of-the-state-of-texas-
 8 the-legislature-of-the-state-of-texas-authorized-by-the-legislature-of-the-state-of-texas-
 9 authorized-by-the-legislature-of-the-state-of-texas-authorized-by-the-legislature-of-the-state-of-texas-
 10 §200--may-be-made-available--and [may-be-made-available] for flood control projects
 11 and [may-be-made-available] for any acquisition or construction
 12 necessary to achieve structural and nonstructural flood control
 13 purposes.

14 [(b)--The-Texas-Water-Development-Board--shall--and--the
 15 board--shall--and--the--board--shall--and--the--board--shall--and--the--board--shall--
 16 the-board--shall--and--the--board--shall--and--the--board--shall--and--the--board--shall--
 17 authorized-by-the-legislature-of-the-state-of-texas-authorized-by-the-legislature-of-the-state-of-texas-
 18 authorized-by-the-legislature-of-the-state-of-texas-authorized-by-the-legislature-of-the-state-of-texas-
 19 authorized-by-the-legislature-of-the-state-of-texas-authorized-by-the-legislature-of-the-state-of-texas-

20 [(c)--The-Texas-Water-Development-Board--shall--and--the
 21 board--shall--and--the--board--shall--and--the--board--shall--and--the--board--shall--
 22 authorized-by-the-legislature-of-the-state-of-texas-authorized-by-the-legislature-of-the-state-of-texas-

23 [(d)--The-Texas-Water-Development-Board--shall--and--the
 24 board--shall--and--the--board--shall--and--the--board--shall--and--the--board--shall--
 25 authorized-by-the-legislature-of-the-state-of-texas-authorized-by-the-legislature-of-the-state-of-texas-
 26 authorized-by-the-legislature-of-the-state-of-texas-authorized-by-the-legislature-of-the-state-of-texas-
 27 authorized-by-the-legislature-of-the-state-of-texas-authorized-by-the-legislature-of-the-state-of-texas-

1 ~~[(e) Bonds issued under this section shall bear interest as~~
2 ~~provided by Section 65 of this article.]~~

3 Sec. 49-d-5. For the purpose of any program established or
4 authorized by ~~[Section 49-c, 49-d, 49-d-1, 49-d-2, or 49-d-4 of]~~
5 this article and administered by the Texas Water Development Board,
6 the legislature by law may extend any benefits to nonprofit water
7 supply corporations that it may extend to a district created or
8 organized under Article XVI, Section 59, of this constitution.

9 Sec. 49-d-6. ~~[(a) The Texas Water Development Board may~~
10 ~~issue additional Texas Water Development Bonds up to an additional~~
11 ~~aggregate principal amount of \$400 million. Of the additional~~
12 ~~bonds authorized to be issued, \$200 million of those bonds shall be~~
13 ~~used for purposes provided by Section 49-c of this article, \$150~~
14 ~~million of those bonds shall be used for purposes provided by~~
15 ~~Section 49-d-1 of this article, and \$50 million of those bonds~~
16 ~~shall be used for flood control as provided by law.]~~

17 ~~[(b)]~~ The legislature may require review and approval of the
18 issuance of Texas Water Development Bonds ~~[the bonds]~~, of the use
19 of the bond proceeds, or of the rules adopted by an agency to
20 govern use of the bond proceeds. Notwithstanding any other
21 provision of this constitution, any entity created or directed to
22 conduct this review and approval may include members or appointees
23 of members of the executive, legislative, and judicial departments
24 of state government.

25 ~~[(c) The Texas Water Development Board shall issue the~~
26 ~~additional bonds authorized by this section for the terms, in the~~
27 ~~denominations, form, and installments, on the conditions, and~~

1 subject to the limitations provided by Sections 49-c and 49-d-1 of
2 this article and by laws adopted by the legislature implementing
3 this section.

4 [(d) Subsections (c) through (e) of Section 49-d-2 of this
5 article apply to the bonds authorized by this section.]

6 Sec. 49-d-7. (a) [The Texas Water Development Board may
7 issue additional Texas water development bonds up to an additional
8 aggregate principal amount of \$500 million of the additional
9 bonds authorized to be issued \$250 million of those bonds shall be
10 used for purposes provided by Section 49-c of this article \$200
11 million of those bonds shall be used for purposes provided by
12 Section 49-d-1 of this article and \$50 million of those bonds
13 shall be used for flood control as provided by law.]

14 [(b)] The Texas Water Development Board may use the proceeds
15 of Texas water development bonds issued for the purposes provided
16 by Section 49-c of this article for the additional purpose of
17 providing financial assistance, on terms and conditions provided by
18 law, to various political subdivisions and bodies politic and
19 corporate of the state and to nonprofit water supply corporations
20 to provide for acquisition, improvement, extension, or construction
21 of water supply projects that involve the distribution of water to
22 points of delivery to wholesale or retail customers.

23 [(e) The legislature may require review and approval of the
24 issuance of the bonds, the use of the bond proceeds, or the rules
25 adopted by an agency to govern use of the bond proceeds.
26 Notwithstanding any other provision of this constitution, any
27 entity created or directed to conduct this review and approval may

1 include---members--or--appointees--of--members--of--the--executive,
2 legislative,--and--judicial--departments--of--state--government.

3 [~~(d)~~---Except--as--specifically--provided--by--Subsection--~~(e)~~---of
4 this--section,--the--Texas--Water--Development--Board--shall--issue--the
5 additional--bonds--authorized--by--this--section--for--the--terms,--in--the
6 denominations,--form,--and--installments,--on--the--conditions,--and
7 subject--to--the--limitations--provided--by--Sections--49--c--and--49--d--1--of
8 this--article--and--by--laws--adopted--by--the--legislature--implementing
9 this--section.]

10 (b) [~~(e)~~] The legislature may provide by law for subsidized
11 loans and grants from the proceeds of Texas water development bonds
12 [~~authorized--by--this--section~~] to provide wholesale and retail water
13 and wastewater facilities to economically distressed areas of the
14 state as defined by law, provided, the principal amount of bonds
15 that may be issued for the purposes under this subsection may not
16 exceed \$250 million [~~50--percent--of--the--total--amount--of--bonds~~
17 ~~authorized--by--this--section~~]. Separate accounts shall be
18 established in the water development fund for administering the
19 proceedings of bonds issued for purposes under this subsection, and
20 an interest and sinking fund separate from and not subject to the
21 limitations of the interest and sinking fund created [~~pursuant--to~~
22 ~~Section--49--c~~] for other Texas water development bonds is
23 established in the State Treasury to be used for paying the
24 principal of and interest on bonds for the purposes of the
25 subsection. While any of the bonds authorized for the purposes of
26 this subsection or any of the interest on those bonds is
27 outstanding and unpaid, there is appropriated out of the first

1 money coming into the State Treasury in each fiscal year, not
2 otherwise appropriated by this constitution, an amount that is
3 sufficient to pay the principal of and interest on those bonds
4 issued for the purposes under this subsection that mature or become
5 due during that fiscal year.

6 [~~(f)~~--Subsections--~~(e)~~--through--~~(e)~~--of--Section--49-d-2--of--this
7 article--apply--to--the--bonds--authorized--by--this--section--]

8 Sec. 49-d-8. (a) The Texas Water Development Fund II is
9 [created] in the state treasury as a fund separate and distinct
10 from the Texas Water Development Fund established under Section
11 49-c of this article. Money in the Texas Water Development Fund II
12 shall be administered without further appropriation by the Texas
13 Water Development Board and shall be used for any one or more of
14 the purposes currently or formerly authorized by Sections 49-c,
15 49-d, 49-d-1, 49-d-2, 49-d-5, 49-d-6, and 49-d-7 of this article,
16 as determined by the Texas Water Development Board. Separate
17 accounts shall be established in the Texas Water Development Fund
18 II for administering proceedings related to the purposes described
19 in Section 49-d of this article, the purposes described in
20 Subsection (b) [~~(e)~~] of Section 49-d-7 of this article, and all
21 other authorized purposes. The Texas Water Development Board is
22 hereby authorized, at its determination, to issue general
23 obligation bonds for one or more accounts of the Texas Water
24 Development Fund II in an aggregate principal amount equal to the
25 amount of bonds previously authorized pursuant to former Section
26 49-d-6 and Sections 49-d-2[7-49-d-67] and 49-d-7 of this article
27 less the amount of bonds issued pursuant to those sections to

1 augment the Texas Water Development Fund and the amount of bonds
2 issued to augment the Texas Water Development Fund II. Nothing in
3 this section, however, shall grant to the Texas Water Development
4 Board the authority to issue bonds [~~under this section and under~~
5 ~~Sections 49-d-2, 49-d-6, and 49-d-7 of this article~~] in excess of
6 the total amount of those previously authorized bonds [~~described in~~
7 ~~Sections 49-d-2, 49-d-6, and 49-d-7 of this article~~] or to issue
8 bonds for purposes described in Subsection (b) [~~(e)~~] of Section
9 49-d-7 of this article in excess of \$250 million. The expenses of
10 the Texas Water Development Board in connection with the issuance
11 of bonds for an account of the Texas Water Development Fund II and
12 administration of such account may be paid from money in such
13 account.

14 (b) The Texas Water Development Board is hereby authorized,
15 at its determination, to issue general obligation bonds for one or
16 more accounts of the Texas Water Development Fund II in order to
17 refund outstanding bonds previously issued to augment the Texas
18 Water Development Fund, as long as the principal amount of the
19 refunding bonds does not exceed the outstanding principal amount of
20 the refunded bonds, and to refund the general obligation of the
21 State of Texas under long-term contracts entered into by the Texas
22 Water Development Board with the United States or any of its
23 agencies under authority granted by Section 49-d of this article,
24 as long as the principal amount of the refunding bonds does not
25 exceed the principal amount of the contractual obligation of the
26 Texas Water Development Board. Money and assets in the Texas Water
27 Development Fund attributable to such refunding bonds shall be

1 transferred to the appropriate account of the Texas Water
2 Development Fund II, as determined by the Texas Water Development
3 Board, to the extent not inconsistent with the proceedings
4 authorizing any outstanding bonds issued to augment the Texas Water
5 Development Fund and the terms of any long-term contracts entered
6 into by the Texas Water Development Board with the United States or
7 any of its agencies. In addition, the Texas Water Development
8 Board may transfer other moneys and assets in the Texas Water
9 Development Fund to the appropriate account of the Texas Water
10 Development Fund II, as determined by the Texas Water Development
11 Board, without the necessity of issuing refunding bonds to effect
12 the transfer, to the extent not inconsistent with the proceedings
13 authorizing any outstanding bonds issued to augment the Texas Water
14 Development Fund. Further, at such time as all bonds issued to
15 augment the Texas Water Development Fund and all such contractual
16 obligations have been paid or otherwise discharged, all money and
17 assets in the Texas Water Development Fund shall be transferred to
18 the credit of the Texas Water Development Fund II and deposited to
19 the accounts therein, as determined by the Texas Water Development
20 Board.

21 (c) Subject to the limitations set forth in Section 49-d of
22 this article, the legislature shall provide terms and conditions
23 under which the Texas Water Development Board may sell, transfer,
24 or lease, in whole or in part, facilities held for the account
25 established within the Texas Water Development Fund II for
26 administering proceedings related to the purposes described in
27 Section 49-d of this article, and the legislature may provide terms

1 and conditions under which the Texas Water Development Board may
2 sell any unappropriated public waters of the state that may be
3 stored in such facilities. Money received from any sale, transfer,
4 or lease of such facilities or water shall be credited to the
5 account established within the Texas Water Development Fund II for
6 the purpose of administering proceedings related to the purposes
7 described in Section 49-d of this article.

8 (d) Each account of the Texas Water Development Fund II
9 shall consist of:

10 (1) the Texas Water Development Board's rights to
11 receive repayment of financial assistance provided from such
12 account, together with any evidence of such rights;

13 (2) money received from the sale or other disposition
14 of the Texas Water Development Board's rights to receive repayment
15 of such financial assistance;

16 (3) money received as repayment of such financial
17 assistance;

18 (4) money and assets attributable to bonds issued and
19 sold by the Texas Water Development Board for such account,
20 including money and assets transferred from the Texas Water
21 Development Fund pursuant to this section;

22 (5) money deposited in such account pursuant to
23 Subsection (c) of this section;

24 (6) payments received by the Texas Water Development
25 Board under a bond enhancement agreement as authorized by law with
26 respect to bonds issued for such account; and

27 (7) interest and other income received from investment

1 of money in such account.

2 (e) Notwithstanding the other provisions of [Sections
3 49-d-27--49-d-67--and-49-d-7-of] this article, the principal of and
4 interest on the general obligation bonds issued for an account of
5 the Texas Water Development Fund II, including payments by the
6 Texas Water Development Board under a bond enhancement agreement as
7 authorized by law with respect to principal of or interest on such
8 bonds, shall be paid out of such account, but the money in such
9 account that is not immediately committed to the purposes of such
10 account or the payment of expenses may be invested as authorized by
11 law until the money is needed for those purposes. If there is not
12 enough money in any account available to pay the principal of and
13 interest on the general obligation bonds issued for such account,
14 including money to make payments by the Texas Water Development
15 Board under a bond enhancement agreement as authorized by law with
16 respect to principal of or interest on such bonds, there is
17 appropriated out of the first money coming into the state treasury
18 in each fiscal year not otherwise appropriated by this constitution
19 an amount that is sufficient to pay the principal of and interest
20 on such general obligation bonds that mature or become due during
21 that fiscal year or to make bond enhancement payments with respect
22 to those bonds.

23 (f) The general obligation bonds authorized by this section
24 may be issued as bonds, notes, or other obligations as permitted by
25 law and shall be sold in forms and denominations, on terms, at
26 times, in the manner, at places, and in installments, all as
27 determined by the Texas Water Development Board. The bonds shall

1 bear a rate or rates of interest the Texas Water Development Board
2 determines. The bonds authorized by this section shall be
3 incontestable after execution by the Texas Water Development Board,
4 approval by the attorney general, and delivery to the purchaser or
5 purchasers of the bonds.

6 (g) This section being intended only to establish a basic
7 framework and not to be a comprehensive treatment of the Texas
8 Water Development Fund II, there is hereby reposed in the
9 legislature full power to implement and effectuate the design and
10 objects of this section, including the power to delegate such
11 duties, responsibilities, functions, and authority to the Texas
12 Water Development Board as it believes necessary.

13 (h) The Texas Water Development Fund II, including any
14 account in that fund, may not be used to finance or aid any project
15 that contemplates or results in the removal from the basin of
16 origin of any surface water necessary to supply the reasonably
17 foreseeable future water requirements for the next ensuing 50-year
18 period within the river basin of origin, except on a temporary,
19 interim basis.

20 SECTION 16. Section 49-e, Article III, Texas Constitution,
21 is amended to read as follows:

22 Sec. 49-e. (a) The Parks and Wildlife Department, or its
23 successor vested with the powers, duties, and authority which deals
24 with the operation, maintenance, and improvement of State Parks,
25 shall have the authority to provide for, issue and sell general
26 obligation bonds of the State of Texas in an amount authorized by
27 constitutional amendment or by a debt proposition under Section 49

1 of this article [~~not--to--exceed--Seventy-Five--Million--Dollars~~
 2 ~~(\$75,000,000)~~]. The bonds [~~authorized--herein~~] shall be called
 3 "Texas Park Development Bonds," shall be executed in such form,
 4 denominations, and upon such terms as may be prescribed by law,
 5 [~~provided--however--that--the--bonds~~] shall bear a rate or rates of
 6 interest as may be fixed by the Parks and Wildlife Department or
 7 its successor, not to exceed the maximum prescribed by Section 65
 8 of this article, and [~~but--the--weighted--average--annual--interest~~
 9 ~~rate--as--that--phrase--is--commonly--and--ordinarily--used--and--understood~~
 10 ~~in--the--municipal--bond--market--of--all--the--bonds--issued--and--sold--in~~
 11 ~~any--installment--of--any--bonds--shall--not--exceed--four--and--one-half~~
 12 ~~percent--(4--1/2%)--interest--per--annum--they~~] may be issued in such
 13 installments as said Parks and Wildlife Department, or its said
 14 successor, finds feasible and practical in accomplishing the
 15 purpose set forth herein.

16 (b) All moneys received from the sale of said bonds shall be
 17 deposited in a fund hereby created with the Comptroller of Public
 18 Accounts of the State of Texas to be known as the Texas Park
 19 Development Fund to be administered (without further appropriation)
 20 by the said Parks and Wildlife Department, or its said successor,
 21 in such manner as prescribed by law.

22 (c) Such fund shall be used by said Parks and Wildlife
 23 Department, or its said successor, under such provisions as the
 24 Legislature may prescribe by general law, for the purposes of
 25 acquiring lands from the United States, or any governmental agency
 26 thereof, from any governmental agency of the State of Texas, or
 27 from any person, firm, or corporation, for State Park Sites and for

1 developing said sites as State Parks.

2 (d) While any of the bonds [~~authorized-by-this-provision~~],
3 or any interest on any such bonds, is outstanding and unpaid, there
4 is hereby appropriated out of the first moneys coming into the
5 Treasury in each fiscal year, not otherwise appropriated by this
6 Constitution, an amount which is sufficient to pay the principal
7 and interest on such bonds that mature or become due during such
8 fiscal year, less the amount in the interest and sinking fund at
9 the close of the prior fiscal year, which includes any receipts
10 derived during the prior fiscal year by said Parks and Wildlife
11 Department, or its said successor, from admission charges to State
12 Parks, as the Legislature may prescribe by general law.

13 (e) The Legislature may provide for the investment of moneys
14 available in the Texas Park Development Fund and the interest and
15 sinking fund established for the payment of bonds issued by said
16 Parks and Wildlife Department, or its said successor. Income from
17 such investment shall be used for the purposes prescribed by the
18 Legislature.

19 (f) From the moneys received by said Parks and Wildlife
20 Department, or its said successor, from the sale of the bonds
21 issued hereunder, there shall be deposited in the interest and
22 sinking fund for the bonds authorized by this section sufficient
23 moneys to pay the interest to become due during the State fiscal
24 year in which the bonds were issued. After all bonds have been
25 fully paid with interest, or after there are on deposit in the
26 interest and sinking fund sufficient moneys to pay all future
27 maturities of principal and interest, additional moneys received

1 from admission charges to State Parks shall be deposited to the
2 State Parks Fund, or any successor fund which may be established by
3 the Legislature as a depository for Park revenue earned by said
4 Parks and Wildlife Department, or its said successor.

5 (g) All bonds issued hereunder shall after approval by the
6 Attorney General, registration by the Comptroller of Public
7 Accounts of the State of Texas, and delivery to the purchasers, be
8 incontestable and shall constitute general obligations of the State
9 of Texas under the Constitution of Texas.

10 [~~Should the Legislature enact enabling laws in anticipation~~
11 ~~of the adoption of this amendment, such laws shall not be void by~~
12 ~~reason of their anticipatory nature.]~~

13 SECTION 17. Section 49-h, Article III, Texas Constitution,
14 is amended to read as follows:

15 Sec. 49-h. (a) In amounts authorized by constitutional
16 amendment or by a debt proposition under Section 49 of this
17 article, the [The] legislature may provide for [authorize] the
18 issuance of [up to \$500 million in] general obligation bonds and
19 the use of the bond proceeds for acquiring, constructing, or
20 equipping new facilities or for major repair or renovation of
21 existing facilities of corrections institutions, including youth
22 corrections institutions, and mental health and mental retardation
23 institutions. The legislature may require the review and approval
24 of the issuance of the bonds and the projects to be financed by the
25 bond proceeds. Notwithstanding any other provision of this
26 constitution, the issuer of the bonds or any entity created or
27 directed to review and approve projects may include members or

1 appointees of members of the executive, legislative, and judicial
2 departments of state government.

3 (b) Bonds issued under this section constitute a general
4 obligation of the state. While any of the bonds or interest on the
5 bonds is outstanding and unpaid, there is appropriated out of the
6 first money coming into the treasury in each fiscal year, not
7 otherwise appropriated by this constitution, the amount sufficient
8 to pay the principal of and interest on the bonds that mature or
9 become due during the fiscal year, less any amount in any sinking
10 fund at the end of the preceding fiscal year that is pledged to
11 payment of the bonds or interest.

12 (c) In addition to the purposes authorized under Subsection
13 (a), the [~~(1) The~~] legislature may authorize the issuance of the
14 [up to \$400 million in] general obligation bonds [~~7 in addition to~~
15 ~~the amount authorized by Subsection (a) of this section, and use~~
16 ~~the proceeds of the bonds]~~ for acquiring, constructing, or
17 equipping:

18 (1) new [~~corrections institutions, mental health and~~
19 ~~mental retardation institutions, youth corrections institutions,~~
20 and] statewide law enforcement facilities and for major repair or
21 renovation of existing facilities; and [~~of these institutions:~~

22 [~~(2) The provisions of Subsection (a) of this section~~
23 ~~relating to the review and approval of bonds and the provisions of~~
24 ~~Subsection (b) of this section relating to the status of the bonds~~
25 ~~as a general obligation of the state and to the manner in which the~~
26 ~~principal and interest on the bonds are paid apply to bonds~~
27 ~~authorized under this subsection.~~

1 [(d)(1)]--The legislature may authorize the issuance of up to
2 \$1-billion-in-general-obligation-bonds-in-addition-to-the-amount
3 authorized-by-Subsections-(a)--and-(c)-of-this-section-and-may-use
4 the-proceeds-of-the-bonds-for-acquiring--constructing--or
5 equipping]

6 (2) new prisons and substance abuse felony punishment
7 facilities to confine criminals[7-mental--health--and--mental
8 retardation--institutions] and [youth--corrections-institutions
9 for] major repair or renovation of existing facilities of those
10 institutions, and for the acquisition of, major repair to, or
11 renovation of other facilities for use as state prisons or
12 substance abuse felony punishment facilities. [Proceeds-of-general
13 obligation-bonds-issued-under-this-subdivision-may--not--be
14 appropriated-by-any-session-of-the-legislature-other-than-the-2nd
15 2nd-session-of-the-2nd-legislature-or-any-subsequent-session-of
16 the-legislature

17 [(2)]--The provisions-of-Subsection-(a)-of-this-section
18 relating-to-the-revise-and-approval-of-bonds-and-the-provisions-of
19 Subsection-(b)-of-this-section-relating-to-the-sale-of-the-bonds
20 as-a-general-obligation-of-the-state-and-to-the-manner-in-which-the
21 principal--and--interest--on--the--bonds--are--paid--apply-to-bonds
22 authorized-under-this-subsection

23 [(c)(1)]--The legislature may authorize the issuance of up to
24 \$1-billion-in-general-obligation-bonds-in-addition-to-the-amount
25 authorized-by-Subsections-(a)7-(c)7-and-(d)-of--this--section--and
26 use--the--proceeds--of--the--bonds--for-acquiring--constructing--or
27 equipping--new--correction-institutions--in-correcting--youth--corrections

1 ~~institutions, and mental health and mental retardation institutions~~
2 ~~and for major repair or renovation of existing facilities of those~~
3 ~~corrections and mental health and mental retardation institutions.~~

4 [~~2) The provisions of Subsection (a) of this section~~
5 ~~relating to the review and approval of bonds and the provisions of~~
6 ~~Subsection (b) of this section relating to the status of the bonds~~
7 ~~as a general obligation of the state and to the manner in which the~~
8 ~~principal and interest on the bonds are paid apply to bonds~~
9 ~~authorized under this subsection.]~~

10 SECTION 18. Subsection (a), Section 50b-4, Article III,
11 Texas Constitution, is amended to read as follows:

12 (a) The legislature by general law may authorize the Texas
13 Higher Education Coordinating Board or its successor or successors
14 to issue and sell general obligation bonds of the State of Texas in
15 an amount authorized by constitutional amendment or by a debt
16 proposition under Section 49 of this article [not to exceed \$300
17 million] to finance educational loans to students. [The bonds are
18 in addition to those bonds issued under Sections 50b-1,
19 50b-2, and 50b-3, Article III, Texas Constitution.]

20 SECTION 19. Section 51, Article III, Texas Constitution, is
21 amended to read as follows:

22 Sec. 51. The Legislature shall have no power to make any
23 grant or authorize the making of any grant of public moneys to any
24 individual, association of individuals, municipal or other
25 corporations whatsoever; [provided, however, the legislature may
26 grant aid to indigent and disabled Confederate soldiers and sailors
27 under such regulations and limitations as may be deemed by the

1 legislature--as--expedient,--and--to--their--widows---in---indigent
2 circumstances--under--such--regulations--and--limitations--as--may--be
3 deemed--by--the--legislature--as--expedient,] provided that the
4 provisions of this Section shall not be construed so as to prevent
5 the grant of aid in cases of public calamity.

6 SECTION 20. Section 51-a, Article III, Texas Constitution,
7 is amended to read as follows:

8 Sec. 51-a. (a) The Legislature shall have the power, by
9 General Laws, to provide, subject to limitations herein contained,
10 and such other limitations, restrictions and regulations as may by
11 the Legislature be deemed expedient, for assistance grants to needy
12 dependent children and the caretakers of such children, needy
13 persons who are totally and permanently disabled because of a
14 mental or physical handicap, needy aged persons and needy blind
15 persons.

16 (b) The Legislature may provide by General Law for medical
17 care, rehabilitation and other similar services for needy persons.
18 The Legislature may prescribe such other eligibility requirements
19 for participation in these programs as it deems appropriate and may
20 make appropriations out of state funds for such purposes. The
21 maximum amount paid out of state funds for assistance grants, to or
22 on behalf of needy dependent children and their caretakers shall
23 not exceed [the amount--of--Eighty--Million--Dollars--(\$80,000,000)
24 during--any--fiscal--year,--except--that--the--limit--shall--be--One--Hundred
25 Sixty--Million--Dollars--(\$160,000,000)--for--the--two--years--of--the
26 1982-1983--biennium,--For--the--two--years--of--each--subsequent--biennium,
27 the--maximum--amount--shall--not--exceed] one percent of the state

1 budget. The Legislature by general statute shall provide for the
2 means for determining the state budget amounts, including state and
3 other funds appropriated by the Legislature, to be used in
4 establishing the biennial limit.

5 (c) Provided further, that if the limitations and
6 restrictions herein contained are found to be in conflict with the
7 provisions of appropriate federal statutes, as they now are or as
8 they may be amended to the extent that federal matching money is
9 not available to the state for these purposes, then and in that
10 event the Legislature is specifically authorized and empowered to
11 prescribe such limitations and restrictions and enact such laws as
12 may be necessary in order that such federal matching money will be
13 available for assistance and/or medical care for or on behalf of
14 needy persons.

15 (d) Nothing in this Section shall be construed to amend,
16 modify or repeal Section 31 of Article XVI of this Constitution;
17 provided further, however, that such medical care, services or
18 assistance shall also include the employment of objective or
19 subjective means, without the use of drugs, for the purpose of
20 ascertaining and measuring the powers of vision of the human eye,
21 and fitting lenses or prisms to correct or remedy any defect or
22 abnormal condition of vision. Nothing herein shall be construed to
23 permit optometrists to treat the eyes for any defect whatsoever in
24 any manner nor to administer nor to prescribe any drug or physical
25 treatment whatsoever, unless such optometrist is a regularly
26 licensed physician or surgeon under the laws of this state.

27 SECTION 21. Subsections (b) and (c), Section 52, Article

1 III, Texas Constitution, are amended to read as follows:

2 (b) Under Legislative provision, any county, [any] political
3 subdivision of a county, [any] number of adjoining counties, [or
4 any] political subdivision of the State, or [any] defined district
5 now or hereafter to be described and defined within the State of
6 Texas, and which may or may not include, towns, villages or
7 municipal corporations, upon a vote of two-thirds majority of the
8 ~~[resident--property--taxpayers]~~ voting ~~[thereon-who-are]~~ qualified
9 voters ~~[electors]~~ of such district or territory to be affected
10 thereby, ~~[in--addition--to--all--other--debts]~~ may issue bonds or
11 otherwise lend its credit in any amount not to exceed one-fourth of
12 the assessed valuation of the real property of such district or
13 territory, except that the total bonded indebtedness of any city or
14 town shall never exceed the limits imposed by other provisions of
15 this Constitution, and levy and collect taxes to pay the interest
16 thereon and provide a sinking fund for the redemption thereof, as
17 the Legislature may authorize, and in such manner as it may
18 authorize the same, for the following purposes to wit:

19 (1) The improvement of rivers, creeks, and streams to
20 prevent overflows, and to permit of navigation thereof, or
21 irrigation thereof, or in aid of such purposes.

22 (2) The construction and maintenance of pools, lakes,
23 reservoirs, dams, canals and waterways for the purposes of
24 irrigation, drainage or navigation, or in aid thereof.

25 (3) The construction, maintenance and operation of
26 macadamized, graveled or paved roads and turnpikes, or in aid
27 thereof.

1 (c) Notwithstanding the provisions of Subsection (b) of this
2 Section, bonds may be issued by any county in an amount not to
3 exceed one-fourth of the assessed valuation of the real property in
4 the county, for the construction, maintenance, and operation of
5 macadamized, graveled, or paved roads and turnpikes, or in aid
6 thereof, upon a vote of a majority of the [~~resident--property~~
7 ~~taxpayers~~] voting [~~thereon-who-are~~] qualified voters [~~electors~~] of
8 the county, and without the necessity of further or amendatory
9 legislation. The county may levy and collect taxes to pay the
10 interest on the bonds as it becomes due and to provide a sinking
11 fund for redemption of the bonds.

12 SECTION 22. Section 52d, Article III, Texas Constitution, is
13 amended to read as follows:

14 Sec. 52d. (a) Upon the vote of a majority of the [~~resident~~]
15 qualified voters [~~electors--owning--rendered--taxable--property~~
16 ~~therein~~] so authorizing, a county or road district may collect an
17 annual tax for a period not exceeding five (5) years to create a
18 fund for constructing lasting and permanent roads and bridges or
19 both. No contract involving the expenditure of any of such fund
20 shall be valid unless, when it is made, money shall be on hand in
21 such fund.

22 (b) At such election, the Commissioners' Court shall submit
23 for adoption a road plan and designate the amount of special tax to
24 be levied; the number of years said tax is to be levied; the
25 location, description, and character of the roads and bridges; and
26 the estimated cost thereof. The funds raised by such taxes shall
27 not be used for purposes other than those specified in the plan

1 submitted to the voters. Elections may be held from time to time
2 to extend or discontinue said plan or to increase or diminish said
3 tax. The Legislature shall enact laws prescribing the procedure
4 hereunder.

5 (c) The provisions of this section shall apply only to
6 Harris County and road districts therein.

7 SECTION 23. Section 52g, Article III, Texas Constitution, is
8 amended to read as follows:

9 Sec. 52g. Bonds to be issued by Dallas County under Section
10 52(b)(3) [52] of Article III of this Constitution [~~for--the~~
11 ~~construction--maintenance-and-operation-of-macadamized--graveled-or~~
12 ~~paved-roads-and-turnpikes--or-in-aid--thereof~~] may, without the
13 necessity of further or amendatory legislation, be issued upon a
14 vote of a majority of the [residents] voting [thereon--who--are]
15 qualified voters [electors] of said county, and bonds heretofore or
16 hereafter issued under Subsections (a) and (b) of said Section 52
17 shall not be included in determining the debt limit prescribed in
18 said Section.

19 SECTION 24. Section 7, Article IV, Texas Constitution, is
20 amended to read as follows:

21 Sec. 7. He shall be Commander-in-Chief of the military
22 forces of the State, except when they are called into actual
23 service of the United States. He shall have power to call forth
24 the militia to execute the laws of the State, to suppress
25 insurrections, and to repel invasions[~~--and-protect-the-frontier~~
26 ~~from-hostile-incursions-by-Indians-or-other-predatory-bands~~].

27 SECTION 25. Section 16, Article IV, Texas Constitution, is

1 amended to read as follows:

2 Sec. 16. There shall also be a Lieutenant Governor, who
3 shall be chosen at every election for Governor by the same voters
4 [~~electors~~], in the same manner, continue in office for the same
5 time, and possess the same qualifications. The voters [~~electors~~]
6 shall distinguish for whom they vote as Governor and for whom as
7 Lieutenant Governor. The Lieutenant Governor, shall by virtue of
8 his office, be President of the Senate, and shall have, when in
9 Committee of the Whole, a right to debate and vote on all
10 questions; and when the Senate is equally divided to give the
11 casting vote. In case of the death, resignation, removal from
12 office, inability or refusal of the Governor to serve, or of his
13 impeachment or absence from the State, the Lieutenant Governor
14 shall exercise the powers and authority appertaining to the office
15 of Governor until another be chosen at the periodical election, and
16 be duly qualified; or until the Governor impeached, absent or
17 disabled, shall be acquitted, return, or his disability be removed.

18 SECTION 26. Section 22, Article IV, Texas Constitution, is
19 amended to read as follows:

20 Sec. 22. The Attorney General [~~elected--at--the--general~~
21 ~~election--in-1974,-and-thereafter,-shall-hold-office-for-four-years~~
22 ~~and-until-his-successor-is-duly-qualified.--He~~] shall represent the
23 State in all suits and pleas in the Supreme Court of the State in
24 which the State may be a party, and shall especially inquire into
25 the charter rights of all private corporations, and from time to
26 time, in the name of the State, take such action in the courts as
27 may be proper and necessary to prevent any private corporation from

1 exercising any power or demanding or collecting any species of
 2 taxes, tolls, freight or wharfage not authorized by law. He shall,
 3 whenever sufficient cause exists, seek a judicial forfeiture of
 4 such charters, unless otherwise expressly directed by law, and give
 5 legal advice in writing to the Governor and other executive
 6 officers, when requested by them, and perform such other duties as
 7 may be required by law. [~~He shall reside at the seat of government~~
 8 ~~during his continuance in office. He shall receive for his~~
 9 ~~services an annual salary in an amount to be fixed by the~~
 10 ~~Legislature.]~~

11 SECTION 27. Section 23, Article IV, Texas Constitution, is
 12 amended to read as follows:

13 Sec. 23. The Comptroller of Public Accounts, the
 14 Commissioner of the General Land Office, the Attorney General, and
 15 any statutory State officer who is elected by the electorate of
 16 Texas at large, unless a term of office is otherwise specifically
 17 provided in this Constitution, shall each hold office for the term
 18 of four years [~~and until his successor is qualified. The four-year~~
 19 ~~term applies to these officers who are elected at the general~~
 20 ~~election in 1974 or thereafter]. Each shall receive an annual~~
 21 salary in an amount to be fixed by the Legislature; reside at the
 22 Capital of the State during his continuance in office, and perform
 23 such duties as are or may be required by law. They and the
 24 Secretary of State shall not receive to their own use any fees,
 25 costs or perquisites of office. All fees that may be payable by
 26 law for any service performed by any officer specified in this
 27 section or in his office, shall be paid, when received, into the

1 State Treasury.

2 SECTION 28. Section 9, Article V, Texas Constitution, is
3 amended to read as follows:

4 Sec. 9. There shall be a Clerk for the District Court of
5 each county, who shall be elected by the qualified voters [~~for~~
6 ~~State-and-county-officers,~~] and who shall hold his office for four
7 years, subject to removal by information, or by indictment of a
8 grand jury, and conviction of a petit jury. In case of vacancy,
9 the Judge of the District Court shall have the power to appoint a
10 Clerk, who shall hold until the office can be filled by election.

11 SECTION 29. Section 2, Article VI, Texas Constitution, is
12 amended to read as follows:

13 Sec. 2. Every person subject to none of the foregoing
14 disqualifications [~~who shall have attained the age of 18 years and~~
15 who shall be a citizen of the United States and who is a resident
16 of this state shall be deemed a qualified voter [~~elector~~];
17 provided, however, that before offering to vote at an election a
18 voter shall have registered, but such requirement for registration
19 shall not be considered a qualification of a voter [~~an elector~~]
20 within the meaning of the term "qualified voter [~~elector~~]" as used
21 in any other Article of this Constitution in respect to any matter
22 except qualification and eligibility to vote at an election. The
23 Legislature may authorize absentee voting.

24 SECTION 30. Subsections (a) and (b), Section 2a, Article VI,
25 Texas Constitution, are amended to read as follows:

26 (a) Notwithstanding any other provision of this
27 Constitution, the Legislature may enact laws and provide a method

1 of registration, including the time of such registration,
2 permitting any person who is qualified to vote in this State except
3 for the residence requirements within a county or district, as set
4 forth in Section 2 of this Article, to vote for (1) electors for
5 President and Vice President of the United States and (2) all
6 offices, questions or propositions to be voted on by all voters
7 [~~electors~~] throughout this State.

8 (b) Notwithstanding any other provision of this
9 Constitution, the Legislature may enact laws and provide for a
10 method of registration, including the time for such registration,
11 permitting any person (1) who is qualified to vote in this State
12 except for the residence requirements of Section 2 of this Article,
13 and (2) who shall have resided anywhere within this State at least
14 thirty (30) days next preceding a General Election in a
15 presidential election year, and (3) who shall have been a qualified
16 voter [~~elector~~] in another state immediately prior to his removal
17 to this State or would have been eligible to vote in such other
18 state had he remained there until such election, to vote for
19 electors for President and Vice President of the United States in
20 that election.

21 SECTION 31. Section 3, Article VI, Texas Constitution, is
22 amended to read as follows:

23 Sec. 3. All qualified voters [~~electors~~] of the State, as
24 herein described, who reside within the limits of any city or
25 corporate town, shall have the right to vote for Mayor and all
26 other elective officers.

27 SECTION 32. Section 3a, Article VI, Texas Constitution, is

1 amended to read as follows:

2 Sec. 3a. When an election is held by any county, or any
3 number of counties, or any political sub-division of the State, or
4 any political sub-division of a county, or any defined district now
5 or hereafter to be described and defined within the State and which
6 may or may not include towns, villages or municipal corporations,
7 or any city, town or village, for the purpose of issuing bonds or
8 otherwise lending credit, or expending money or assuming any debt,
9 only qualified voters of [~~electors-who-own-taxable-property-in~~] the
10 State, county, political sub-division, district, city, town or
11 village where such election is held[~~,and-who-have-duly-rendered~~
12 ~~the-same-for--taxation,~~] shall be qualified to vote [~~and--all~~
13 ~~electors-shall-vote-in-the-election-precinct-of-their-residence~~].

14 SECTION 33. Section 3, Article VII, Texas Constitution, is
15 amended to read as follows:

16 Sec. 3. (a) One-fourth of the revenue derived from the
17 State occupation taxes [~~and--poll--tax--of--one--dollar-on-every~~
18 ~~inhabitant-of-the-State,-between-the-ages-of-twenty-one--and--sixty~~
19 ~~years,~~] shall be set apart annually for the benefit of the public
20 free schools.

21 (b) It [~~,and-in-addition-thereto,-there-shall-be-levied--and~~
22 ~~collected--an--annual-ad-valorem-State-tax-of-such-an-amount-not-to~~
23 ~~exceed-thirty-five-cents--on--the--one--hundred--(\$100.00)--dollars~~
24 ~~valuation,-as-with-the-available-school-fund-arising-from-all-other~~
25 ~~sources,-will--be--sufficient--to--maintain-and-support-the-public~~
26 ~~schools-of-this-State-for-a-period-of-not-less-than-six--months--in~~
27 ~~each--year,-and--it~~] shall be the duty of the State Board of

1 Education to set aside a sufficient amount of available funds [out
2 of-the-said-tax] to provide free text books for the use of children
3 attending the public free schools of this State.

4 (c) Should[7--provided7-however7-that-should] the [limit-of]
5 taxation herein named be insufficient the deficit may be met by
6 appropriation from the general funds of the State. [and-the]

7 (d) The Legislature may [also] provide for the formation of
8 school districts [district] by general laws, [7] and all such school
9 districts may embrace parts of two or more counties.

10 (e) The[7-and-the] Legislature shall be authorized to pass
11 laws for the assessment and collection of taxes in all school
12 [said] districts and for the management and control of the public
13 school or schools of such districts, whether such districts are
14 composed of territory wholly within a county or in parts of two or
15 more counties, and the Legislature may authorize an additional ad
16 valorem tax to be levied and collected within all school districts
17 [heretofore---formed---or---hereafter---formed7] for the further
18 maintenance of public free schools, and for the erection and
19 equipment of school buildings therein; provided that a majority of
20 the qualified [property-taxpaying] voters of the district voting at
21 an election to be held for that purpose, shall approve the [vote
22 such] tax [not-to-exceed-in-any-one-year-one-(\$1.00)-dollar-on--the
23 one--hundred--dollars-valuation-of-the-property-subject-to-taxation
24 in-such-district7-but-the-limitation--upon--the--amount--of--school
25 district--tax--herein--authorized--shall--not--apply--to--incorporated
26 cities--or--towns--constituting--separate--and--independent--school
27 districts7-not-to-independent-or-common-school-districts-created-by

1 ~~general-or-special-law~~].

2 SECTION 34. Section 1-a, Article VIII, Texas Constitution,
3 is amended to read as follows:

4 Sec. 1-a. No ~~[From-and-after-January-17-19517-no]~~ State ad
5 valorem tax shall be levied upon any property within this State
6 ~~[for--general--revenue--purposes]~~. The ~~[From-and-after-January-17~~
7 ~~19517--the]~~ several counties of the State are authorized to levy ad
8 valorem taxes upon all property within their respective boundaries
9 for county purposes, except the first Three Thousand Dollars
10 (\$3,000) value of residential homesteads of married or unmarried
11 adults, male or female, including those living alone, not to exceed
12 thirty cents (30¢) on each One Hundred Dollars (\$100) valuation, in
13 addition to all other ad valorem taxes authorized by the
14 Constitution of this State, provided the revenue derived therefrom
15 shall be used for construction and maintenance of Farm to Market
16 Roads or for Flood Control, except as herein otherwise provided.

17 ~~[Provided-that-in-these-counties-or-political-subdivisions-or~~
18 ~~areas--of--the--State-from-which-tax-donations-have-heretofore-been~~
19 ~~granted, the State Automatic Tax Board shall continue to--levy--the~~
20 ~~full--amount--of--the--State-ad-valorem-tax-for-the-duration-of-such~~
21 ~~donation, or until all legal obligations heretofore--authorized--by~~
22 ~~the--law--granting-such-donation-or-donations-shall-have-been-fully~~
23 ~~discharged, whichever shall first--occur,--provided--that--if--such~~
24 ~~donation--to--any--such-county-or-political-subdivision-is-for-less~~
25 ~~than-the-full-amount-of-State--ad--valorem--taxes--so--levied,--the~~
26 ~~portion--of-such-taxes-remaining-over-and-above-such-donation-shall~~
27 ~~be-retained-by-said-county-or-subdivision.]~~

1 SECTION 35. Subsection (b), Section 1-b, Article VIII, Texas
2 Constitution, is amended to read as follows:

3 (b) The governing body of any county, city, town, school
4 district, or other political subdivision of the State~~[7-ether-than~~
5 ~~a-county-education-district7]~~ may exempt by its own action not less
6 than Three Thousand Dollars (\$3,000) of the market value of
7 residence homesteads of persons, married or unmarried, including
8 those living alone, who are under a disability for purposes of
9 payment of disability insurance benefits under Federal Old-Age,
10 Survivors, and Disability Insurance or its successor or of married
11 or unmarried persons sixty-five (65) years of age or older,
12 including those living alone, from all ad valorem taxes thereafter
13 levied by the political subdivision. As an alternative, upon
14 receipt of a petition signed by twenty percent (20%) of the voters
15 who voted in the last preceding election held by the political
16 subdivision, the governing body of the subdivision shall call an
17 election to determine by majority vote whether an amount not less
18 than Three Thousand Dollars (\$3,000) as provided in the petition,
19 of the market value of residence homesteads of disabled persons or
20 of persons sixty-five (65) years of age or over shall be exempt
21 from ad valorem taxes thereafter levied by the political
22 subdivision. ~~[In-the-manner-provided-by-law7-the-voters-of-a~~
23 ~~county-education-district-at-an-election-held-for-that-purpose-may~~
24 ~~exempt-an-amount-not-less-than-Three-Thousand-Dollars-(\$3,000)7-as~~
25 ~~provided-in-the-petition7-of-the-market-value-of-residence~~
26 ~~homesteads-of-disabled-persons-or-of-persons-sixty-five-(65)-years~~
27 ~~of-age-or-over-from-ad-valorem-taxes-thereafter-levied-by-the~~

1 ~~county--education--district.]~~ An eligible disabled person who is
2 sixty-five (65) years of age or older may not receive both
3 exemptions from the same political subdivision in the same year but
4 may choose either if the subdivision has adopted both. Where any
5 ad valorem tax has theretofore been pledged for the payment of any
6 debt, the taxing officers of the political subdivision shall have
7 authority to continue to levy and collect the tax against the
8 homestead property at the same rate as the tax so pledged until the
9 debt is discharged, if the cessation of the levy would impair the
10 obligation of the contract by which the debt was created. [An
11 exemption--adopted-under-this-subsection-based-on-assessed-value-is
12 increased, effective January 1, 1979, to an amount that, when
13 converted to market value, provides the same reduction in taxes,
14 except that the market value exemption shall be rounded to the
15 nearest \$100.]

16 SECTION 36. Subsection (b), Section 1-j, Article VIII, Texas
17 Constitution, is amended to read as follows:

18 (b) ~~[Tangible--personal--property--exempted-from-taxation-in~~
19 ~~Subsection-(a)-of-this-section-is-subject-to-the-following:~~

20 ~~[(1)--A county, common, or independent school district,~~
21 ~~junior college district, or municipality, including a home rule~~
22 ~~city, may tax such property otherwise exempt, if the governing body~~
23 ~~of the county, common, or independent school district, junior~~
24 ~~college district, or municipality takes official action as provided~~
25 ~~in this section and in the manner provided by law to provide for~~
26 ~~the taxation of such property.~~

27 ~~[(2)--Any official action to tax such exempt property~~

1 must be taken before April 1, 1990. If official action is taken to
 2 tax such exempt property before January 1, 1990, such property is
 3 taxable effective for the tax year 1990. However, if such official
 4 action to tax such exempt property is taken prior to April 1, 1990,
 5 but after January 1, 1990, the official action shall not become
 6 effective to tax such property until the 1991 tax year.

7 [43] Any of the above named political subdivisions
 8 shall have the authority to exempt from payment of taxation such
 9 property located in such above named political subdivisions for the
 10 taxing year 1989. If a governing body exempts the property from
 11 1989 taxes, the governing body shall waive 1989 taxes already
 12 imposed and refund 1989 taxes already paid on such property for
 13 that year.

14 [44] The governing body of a county, common, or
 15 independent school district, junior college district, or
 16 municipality that, acting under previous constitutional authority,
 17 taxes [acts under Subdivision (2) of Subsection (b) of this section
 18 to tax the] property otherwise exempt by Subsection (a) of this
 19 section may subsequently exempt the property from taxation by
 20 rescinding its action to tax the property. The exemption applies
 21 to each tax year that begins after the date the action is taken and
 22 applies to the tax year in which the action is taken if the
 23 governing body so provides. A governing body that rescinds its
 24 action to tax the property may not take action to tax such property
 25 after the rescission.

26 SECTION 37. Section 6, Article VIII, Texas Constitution, is
 27 amended to read as follows:

1 Sec. 6. No money shall be drawn from the Treasury but in
2 pursuance of specific appropriations made by law; nor shall any
3 appropriation of money be made for a longer term than two years[
4 ~~except---by---the---first---legislature---to---assemble---under---this~~
5 ~~Constitution, which may make the necessary appropriations to carry~~
6 ~~on---the---government---until---the---assemblage---of---the---sixteenth~~
7 ~~legislature].~~

8 SECTION 38. Section 9, Article VIII, Texas Constitution, is
9 amended to read as follows:

10 Sec. 9. (a) ~~No [The State tax on property, exclusive of the~~
11 ~~tax necessary to pay the public debt, and of the taxes provided for~~
12 ~~the benefit of the public free schools, shall never exceed~~
13 ~~Thirty-five Cents (35¢) on the One Hundred Dollars (\$100)~~
14 ~~valuation, and no]~~ county, city or town shall levy a tax rate in
15 excess of Eighty Cents (80¢) on the One Hundred Dollars (\$100)
16 valuation in any one (1) year for general fund, permanent
17 improvement fund, road and bridge fund and jury fund purposes.

18 (b) ~~At[---provided---further---that---at]~~ the time the
19 Commissioners Court meets to levy the annual tax rate for each
20 county it shall levy whatever tax rate may be needed for the four
21 (4) constitutional purposes; namely, general fund, permanent
22 improvement fund, road and bridge fund and jury fund so long as the
23 Court does not impair any outstanding bonds or other obligations
24 and so long as the total of the foregoing tax levies does not
25 exceed Eighty Cents (80¢) on the One Hundred Dollars (\$100)
26 valuation in any one (1) year. Once the Court has levied the
27 annual tax rate, the same shall remain in force and effect during

1 that taxable year.

2 (c) The [~~and--the~~] Legislature may [~~also~~] authorize an
3 additional annual ad valorem tax to be levied and collected for the
4 further maintenance of the public roads; provided, that a majority
5 of the qualified [~~property-taxpaying~~] voters of the county voting
6 at an election to be held for that purpose shall approve the [~~vote~~
7 ~~such~~] tax, not to exceed Fifteen Cents (15¢) on the One Hundred
8 Dollars (\$100) valuation of the property subject to taxation in
9 such county.

10 (d) Any county may put all tax money collected by the county
11 into one general fund, without regard to the purpose or source of
12 each tax.

13 (e) The [~~And--the~~] Legislature may pass local laws for the
14 maintenance of the public roads and highways, without the local
15 notice required for special or local laws.

16 (f) This Section shall not be construed as a limitation of
17 powers delegated to counties, cities or towns by any other Section
18 or Sections of this Constitution.

19 SECTION 39. Section 16a, Article VIII, Texas Constitution,
20 is amended to read as follows:

21 Sec. 16a. In any county having a population of less than ten
22 thousand (10,000) inhabitants, as determined by the last preceding
23 census of the United States, the Commissioners Court may submit to
24 the qualified [~~property-taxpaying~~] voters of such county at an
25 election the question of adding an Assessor-Collector of Taxes to
26 the list of authorized county officials. If a majority of such
27 voters voting in such election shall approve of adding an

1 Assessor-Collector of Taxes to such list, then such official shall
2 be elected at the next General Election for such Constitutional
3 term of office as is provided for other Tax Assessor-Collectors in
4 this State.

5 SECTION 40. Section 20, Article VIII, Texas Constitution, is
6 amended to read as follows:

7 Sec. 20. No property of any kind in this State shall ever be
8 assessed for ad valorem taxes at a greater value than its fair cash
9 market value nor shall any Board of Equalization of any
10 governmental or political subdivision or taxing district within
11 this State fix the value of any property for tax purposes at more
12 than its fair cash market value; provided that in order to
13 encourage the prompt payment of taxes, the Legislature shall have
14 the power to provide that the taxpayer shall be allowed by the
15 State and all governmental and political subdivisions and taxing
16 districts of the State a three per cent (3%) discount on ad valorem
17 taxes due the State or due any governmental or political
18 subdivision or taxing district of the State if such taxes are paid
19 ninety (90) days before the date when they would otherwise become
20 delinquent; and the taxpayer shall be allowed a two per cent (2%)
21 discount on said taxes if paid sixty (60) days before said taxes
22 would become delinquent; and the taxpayer shall be allowed a one
23 per cent (1%) discount if said taxes are paid thirty (30) days
24 before they would otherwise become delinquent. [~~This amendment~~
25 ~~shall be effective January 17, 1939.~~] The Legislature shall pass
26 necessary laws for the proper administration of this Section.

27 SECTION 41. Section 1, Article IX, Texas Constitution, is

1 amended to read as follows:

2 Sec. 1. The Legislature shall have power to create counties
3 for the convenience of the people subject to the following
4 provisions:

5 [First:---in-the-territory-of-the-State-exterior-to-such
6 counties-now-existing, no new counties shall be created with a less
7 area than nine hundred square miles, in a square form, unless
8 prevented by pre-existing boundary lines. Should the State lines
9 render this impracticable in border counties, the area may be less.
10 The territory referred to may, at any time, in whole or in part, be
11 divided into counties in advance of population and attached for
12 judicial and land surveying purposes to the most convenient
13 organized county or counties.]

14 (1) [Second:] Within the territory of any county or
15 counties [now-existing], no new county shall be created with a less
16 area than seven hundred square miles, nor shall any such county now
17 existing be reduced to a less area than seven hundred square miles.
18 No new counties shall be created so as to approach nearer than
19 twelve miles of the county seat of any county from which it may in
20 whole or in part be taken. Counties of a less area than nine
21 hundred, but of seven hundred or more square miles, within counties
22 now existing, may be created by a two-thirds vote of each House of
23 the Legislature, taken by yeas and nays and entered on the
24 journals. Any county now existing may be reduced to an area of not
25 less than seven hundred square miles by a like two-thirds vote.
26 When any part of a county is stricken off and attached to, or
27 created into another county, the part stricken off shall be holden

1 for and obliged to pay its proportion of all the liabilities then
2 existing, of the county from which it was taken, in such manner as
3 may be prescribed by law.

4 (2) [~~Third~~] No part of any existing county shall be
5 detached from it and attached to another existing county until the
6 proposition for such change shall have been submitted, in such
7 manner as may be provided by law, to a vote of the voters
8 [~~electors~~] of both counties, and shall have received a majority of
9 those voting on the question in each.

10 SECTION 42. Section 2, Article IX, Texas Constitution, is
11 amended to read as follows:

12 Sec. 2. The Legislature shall pass laws regulating the
13 manner of removing county seats, but no county seat situated within
14 five miles of the geographical centre of the county shall be
15 removed, except by a vote of two-thirds of all the voters
16 [~~electors~~] voting on the subject. A majority of such voters
17 [~~electors~~], however, voting at such election, may remove a county
18 seat from a point more than five miles from the geographical centre
19 of the county to a point within five miles of such centre, in
20 either case the centre to be determined by a certificate from the
21 Commissioner of the General Land Office.

22 SECTION 43. Section 4, Article IX, Texas Constitution, is
23 amended to read as follows:

24 Sec. 4. The Legislature may by law authorize the creation of
25 county-wide Hospital Districts in counties having a population in
26 excess of 190,000 and in Galveston County, with power to issue
27 bonds for the purchase, acquisition, construction, maintenance and

1 operation of any county owned hospital, or where the hospital
 2 system is jointly operated by a county and city within the county,
 3 and to provide for the transfer to the county-wide Hospital
 4 District of the title to any land, buildings or equipment, jointly
 5 or separately owned, and for the assumption by the district of any
 6 outstanding bonded indebtedness theretofore issued by any county or
 7 city for the establishment of hospitals or hospital facilities; to
 8 levy a tax not to exceed seventy-five (\$.75) cents on the One
 9 Hundred (\$100.00) Dollars valuation of all taxable property within
 10 such district, provided, however, that such district shall be
 11 approved at an election held for that purpose, and that only
 12 qualified [~~7--property-taxpaying~~] voters in such county shall vote
 13 therein; provided further, that such Hospital District shall assume
 14 full responsibility for providing medical and hospital care to
 15 needy inhabitants of the county, and thereafter such county and
 16 cities therein shall not levy any other tax for hospital purposes;
 17 and provided further that should such Hospital District construct,
 18 maintain and support a hospital or hospital system, that the same
 19 shall never become a charge against the State of Texas, nor shall
 20 any direct appropriation ever be made by the Legislature for the
 21 construction, maintenance or improvement of the said hospital or
 22 hospitals. [~~Should--the--legislature--enact--enabling---laws---in
 23 anticipation-of-the-adoption-of-this-amendment--such-acts-shall-not
 24 be-invalid-because-of-their-anticipatory-character--]~~

25 SECTION 44. Subsections (a), (c), and (e), Section 5,
 26 Article IX, Texas Constitution, are amended to read as follows:

27 (a) The Legislature may by law authorize the creation of two

1 hospital districts, one to be coextensive with and have the same
2 boundaries as the incorporated City of Amarillo, as such boundaries
3 now exist or as they may hereafter be lawfully extended, and the
4 other to be coextensive with Wichita County.

5 If such district or districts are created, they may be
6 authorized to levy a tax not to exceed Seventy-five Cents (75¢) on
7 the One Hundred Dollars (\$100.00) valuation of taxable property
8 within the district; provided, however, no tax may be levied until
9 approved by a majority vote of the participating resident qualified
10 [~~property-taxpaying~~] voters [~~who-have-duly-rendered-their--property~~
11 ~~for--taxation~~]. The maximum rate of tax may be changed at
12 subsequent elections so long as obligations are not impaired, and
13 not to exceed the maximum limit of Seventy-five Cents (75¢) per One
14 Hundred Dollars (\$100.00) valuation, and no election shall be
15 required by subsequent changes in the boundaries of the City of
16 Amarillo.

17 If such tax is authorized, no political subdivision or
18 municipality within or having the same boundaries as the district
19 may levy a tax for medical or hospital care for needy individuals,
20 nor shall they maintain or erect hospital facilities, but the
21 district shall by resolution assume all such responsibilities and
22 shall assume all of the liabilities and obligations (including
23 bonds and warrants) of such subdivisions or municipalities or both.
24 The maximum tax rate submitted shall be sufficient to discharge
25 such obligations, liabilities, and responsibilities, and to
26 maintain and operate the hospital system, and the Legislature may
27 authorize the district to issue tax bonds for the purpose of the

1 purchase, construction, acquisition, repair or renovation of
 2 improvements and initially equipping the same, and such bonds shall
 3 be payable from said Seventy-five Cents (75¢) tax. The Legislature
 4 shall provide for transfer of title to properties to the district.

5 (c) The Legislature may by law authorize the creation of a
 6 hospital district within Jefferson County, the boundaries of which
 7 shall include only the area comprising the Jefferson County
 8 Drainage District No. 7 and the Port Arthur Independent School
 9 District, as such boundaries existed on the first day of January,
 10 1957, with the power to issue bonds for the sole purpose of
 11 purchasing a site for, and the construction and initial equipping
 12 of, a hospital system, and with the power to levy a tax of not to
 13 exceed Seventy-five Cents (75¢) on the One Hundred Dollars
 14 (\$100.00) valuation of property therein for the purpose of paying
 15 the principal and interest on such bonds.

16 The [~~creation-of-such-hospital-district-shall--not--be--final~~
 17 ~~until--approved--at--an--election--by--a--majority--of--the--resident~~
 18 ~~property-taxpaying-voters-voting-at-said--election--who--have--duly~~
 19 ~~rendered--their--property--for--taxation--upon--the--tax--rolls--of--either~~
 20 ~~said-Drainage-or-said-School-District, nor shall--such~~] bonds may
 21 not be issued or such tax be levied until [so] approved by such
 22 voters.

23 The district shall not have the power to levy any tax for
 24 maintenance or operation of the hospital or facilities, but shall
 25 contract with other political subdivisions of the state or private
 26 individuals, associations, or corporations for such purposes.

27 If the district hereinabove authorized is finally created, no

1 other hospital district may be created embracing any part of the
2 territory within its boundaries, but the Legislature by law may
3 authorize the creation of a hospital district incorporating therein
4 the remainder of Jefferson County, having the powers and duties and
5 with the limitations presently provided by Article IX, Section 4,
6 of the Constitution of Texas [~~7-except-that-such-district--shall--be~~
7 ~~confirmed--at--an--election-wherein-the-resident-qualified-property~~
8 ~~taxpaying-voters-who-have-duly-rendered-their-property-within--such~~
9 ~~proposed--district--for--taxation--on--the--county--rolls,-shall-be~~
10 ~~authorized-to-vote~~]. A majority of those participating in the
11 election voting in favor of the district shall be necessary for
12 [~~its-confirmation-and-for~~] bonds to be issued.

13 (e) The legislature by law may authorize Randall County to
14 render financial assistance to the Amarillo Hospital District by
15 paying part of the district's operating and maintenance expenses
16 and the debts assumed or created by the district and to levy a tax
17 for that purpose in an amount not to exceed seventy-five cents
18 (75¢) on the One Hundred Dollars (\$100.00) valuation on all
19 property in Randall County that is not within the boundaries of the
20 City of Amarillo or the South Randall County Hospital District.
21 This tax is in addition to any other tax authorized by this
22 constitution. If the tax is authorized by the legislature and
23 approved by the voters of the area to be taxed, the Amarillo
24 Hospital District shall, by resolution, assume the
25 responsibilities, obligations, and liabilities of Randall County in
26 accordance with Subsection (a) of this section and, except as
27 provided by this subsection, Randall County may not levy taxes or

1 issue bonds for hospital purposes or for providing hospital care
2 for needy inhabitants of the county. [~~Not later than the end of~~
3 ~~the first tax year during which taxes are levied under this~~
4 ~~subsection 7. Randall County shall deposit in the State Treasury to~~
5 ~~the credit of the state General Revenue Fund \$457,000 to reimburse~~
6 ~~the state for the cost of publishing the resolution required by~~
7 ~~this subsection.]~~

8 SECTION 45. Subsection (a), Section 8, Article IX, Texas
9 Constitution, is amended to read as follows:

10 (a) The Legislature may by law authorize the creation of a
11 Hospital District to be co-extensive with the limits of County
12 Commissioners Precinct No. 4 of Comanche County, Texas.

13 If such District is created, it may be authorized to levy a
14 tax not to exceed seventy-five cents (75¢) on the One Hundred
15 Dollar (\$100) valuation of taxable property within the District;
16 provided, however, no tax may be levied until approved by a
17 majority vote of the participating resident qualified [property
18 taxpaying] voters [who have duly rendered their property for
19 taxation]. The maximum rate of tax may be changed at subsequent
20 elections so long as obligations are not impaired, and not to
21 exceed the maximum limit of seventy-five cents (75¢) per One
22 Hundred Dollar (\$100) valuation, and no election shall be required
23 by subsequent changes in the boundaries of the Commissioners
24 Precinct No. 4 of Comanche County.

25 If such tax is authorized, no political subdivision or
26 municipality within or having the same boundaries as the District
27 may levy a tax for medical or hospital care for needy individuals,

1 nor shall they maintain or erect hospital facilities, but the
2 District shall by resolution assume all such responsibilities and
3 shall assume all of the liabilities and obligations (including
4 bonds and warrants) of such subdivisions or municipalities or both.
5 The maximum tax rate submitted shall be sufficient to discharge
6 such obligations, liabilities, and responsibilities, and to
7 maintain and operate the hospital system, and the Legislature may
8 authorize the District to issue tax bonds for the purpose of the
9 purchase, construction, acquisition, repair or renovation of
10 improvements and initially equipping the same, and such bonds shall
11 be payable from said seventy-five cent (75¢) tax. The Legislature
12 shall provide for transfer of title to properties to the District.

13 SECTION 46. Section 11, Article IX, Texas Constitution, is
14 amended to read as follows:

15 Sec. 11. (a) The Legislature may by law authorize the
16 creation of hospital districts in Ochiltree, Castro, Hansford and
17 Hopkins Counties, each district to be coextensive with the limits
18 of such county.

19 (b) If any such district is created, it may be authorized to
20 levy a tax not to exceed Seventy-five Cents (75¢) on the One
21 Hundred Dollar (\$100) valuation of taxable property within the
22 district; provided, however, no tax may be levied until approved by
23 a majority vote of the participating resident qualified
24 [~~property-taxpaying~~] voters [~~who-have-duly-rendered-their--property~~
25 ~~for--taxation~~]. The maximum rate of tax may be changed at
26 subsequent elections so long as obligations are not impaired, and
27 not to exceed the maximum limit of Seventy-five Cents (75¢) per One

1 Hundred Dollar (\$100) valuation.

2 (c) If such tax is authorized, no political subdivision or
3 municipality within or having the same boundaries as the district
4 may levy a tax for medical or hospital care for needy individuals,
5 nor shall they maintain or erect hospital facilities, but the
6 district shall by resolution assume all such responsibilities and
7 shall assume all of the liabilities and obligations (including
8 bonds and warrants) of such subdivisions or municipalities or both.
9 The maximum tax rate submitted shall be sufficient to discharge
10 obligations, liabilities, and responsibilities, and to maintain and
11 operate the hospital system, and the Legislature may authorize the
12 district to issue tax bonds for the purpose of the purchase,
13 construction, acquisition, repair or renovation of improvements and
14 initially equipping the same, and such bonds shall be payable from
15 said Seventy-five Cent (75¢) tax. The Legislature shall provide
16 for transfer of title to properties to the district.

17 [~~Should the Legislature enact enabling laws in anticipation~~
18 ~~of the adoption of the amendment, such Acts shall not be invalid~~
19 ~~because of their anticipatory character.~~]

20 SECTION 47. Section 12, Article IX, Texas Constitution, is
21 amended to read as follows:

22 Sec. 12. (a) The Legislature may by law provide for the
23 creation, establishment, maintenance and operation of Airport
24 Authorities composed of one or more counties, with power to issue
25 general obligation bonds, revenue bonds, either or both of them,
26 for the purchase, acquisition by the exercise of the power of
27 eminent domain or otherwise, construction, reconstruction, repair

1 or renovation of any airport or airports, landing fields and
2 runways, airport buildings, hangars, facilities, equipment,
3 fixtures, and any and all property, real or personal, necessary to
4 operate, equip and maintain an airport.

5 (b) The Legislature~~[7]~~ shall provide for the option by the
6 governing body of the city or cities whose airport facilities are
7 served by certificated airlines and whose facility or some interest
8 therein, is proposed to be or has been acquired by the Authority,
9 to either appoint or elect a Board of Directors of said Authority.
10 If~~[7--if]~~ the Directors are appointed such appointment shall be made
11 by the County Commissioners Court after consultation with and
12 consent of the governing body or bodies of such city or cities.
13 If~~[7--and-if]~~ the Board of Directors is elected they shall be
14 elected by the qualified ~~[taxpaying]~~ voters of the county which
15 chooses to elect the Directors to represent that county.~~[7--such]~~
16 Directors shall serve without compensation for a term fixed by the
17 Legislature not to exceed six (6) years, ~~[and]~~ shall be selected on
18 the basis of the proportionate population of each county based upon
19 the last preceding Federal Census, and shall be ~~[a--resident--or]~~
20 residents of such county. No~~[7--provide-that-no]~~ county shall have
21 less than one (1) member on the Board of Directors.

22 (c) The Legislature shall~~[7]~~ provide for the holding of an
23 election in each county proposing the creation of an Authority to
24 be called by the Commissioners Court or Commissioners Courts, as
25 the case may be, upon petition of five per cent (5%) of the
26 qualified ~~[taxpaying]~~ voters within the county or counties. The~~[7~~
27 ~~said]~~ elections must ~~[to]~~ be held on the same day if more than one

1 county is included. ~~No~~ more than one (1) such
2 election may be called in a county until after the expiration of
3 one (1) year ~~in~~ in the event such an election has failed, and
4 thereafter only upon a petition of ten per cent (10%) of the
5 qualified ~~taxpaying~~ voters being presented to the Commissioners
6 Court or Commissioners Courts of the county or counties in which
7 such an election has failed. ~~In~~ the event that two or
8 more counties vote on the proposition of the creation of an
9 Authority therein, the proposition shall not be deemed to carry
10 unless the majority of the qualified ~~taxpaying~~ voters in each
11 county voting thereon vote in favor thereof. ~~An~~
12 ~~however~~ Airport Authority may be created and be composed
13 of the county or counties that vote in favor of its creation if
14 separate propositions are submitted to the voters of each county so
15 that they may vote for a two or more county Authority or a single
16 county Authority.

17 (d) The Legislature shall provide for the appointment by
18 the Board of Directors of an Assessor and Collector of Taxes in the
19 Authority, whether constituted of one or more counties, whose duty
20 it shall be to assess all taxable property, both real and personal,
21 and collect the taxes thereon, based upon the tax rolls approved by
22 the Board of Directors, the tax to be levied not to exceed
23 Seventy-Five Cents (75¢) per One Hundred Dollars (\$100) assessed
24 valuation of the property. ~~The~~
25 property of state regulated common carriers required by law to pay
26 a tax upon intangible assets shall not be subject to taxation by
27 the Authority. ~~The~~ taxable property shall be assessed on a

1 valuation not to exceed the market value and shall be equal and
2 uniform throughout the Authority as is otherwise provided by the
3 Constitution.

4 (e) The~~[7--the]~~ Legislature shall authorize the purchase or
5 acquisition by the Authority of any existing airport facility
6 publicly owned and financed and served by certificated airlines, in
7 fee or of any interest therein, or to enter into any lease
8 agreement therefor, upon such terms and conditions as may be
9 mutually agreeable to the Authority and the owner of such
10 facilities, or authorize the acquisition of same through the
11 exercise of the power of eminent domain. In~~[7--and--in]~~ the event of
12 such acquisition, if there are any general obligation bonds that
13 the owner of the publicly owned airport facility has outstanding,
14 the same shall be fully assumed by the Authority and sufficient
15 taxes levied by the Authority to discharge said outstanding
16 indebtedness. If~~[7--and--likewise]~~ any city or owner ~~[that]~~ has
17 outstanding revenue bonds where the revenues of the airport have
18 been pledged or said bonds constitute a lien against the airport
19 facilities, the Authority shall assume and discharge all the
20 obligations of the city under the ordinances and bond indentures
21 under which said revenue bonds have been issued and sold.

22 (f) Any city which owns airport facilities not serving
23 certificated airlines which are not purchased or acquired or taken
24 over as herein provided by such Authority~~[7]~~ shall have the power
25 to operate the same under the existing laws or as the same may
26 hereafter be amended.

27 (g) Any such Authority when created may be granted the power

1 and authority to promulgate, adopt and enforce appropriate zoning
2 regulations to protect the airport from hazards and obstructions
3 which would interfere with the use of the airport and its
4 facilities for landing and take-off.

5 (h) An~~[7-22]~~ additional county or counties may be added to
6 an existing Authority if a petition of five per cent (5%) of the
7 qualified ~~[taxpaying]~~ voters is filed with and an election is
8 called by the Commissioners Court of the county or counties seeking
9 admission to an Authority. If ~~[and]~~ the vote is favorable, then
10 admission may be granted to such county or counties by the Board of
11 Directors of the then existing Authority upon such terms and
12 conditions as they may agree upon and evidenced by a resolution
13 approved by two-thirds (2/3rds) of the then existing Board of
14 Directors. The~~[7--provided7-however7-the]~~ county or counties that
15 may be so added to the then existing Authority shall be given
16 representation on the Board of Directors by adding additional
17 directors in proportion to their population according to the last
18 preceding Federal census.

19 SECTION 48. Section 2, Article XI, Texas Constitution, is
20 amended to read as follows:

21 Sec. 2. The construction of jails, court-houses and bridges
22 ~~[and--the--establishment--of--county--poor--houses--and--farms7]~~ and the
23 laying out, construction and repairing of county roads shall be
24 provided for by general laws.

25 SECTION 49. Subsection (b), Section 30, Article XVI, Texas
26 Constitution, is amended to read as follows:

27 (b) The ~~[When-a]~~ Railroad Commission ~~[is-created-by-law--it]~~

1 shall be composed of three Commissioners who shall be elected by
 2 the people at a general election for State officers, and their
 3 terms of office shall be six years. [~~Railroad-Commissioners-first~~
 4 ~~elected-after-this-amendment-goes-into-effect-shall-hold-office--as~~
 5 ~~follows:---One--shall--serve-two-years,-and-one-four-years,-and-one~~
 6 ~~six-years,-their-terms-to-be-decided-by-lot-immediately-after--they~~
 7 ~~shall--have--qualified.] And one Railroad Commissioner shall be
 8 elected every two years [thereafter]. In case of vacancy in said
 9 office the Governor of the State shall fill said vacancy by
 10 appointment until the next general election.~~

11 SECTION 50. Section 44, Article XVI, Texas Constitution, is
 12 amended to read as follows:

13 Sec. 44. (a) Except as otherwise provided by this section,
 14 the Legislature shall prescribe the duties and provide for the
 15 election by the qualified voters of each county in this State, of a
 16 County Treasurer and a County Surveyor, who shall have an office at
 17 the county seat, and hold their office for four years, and until
 18 their successors are qualified; and shall have such compensation as
 19 may be provided by law.

20 (b) The office of County Treasurer or County Surveyor does
 21 not exist in those counties in which the office has been abolished
 22 pursuant to constitutional amendment or pursuant to the authority
 23 of Subsection (c) of this section [~~in-the-counties-of-Tarrant-and~~
 24 ~~Bee-is-abolished-and-all-the-powers,-duties,-and-functions--of--the~~
 25 ~~office--in--each--of--these--counties-are-transferred-to-the-County~~
 26 ~~Auditor-or-to-the-officer-who-succeeds-to-the-auditor's--functions-~~
 27 ~~The--office-of-County-Treasurer-in-the-counties-of-Bexar-and-Collin~~

1 abolition-of-the-office-in-that-county-is-submitted-to-the-voters,
2 a-majority-of-the-voters-of-that-county-voting-on-the-question-at
3 that-election-favor-the-amendment.

4 [(e)--The-office-of-County-Surveyor-in-the-counties-of
5 Denton,--Randall,--Collin,--Dallas,--El-Paso,--McBennan,--and-Henderson
6 is-abolished-upon-the-approval-of-the-abolition-by-a-majority-of
7 the-qualified-voters-of-the-respective-county-voting-on-the
8 question-at-an-election-that-the-Commissioners-Court-of-the-county
9 may-call.--If-the-election-is-called,--the-Commissioners-Court-shall
10 order--the--ballot--at--the--election--to-be-printed-to-provide-for
11 voting-for-or-against-the-proposition:--"Abolishing-the-office-of
12 county-surveyor."--Each-qualified-voter-of-the-county-is-entitled
13 to-vote-in-the-election.--If--the--office--of--County--Surveyor--is
14 abolished--under--this-subsection,--the-maps,--field-notes,--and-other
15 records-in-the-custody-of-the-County-Surveyor--are--transferred--to
16 the-County-Clerk-of-the-county.--After-abolition,--the-Commissioners
17 Court-may-employ-or-contract-with-a-qualified-person-to-perform-any
18 of--the--functions--that--would--have--been-performed-by-the-County
19 Surveyor-if-the-office-had-not-been-abolished.

20 [(f)--This-subsection-applies-only-to-the-counties-of--Cass,
21 Ector,--Garza,--Smith,--Bexar,--Harris,--and-Webb.--The-office-of-County
22 Surveyor--in--the-county-is-abolished-on-January-1,--1990,--if-at-the
23 statewide-election-at-which-the-addition--to--the--Constitution--of
24 this--subsection--is--submitted--to--the--voters,--a-majority-of-the
25 voters-of-that-county-voting-on-the-question-at-that-election-favor
26 the-addition-of-this-subsection.--If-the-office-of-County--Surveyor
27 is-abolished-in-a-county-under-this-subsection,--the-powers,--duties,

and--functions--of--the--office--are--transferred--to--the--county--office
of--employee--designated--by--the--Commissioners--Court--of--the--county--in
which--the--office--is--abolished--and--the--Commissioners--Court--may--from
time--to--time--change--its--designations--as--it--considers--appropriate

[(g) --The--office--of--County--Treasurer--in--Nueces--County--is
abolished--and--all--powers--duties--and--functions--of--this--office--are
transferred--to--the--County--Clerk--However--the--office--of--County
Treasurer--in--Nueces--County--is--abolished--under--this--subsection--only
if--at--the--statewide--election--at--which--this--amendment--is--submitted
to--the--voters--a--majority--of--the--voters--of--Nueces--County--vote--on
the--question--at--that--election--favor--the--amendment--The--office--of
County--Treasurer--of--Nueces--County--is--abolished--on--January--17--1987
if--the--conditions--of--this--subsection--are--met--If--that--office--in
Nueces--County--is--not--abolished--this--subsection--expresses--on--January
17--1987]

(c) [(h)] The Commissioners Court of a county may call an
election to abolish the office of County Surveyor in the county.
The office of County Surveyor in the county is abolished if a
majority of the voters of the county voting on the question at that
election approve the abolition. If an election is called under
this subsection, the Commissioners Court shall order the ballot for
the election to be printed to provide for voting for or against the
proposition: "Abolishing the office of county surveyor of this
county." If the office of County Surveyor is abolished under this
subsection, the maps, field notes, and other records in the custody
of the County Surveyor are transferred to the county officer or
employee designated by the Commissioners Court of the county in

1 which the office is abolished, and the Commissioners Court may from
2 time to time change its designation as it considers appropriate.

3 SECTION 51. Subsection (c), Section 59, Article XVI, Texas
4 Constitution, is amended to read as follows:

5 (c) The Legislature shall authorize all such indebtedness as
6 may be necessary to provide all improvements and the maintenance
7 thereof requisite to the achievement of the purposes of this
8 amendment. All~~[7-and-all]~~ such indebtedness may be evidenced by
9 bonds of such conservation and reclamation districts, to be issued
10 under such regulations as may ~~[amy]~~ be prescribed by law. The
11 Legislature ~~[and]~~ shall also~~[7]~~ authorize the levy and collection
12 within such districts of all such taxes, equitably distributed, as
13 may be necessary for the payment of the interest and the creation
14 of a sinking fund for the payment of such bonds~~[7]~~ and ~~[also]~~ for
15 the maintenance of such districts and improvements. Such~~[7-and~~
16 ~~such]~~ indebtedness shall be a lien upon the property assessed for
17 the payment thereof. The~~[7--provided-the]~~ Legislature shall not
18 authorize the issuance of any bonds or provide for any indebtedness
19 against any reclamation district unless such proposition shall
20 first be submitted to the qualified ~~[property-tax-paying]~~ voters of
21 such district and the proposition adopted.

22 SECTION 52. Section 61, Article XVI, Texas Constitution, is
23 amended to read as follows:

24 Sec. 61. (a) All district officers in the State of Texas
25 and all county officers in counties having a population of twenty
26 thousand (20,000) or more, according to the then last preceding
27 Federal Census, shall be compensated on a salary basis.

1 **(b)** In all counties in this State, the Commissioners Courts
2 shall be authorized to determine whether precinct officers shall be
3 compensated on a fee basis or on a salary basis, with the exception
4 that it shall be mandatory upon the Commissioners Courts, to
5 compensate all justices of the peace, constables, deputy constables
6 and precinct law enforcement officers on a salary basis.

7 **(c)** In [~~beginning-January-17-1937-and-in~~] counties having a
8 population of less than twenty thousand (20,000), according to the
9 then last preceding Federal Census, the Commissioners Courts [~~shall~~
10 ~~also~~] have the authority to determine whether county officers shall
11 be compensated on a fee basis or on a salary basis, with the
12 exception that it shall be mandatory upon the Commissioners Courts
13 to compensate all sheriffs, deputy sheriffs, county law enforcement
14 officers including sheriffs who also perform the duties of assessor
15 and collector of taxes, and their deputies, on a salary basis
16 [~~beginning-January-17-1949~~].

17 **(d)** All fees earned by district, county and precinct
18 officers shall be paid into the county treasury where earned for
19 the account of the proper fund, provided that fees incurred by the
20 State, county and any municipality, or in case where a pauper's
21 oath is filed, shall be paid into the county treasury when
22 collected and provided that where any officer is compensated wholly
23 on a fee basis such fees may be retained by such officer or paid
24 into the treasury of the county as the Commissioners Court may
25 direct.

26 **(e)** All Notaries Public, county surveyors and public
27 weighers shall continue to be compensated on a fee basis.

1 SECTION 53. Section 65, Article XVI, Texas Constitution, is
2 amended to read as follows:

3 Sec. 65. (a) This section applies to the following offices
4 [Staggering--Terms-of-Office--The-following-officers-elected-at-the
5 General-Election-in-November, 1954, and thereafter, shall serve for
6 the full terms provided in this Constitution]:

7 [(a)] District Clerks; [(b)] County Clerks;
8 [(c)] County Judges; [(d)] Judges of the County Courts at Law,
9 County Criminal Courts, County Probate Courts and County Domestic
10 Relations Courts; [(e)] County Treasurers; [(f)] Criminal
11 District Attorneys; [(g)] County Surveyors; [(h)] Inspectors of
12 Hides and Animals; [(i)] County Commissioners [for--Precincts--Two
13 and-Four]; [(j)] Justices of the Peace; [r

14 [Notwithstanding--other--provisions-of-this-Constitution, the
15 following officers elected at the--General--Election--in--November,
16 1954, shall serve only for terms of two (2) years:--(a)] Sheriffs;
17 [(b)] Assessors and Collectors of Taxes; [(c)] District
18 Attorneys; [(d)] County Attorneys; [(e)] Public Weighers; and
19 [(f)--County--Commissioners--for--Precincts--One--and--Three,
20 [(g)] Constables. [At subsequent elections, such officers shall be
21 elected for the full terms provided in this Constitution:

22 [In any--district, county--or--precinct--where--any--of--the
23 aforementioned--offices--is--of--such--nature--that two (2) or more
24 persons hold such office, with the result that candidates file--for
25 "Place--No. 1,"--"Place--No. 2," etc., the officers elected at the
26 General Election in November, 1954, shall serve for a term--of--two
27 (2)--years--if the designation of their office is an uneven number,

1 and-for-a-term-of-four-(4)-years-if-the-designation-of-their-office
2 is-an-even-number.--Thereafter,all-such-officers-shall-be-elected
3 for-the-terms-provided-in-this-Constitution.]

4 (b) If [Provided,--however,--if] any of the officers named
5 herein shall announce their candidacy, or shall in fact become a
6 candidate, in any General, Special or Primary Election, for any
7 office of profit or trust under the laws of this State or the
8 United States other than the office then held, at any time when the
9 unexpired term of the office then held shall exceed one (1) year,
10 such announcement or such candidacy shall constitute an automatic
11 resignation of the office then held, and the vacancy thereby
12 created shall be filled pursuant to law in the same manner as other
13 vacancies for such office are filled.

14 SECTION 54. Section 1, Article XVII, Texas Constitution, is
15 amended to read as follows:

16 Sec. 1. (a) The Legislature, at any regular session, or at
17 any special session when the matter is included within the purposes
18 for which the session is convened, may propose amendments revising
19 the Constitution, to be voted upon by the qualified voters
20 [electors] for statewide offices and propositions, as defined in
21 the Constitution and statutes of this State. The date of the
22 elections shall be specified by the Legislature. The proposal for
23 submission must be approved by a vote of two-thirds of all the
24 members elected to each House, entered by yeas and nays on the
25 journals.

26 (b) A brief explanatory statement of the nature of a
27 proposed amendment, together with the date of the election and the

1 wording of the proposition as it is to appear on the ballot, shall
2 be published twice in each newspaper in the State which meets
3 requirements set by the Legislature for the publication of official
4 notices of officers and departments of the state government. The
5 explanatory statement shall be prepared by the Secretary of State
6 and shall be approved by the Attorney General. The Secretary of
7 State shall send a full and complete copy of the proposed amendment
8 or amendments to each county clerk who shall post the same in a
9 public place in the courthouse at least 30 days prior to the
10 election on said amendment. The first notice shall be published
11 not more than 60 days nor less than 50 days before the date of the
12 election, and the second notice shall be published on the same day
13 in the succeeding week. The Legislature shall fix the standards
14 for the rate of charge for the publication, which may not be higher
15 than the newspaper's published national rate for advertising per
16 column inch.

17 (c) The election shall be held in accordance with procedures
18 prescribed by the Legislature, and the returning officer in each
19 county shall make returns to the Secretary of State of the number
20 of legal votes cast at the election for and against each amendment.
21 If it appears from the returns that a majority of the votes cast
22 have been cast in favor of an amendment, it shall become a part of
23 this Constitution, and proclamation thereof shall be made by the
24 Governor.

25 SECTION 55. The following provisions of the Texas
26 Constitution are repealed:

27 (1) Article III, Sections 26a, 50b, 50b-1, 50b-2,

1 50b-3, and 54;

2 (2) Article VIII, Sections 1-b-1, 1-c, and 5;

3 (3) Article IX, Section 6;

4 (4) Article XI, Section 6;

5 (5) Article XVI, Sections 18, 47, 53, 66, and 70(r);

6 and

7 (6) Article XVII, Section 2.

8 SECTION 56. The following temporary provision is added to
9 the Texas Constitution:

10 TEMPORARY TRANSITION PROVISIONS. (a) This section applies
11 to amendments proposed by H.J.R. No. 62, 76th Legislature, Regular
12 Session, 1999.

13 (b) The amendments do not impair any obligation created by
14 the issuance of bonds or other evidences of indebtedness in
15 accordance with prior law, and all bonds or other evidences of
16 indebtedness validly issued under provisions amended or repealed
17 remain valid, enforceable, and binding according to their terms
18 and shall be paid from the sources pledged. Bonds or other
19 evidences of indebtedness authorized but unissued on the effective
20 date of the amendments may be issued in compliance with and subject
21 to the provisions of the prior law. The amendments do not reduce
22 or expand the authority to provide for, issue, or sell bonds or
23 other evidences of indebtedness previously authorized.

24 (c) As of the date of adoption of H.J.R. No. 62 by the 76th
25 Legislature, Regular Session, 1999, the Veterans' Land Board has
26 authorized but unissued bonds in the aggregate principal amount of
27 \$190,002,225 for the purpose of providing funds for the Veterans'

1 Land Fund, \$1,309,997,775 having previously been issued for that
2 purpose, and \$615,000,000 for the purpose of providing funds for
3 the Veterans' Housing Assistance Fund II, \$385,000,000 having
4 previously been issued for that purpose. The amendments do not in
5 any manner impair the authority of the Veterans' Land Board
6 hereafter to issue bonds or incur other evidences of indebtedness,
7 provided that any bonds or other evidences of indebtedness issued
8 or incurred by the Veterans' Land Board prior to adoption of the
9 amendments shall cause the amount of authorized but unissued bonds
10 described in this subsection to be reduced by the amount of the
11 bonds so issued or other evidences of indebtedness so incurred.

12 (d) As of the date of adoption of H.J.R. No. 62 by the 76th
13 Legislature, Regular Session, 1999, the Texas Water Development
14 Board has authorized but unissued bonds in the aggregate principal
15 amount of \$945,765,000, and as of that date that board has issued
16 \$113,300,000 in bonds for the purpose of providing wholesale and
17 retail water and wastewater facilities to economically distressed
18 areas of the state, as defined by law. The amendments do not in
19 any manner impair the authority of the Texas Water Development
20 Board hereafter to issue bonds or incur other evidences of
21 indebtedness, provided that any bonds or other evidences of
22 indebtedness issued or incurred by the Texas Water Development
23 Board prior to adoption of the amendments shall cause the amount of
24 authorized but unissued bonds described in this subsection to be
25 reduced by the amount of the bonds so issued or other evidences of
26 indebtedness so incurred.

27 (e) As of the date of adoption of H.J.R. No. 62 by the 76th

1 Legislature, Regular Session, 1999, the Texas Higher Education
2 Coordinating Board has authorized but unissued bonds in the
3 aggregate principal amount of \$150,000,000, and as of that date the
4 board has issued \$810,000,000 in bonds for the purpose of
5 educational loans to students. The amendments do not in any manner
6 impair the authority of the Texas Higher Education Coordinating
7 Board hereafter to issue bonds or incur other evidences of
8 indebtedness, provided that any bonds or other evidences of
9 indebtedness issued or incurred by the Texas Higher Education
10 Coordinating Board prior to adoption of the amendments shall cause
11 the amount of authorized but unissued bonds described in this
12 subsection to be reduced by the amount of the bonds so issued or
13 other evidences of indebtedness so incurred.

14 (f) The amendment of Subsection (b), Section 1-b, Article
15 VIII, does not affect the increase in the amount of an exemption
16 effective January 1, 1979, under that subsection, and that increase
17 is preserved and given effect in accordance with the prior law.

18 (g) The amendment of Subsection (b), Section 1-j, Article
19 VIII, does not affect the taxation of personal property in
20 accordance with action taken under that section before April 1,
21 1990, and that authority to tax personal property is preserved and
22 given effect in accordance with the prior law.

23 (h) The amendment of Subsection (c), Section 5, Article IX,
24 does not affect the validity of a confirmation election held in
25 accordance with that section.

26 (i) The repeal of Section 5, Article VIII, does not affect
27 the power of a municipality to impose and collect taxes on the

1 property of railroad companies in accordance with the general
2 authority of municipalities under this constitution to impose and
3 collect those taxes.

4 (j) The repeal of Section 6, Article IX, does not affect the
5 disposition of assets of the Lamar County Hospital District in
6 accordance with that section.

7 (k) The amendment of Section 44, Article XVI, does not
8 affect the power of a county to abolish the office of county
9 treasurer or county surveyor in accordance with previously adopted
10 amendments of that section, and the power is preserved in
11 accordance with the prior law.

12 (l) The repeal of Section 66, Article XVI, does not affect
13 the pensions payable under that section and those pensions shall be
14 paid in accordance with the prior law.

15 (m) The reenactment of any provision for purposes of
16 amendment does not revive a provision that may have been impliedly
17 repealed by the adoption of a later amendment.

18 (n) The amendment of any provision does not affect vested
19 rights.

20 SECTION 57. This proposed constitutional amendment shall be
21 submitted to the voters at an election to be held on November 2,
22 1999. The ballot shall be printed to permit voting for or against
23 the proposition: "The constitutional amendment to eliminate
24 duplicative, executed, obsolete, archaic, and ineffective
25 provisions of the Texas Constitution."

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 76th Regular Session

April 22, 1999

TO: Honorable Joe Driver, Chair, House Committee on Constitutional Revision

FROM: John Keel, Director, Legislative Budget Board

IN RE: **HJR62** by Mowery (proposing a constitutional amendment to eliminate duplicative, executed, obsolete, archaic, and ineffective constitutional provisions), **Committee Report 1st House, Substituted**

No fiscal implication to the State is anticipated, other than the cost of publication.

The cost to the state for publication of the resolution is \$76,352.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 302 Office Of The Attorney General, 307 Secretary of State, 701 Texas Education Agency - Administration, 304 Comptroller of Public Accounts, 305 General Land Office and Veterans' Land Board

LBB Staff: JK, SD, RS

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 76th Regular Session

March 15, 1999

TO: Honorable Joe Driver, Chair, House Committee on Constitutional Revision

FROM: John Keel, Director, Legislative Budget Board

IN RE: HJR62 by Mowery (Proposing a constitutional amendment to eliminate duplicative, executed, obsolete, archaic, and ineffective constitutional provisions.), **As Introduced**

No fiscal implication to the State is anticipated, other than the cost of publication.

The cost to the state for publication of the resolution is \$76,352.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 302 Office Of The Attorney General, 307 Secretary of State, 701 Texas Education Agency - Administration, 304 Comptroller of Public Accounts, 305 General Land Office and Veterans' Land Board

LBB Staff: JK, SD, RS

LEGISLATIVE BUDGET BOARD
Water Development Impact Statement

April 27, 1999

TO: Honorable Joe Driver, Chair
Committee on Constitutional Revision
House of Representatives
Austin, Texas

IN RE: House Joint Resolution
No. 62, Committee
Report 1st House, Substituted
By: Mowery

FROM: John Keel, Director

In response to your request for a Water Development Impact Statement on HJR62 (proposing a constitutional amendment to eliminate duplicative, executed, obsolete, archaic, and ineffective constitutional provisions,) this office, in cooperation with the Water Development Board (TWDB), has determined the following:

The bill does not create a water district or amend Article XVI, Section 59 of the Texas Constitution relating to the creation of water districts.

Therefore, the bill is not in conflict with the objectives of the State Water Plan.

LEGISLATIVE BUDGET BOARD
Equalized Education Funding Impact Statement

April 25, 1999

TO: Honorable Joe Driver, Chair
Committee on Constitutional Revision
House
Austin, Texas

IN RE: House Joint Resolution
No. 62, Committee
Report 1st House, Substituted
By: Mowery

FROM: John Keel, Director

In response to your request for a Equalized Education Funding Impact Statement on HJR62 (proposing a constitutional amendment to eliminate duplicative, executed, obsolete, archaic, and ineffective constitutional provisions) this office has determined the following:

No impact on equalized funding requirements and policies affecting public education is anticipated from any of the provisions of this bill.

LEGISLATIVE BUDGET BOARD

Tax/Fee Equity Note

April 23, 1999

TO: Honorable Joe Driver, Chair
Committee on Constitutional Revision
House
Austin, Texas

IN RE: House Joint Resolution
No. 62, Committee
Report 1st House, Substituted
By: Mowery

FROM: John Keel, Director

In response to your request for a Tax/Fee Equity Note on HJR62 (Proposing a constitutional amendment to eliminate duplicative, executed, obsolete, archaic, and ineffective constitutional provisions.) this office has determined the following:

No statistically significant impact on the overall distribution of a state tax or fee burden among individuals and businesses is anticipated from the provisions of this resolution.

5

1-1 By: Mowery, Driver, Puente H.J.R. No. 62
1-2 (Senate Sponsor - Shapiro)
1-3 (In the Senate - Received from the House May 7, 1999;
1-4 May 10, 1999, read first time and referred to Committee on State
1-5 Affairs; May 14, 1999, reported favorably by the following vote:
1-6 Yeas 7, Nays 1; May 14, 1999, sent to printer.)

1-7 HOUSE JOINT RESOLUTION

1-8 proposing a constitutional amendment to eliminate duplicative,
1-9 executed, obsolete, archaic, and ineffective constitutional
1-10 provisions.

1-11 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Section 2, Article III, Texas Constitution, is
1-13 amended to read as follows:

1-14 Sec. 2. The Senate shall consist of thirty-one members~~[, and~~
1-15 ~~shall never be increased above this number]~~. The House of
1-16 Representatives shall consist of 150 ~~[ninety-three]~~ members ~~[until~~
1-17 ~~the first apportionment after the adoption of this Constitution,~~
1-18 ~~when or at any apportionment thereafter, the number of~~
1-19 ~~Representatives may be increased by the Legislature, upon the ratio~~
1-20 ~~of not more than one Representative for every fifteen thousand~~
1-21 ~~inhabitants, provided, the number of Representatives shall never~~
1-22 ~~exceed one hundred and fifty].~~

1-23 SECTION 2. Section 3, Article III, Texas Constitution, is
1-24 amended to read as follows:

1-25 Sec. 3. The Senators shall be chosen by the qualified voters
1-26 ~~[electors]~~ for the term of four years; but a new Senate shall be
1-27 chosen after every apportionment, and the Senators elected after
1-28 each apportionment shall be divided by lot into two classes. The
1-29 seats of the Senators of the first class shall be vacated at the
1-30 expiration of the first two years, and those of the second class at
1-31 the expiration of four years, so that one half of the Senators
1-32 shall be chosen biennially thereafter. Senators shall take office
1-33 following their election, on the day set by law for the convening
1-34 of the Regular Session of the Legislature, and shall serve
1-35 thereafter for the full term of years to which elected ~~[and until~~
1-36 ~~their successors shall have been elected and qualified].~~

1-37 SECTION 3. Section 4, Article III, Texas Constitution, is
1-38 amended to read as follows:

1-39 Sec. 4. The Members of the House of Representatives shall be
1-40 chosen by the qualified voters ~~[electors]~~ for the term of two
1-41 years. Representatives shall take office following their election,
1-42 on the day set by law for the convening of the Regular Session of
1-43 the Legislature, and shall serve thereafter for the full term of
1-44 years to which elected ~~[and until their successors shall have been~~
1-45 ~~elected and qualified].~~

1-46 SECTION 4. Section 5, Article III, Texas Constitution, is
1-47 amended to read as follows:

1-48 Sec. 5. (a) The Legislature shall meet every two years at
1-49 such time as may be provided by law and at other times when
1-50 convened by the Governor.

1-51 (b) When convened in regular Session, the first thirty days
1-52 thereof shall be devoted to the introduction of bills and
1-53 resolutions, acting upon emergency appropriations, passing upon the
1-54 confirmation of the recess appointees of the Governor and such
1-55 emergency matters as may be submitted by the Governor in special
1-56 messages to the Legislature. ~~During[, provided that during]~~ the
1-57 succeeding thirty days of the regular session of the Legislature
1-58 the various committees of each House shall hold hearings to
1-59 consider all bills and resolutions and other matters then pending;
1-60 and such emergency matters as may be submitted by the Governor.
1-61 During[, provided further that during] the remainder of the session
1-62 [following sixty days] the Legislature shall act upon such bills
1-63 and resolutions as may be then pending and upon such emergency
1-64 matters as may be submitted by the Governor in special messages to

2-1 the Legislature.

2-2 ~~(c) Notwithstanding Subsection (b), either~~ ~~[---provided,~~
 2-3 ~~however,---either]~~ House may ~~[otherwise]~~ determine its order of
 2-4 business by an affirmative vote of four-fifths of its membership.

2-5 SECTION 5. Section 6, Article III, Texas Constitution, is
 2-6 amended to read as follows:

2-7 Sec. 6. No person shall be a Senator, unless he be a citizen
 2-8 of the United States, and, at the time of his election a qualified
 2-9 voter ~~[elector]~~ of this State, and shall have been a resident of
 2-10 this State five years next preceding his election, and the last
 2-11 year thereof a resident of the district for which he shall be
 2-12 chosen, and shall have attained the age of twenty-six years.

2-13 SECTION 6. Section 7, Article III, Texas Constitution, is
 2-14 amended to read as follows:

2-15 Sec. 7. No person shall be a Representative, unless he be a
 2-16 citizen of the United States, and, at the time of his election, a
 2-17 qualified voter ~~[elector]~~ of this State, and shall have been a
 2-18 resident of this State two years next preceding his election, the
 2-19 last year thereof a resident of the district for which he shall be
 2-20 chosen, and shall have attained the age of twenty-one years.

2-21 SECTION 7. Section 14, Article III, Texas Constitution, is
 2-22 amended to read as follows:

2-23 Sec. 14. Senators and Representatives shall, except in cases
 2-24 of treason, felony, or breach of the peace, be privileged from
 2-25 arrest during the session of the Legislature, and in going to and
 2-26 returning from the same ~~[---allowing one day for every---twenty---miles~~
 2-27 ~~such---member---may---reside---from---the---place---at---which---the---Legislature---is~~
 2-28 ~~convened]~~.

2-29 SECTION 8. Section 33, Article III, Texas Constitution, is
 2-30 amended to read as follows:

2-31 Sec. 33. All bills for raising revenue shall originate in
 2-32 the House of Representatives ~~[---but---the---Senate---may---amend---or---reject~~
 2-33 ~~them---as---other---bills]~~.

2-34 SECTION 9. Section 32, Article III, Texas Constitution, is
 2-35 amended to read as follows:

2-36 Sec. 32. No bill shall have the force of a law, until it has
 2-37 been read on three several days in each House, and free discussion
 2-38 allowed thereon; but ~~[in---cases---of---imperative---public---necessity~~
 2-39 ~~{which---necessity---shall---be---stated---in---a---preamble---or---in---the---body---of~~
 2-40 ~~the---bill}]~~ four-fifths of the House, in which the bill may be
 2-41 pending, may suspend this rule, the yeas and nays being taken on
 2-42 the question of suspension, and entered upon the journals.

2-43 SECTION 10. Section 39, Article III, Texas Constitution, is
 2-44 amended to read as follows:

2-45 Sec. 39. No law passed by the Legislature, except the
 2-46 general appropriation act, shall take effect or go into force until
 2-47 ninety days after the adjournment of the session at which it was
 2-48 enacted, unless ~~[in---case---of---an---emergency,---which---emergency---must---be~~
 2-49 ~~expressed---in---a---preamble---or---in---the---body---of---the---act]~~ the Legislature
 2-50 shall, by a vote of two-thirds of all the members elected to each
 2-51 House, otherwise direct; said vote to be taken by yeas and nays,
 2-52 and entered upon the journals.

2-53 SECTION 11. Section 48-e, Article III, Texas Constitution,
 2-54 is amended to read as follows:

2-55 Sec. 48-e. Laws may be enacted to provide for the
 2-56 establishment and creation of special districts to provide
 2-57 emergency services and to authorize the commissioners courts of
 2-58 participating counties to levy a tax on the ad valorem property
 2-59 situated in said districts not to exceed Ten Cents (10¢) on the One
 2-60 Hundred Dollars (\$100.00) valuation for the support thereof;
 2-61 provided that no tax shall be levied in support of said districts
 2-62 until approved by a vote of the qualified voters ~~[electors]~~
 2-63 residing therein. Such a district may provide emergency medical
 2-64 services, emergency ambulance services, rural fire prevention and
 2-65 control services, or other emergency services authorized by the
 2-66 Legislature.

2-67 SECTION 12. Section 48-f, Article III, Texas Constitution,
 2-68 is amended to read as follows:

2-69 Sec. 48-f. The legislature, by law, may provide for the

3-1 creation, operation, and financing of jail districts and may
 3-2 authorize each district to issue bonds and other obligations and to
 3-3 levy an ad valorem tax on property located in the district to pay
 3-4 principal of and interest on the bonds and to pay for operation of
 3-5 the district. An ad valorem tax may not be levied and bonds secured
 3-6 by a property tax may not be issued until approved by the qualified
 3-7 voters [electors] of the district voting at an election called and
 3-8 held for that purpose.

3-9 SECTION 13. Section 49a, Article III, Texas Constitution, is
 3-10 amended to read as follows:

3-11 Sec. 49a. (a) It shall be the duty of the Comptroller of
 3-12 Public Accounts in advance of each Regular Session of the
 3-13 Legislature to prepare and submit to the Governor and to the
 3-14 Legislature upon its convening a statement under oath showing fully
 3-15 the financial condition of the State Treasury at the close of the
 3-16 last fiscal period and an estimate of the probable receipts and
 3-17 disbursements for the then current fiscal year. There shall also
 3-18 be contained in said statement an itemized estimate of the
 3-19 anticipated revenue based on the laws then in effect that will be
 3-20 received by and for the State from all sources showing the fund
 3-21 accounts to be credited during the succeeding biennium and said
 3-22 statement shall contain such other information as may be required
 3-23 by law. Supplemental statements shall be submitted at any Special
 3-24 Session of the Legislature and at such other times as may be
 3-25 necessary to show probable changes.

3-26 (b) Except [~~From and after January 1, 1945, save~~] in the
 3-27 case of emergency and imperative public necessity and with a
 3-28 four-fifths vote of the total membership of each House, no
 3-29 appropriation in excess of the cash and anticipated revenue of the
 3-30 funds from which such appropriation is to be made shall be valid.
 3-31 No [~~From and after January 1, 1945, no~~] bill containing an
 3-32 appropriation shall be considered as passed or be sent to the
 3-33 Governor for consideration until and unless the Comptroller of
 3-34 Public Accounts endorses his certificate thereon showing that the
 3-35 amount appropriated is within the amount estimated to be available
 3-36 in the affected funds. When the Comptroller finds an appropriation
 3-37 bill exceeds the estimated revenue he shall endorse such finding
 3-38 thereon and return to the House in which same originated. Such
 3-39 information shall be immediately made known to both the House of
 3-40 Representatives and the Senate and the necessary steps shall be
 3-41 taken to bring such appropriation to within the revenue, either by
 3-42 providing additional revenue or reducing the appropriation.

3-43 [~~For the purpose of financing the outstanding obligations of~~
 3-44 ~~the General Revenue Fund of the State and placing its current~~
 3-45 ~~accounts on a cash basis the Legislature of the State of Texas is~~
 3-46 ~~hereby authorized to provide for the issuance, sale, and retirement~~
 3-47 ~~of serial bonds, equal in principal to the total outstanding,~~
 3-48 ~~valid, and approved obligations owing by said fund on September 1,~~
 3-49 ~~1943, provided such bonds shall not draw interest in excess of two~~
 3-50 ~~(2) per cent per annum and shall mature within twenty (20) years~~
 3-51 ~~from date.]~~

3-52 SECTION 14. Sections 49-b, 49-b-1, 49-b-2, and 49-b-3,
 3-53 Article III, Texas Constitution, are combined, reenacted as Section
 3-54 49-b, and amended to read as follows:

3-55 Sec. 49-b. (a) The [~~By virtue of prior Amendments to this~~
 3-56 ~~Constitution, there has been created a governmental agency of the~~
 3-57 ~~State of Texas performing governmental duties which has been~~
 3-58 ~~designated the] Veterans' Land Board[~~Said Board shall continue~~
 3-59 ~~to function for the purposes specified in all of the prior~~
 3-60 ~~Constitutional Amendments except as modified herein. Said Board]~~
 3-61 shall be composed of the Commissioner of the General Land Office
 3-62 and two (2) citizens of the State of Texas, one (1) of whom shall
 3-63 be well versed in veterans' affairs and one (1) of whom shall be
 3-64 well versed in finances. One (1) such citizen member shall, with
 3-65 the advice and consent of the Senate, be appointed biennially by
 3-66 the Governor to serve for a term of four (4) years. In the event
 3-67 of the resignation or death of any such citizen member, the
 3-68 Governor shall appoint a replacement to serve for the unexpired
 3-69 portion of the term to which the deceased or resigning member had~~

4-1 been appointed. The compensation for said citizen members shall be
 4-2 as is now or may hereafter be fixed by the Legislature; and each
 4-3 shall make bond in such amount as is now or may hereafter be
 4-4 prescribed by the Legislature.

4-5 (b) The Commissioner of the General Land Office shall act as
 4-6 Chairman of said Board and shall be the administrator of the
 4-7 Veterans' Land Program under such terms and restrictions as are now
 4-8 or may hereafter be provided by law. In the absence or illness of
 4-9 said Commissioner, the Chief Clerk of the General Land Office shall
 4-10 be the Acting Chairman of said Board with the same duties and
 4-11 powers that said Commissioner would have if present.

4-12 (c) The Veterans' Land Board may provide for, issue and sell
 4-13 [~~not to exceed Nine Hundred Fifty Million Dollars (\$950,000,000)~~
 4-14 in] bonds or obligations of the State of Texas as authorized by
 4-15 constitutional amendment or by a debt proposition under Section 49
 4-16 of this article for the purpose of creating a fund to be known as
 4-17 the Veterans' Land Fund [~~Seven Hundred Million Dollars~~
 4-18 ~~(\$700,000,000) of which have heretofore been authorized. Such~~
 4-19 ~~bonds or obligations shall be sold for not less than par value and~~
 4-20 ~~accrued interest, shall be issued in such forms, denominations,~~
 4-21 ~~and upon such terms as are now or may hereafter be provided by law,~~
 4-22 ~~shall be issued and sold at such times, at such places, and in such~~
 4-23 ~~installments as may be determined by said Board, and shall bear a~~
 4-24 ~~rate or rates of interest as may be fixed by said Board but the~~
 4-25 ~~weighted average annual interest rate, as that phrase is commonly~~
 4-26 ~~and ordinarily used and understood in the municipal bond market, of~~
 4-27 ~~all the bonds issued and sold in any installment of any bonds may~~
 4-28 ~~not exceed the rate specified in Section 65 of this Article. All~~
 4-29 ~~bonds or obligations issued and sold hereunder shall, after~~
 4-30 ~~execution by the Board, approval by the Attorney General of Texas,~~
 4-31 ~~registration by the Comptroller of Public Accounts of the State of~~
 4-32 ~~Texas, and delivery to the purchaser or purchasers, be~~
 4-33 ~~incontestable and shall constitute general obligations of the State~~
 4-34 ~~of Texas under the Constitution of Texas, and all bonds heretofore~~
 4-35 ~~issued and sold by said Board are hereby in all respects validated~~
 4-36 ~~and declared to be general obligations of the State of Texas. In~~
 4-37 ~~order to prevent default in the payment of principal or interest on~~
 4-38 ~~any such bonds, the Legislature shall appropriate a sufficient~~
 4-39 ~~amount to pay the same].~~

4-40 (d) In the sale of any such bonds or obligations, a
 4-41 preferential right of purchase shall be given to the administrators
 4-42 of the various Teacher Retirement Funds, the Permanent University
 4-43 Funds, and the Permanent School Funds.

4-44 [Said Veterans' Land Fund shall consist of any lands
 4-45 heretofore or hereafter purchased by said Board, until the sale
 4-46 price therefor, together with any interest and penalties due, have
 4-47 been received by said Board (although nothing herein shall be
 4-48 construed to prevent said Board from accepting full payment for a
 4-49 portion of any tract), and of the moneys attributable to any bonds
 4-50 heretofore or hereafter issued and sold by said Board which moneys
 4-51 so attributable shall include but shall not be limited to the
 4-52 proceeds from the issuance and sale of such bonds, the moneys
 4-53 received from the sale or resale of any lands, or rights therein,
 4-54 purchased with such proceeds, the moneys received from the sale or
 4-55 resale of any lands, or rights therein, purchased with other moneys
 4-56 attributable to such bonds, the interest and penalties received
 4-57 from the sale or resale of such lands, or rights therein, the
 4-58 bonuses, income, rents, royalties, and any other pecuniary benefit
 4-59 received by said Board from any such lands, sums received by way
 4-60 of indemnity or forfeiture for the failure of any bidder for the
 4-61 purchase of any such bonds to comply with his bid and accept and
 4-62 pay for such bonds or for the failure of any bidder for the
 4-63 purchase of any lands comprising a part of said Fund to comply with
 4-64 his bid and accept and pay for any such lands, and interest
 4-65 received from investments of any such moneys. The principal and
 4-66 interest on the bonds heretofore and hereafter issued by said Board
 4-67 shall be paid out of the moneys of said Fund in conformance with
 4-68 the Constitutional provisions authorizing such bonds, but the
 4-69 moneys of said Fund which are not immediately committed to the

5-1 payment-of-principal-and-interest-on-such-bonds,--the--purchase--of
 5-2 lands--as--herein--provided,--or--the--payment--of--expenses--as--herein
 5-3 provided--may--be--invested--as--authorized--by--law--until--such--moneys--are
 5-4 needed--for--such--purposes.

5-5 [All-moneys-comprising-a-part-of-said-Fund-and--not--expended
 5-6 for-the-purposes-herein-provided-shall-be-a-part-of-said-Fund-until
 5-7 there--are--sufficient--moneys--therein--to--retire--fully--all--of--the
 5-8 bonds-heretofore-or-hereafter-issued-and-sold--by--said--Board,--at
 5-9 which--time--all--such--moneys--remaining-in-said-Fund,--except--such
 5-10 portion--thereof--as--may--be--necessary--to--retire--all--such--bonds--which
 5-11 portion--shall--be--set--aside--and--retained--in--said--Fund--for--the
 5-12 purpose--of--retiring--all--such--bonds,--shall--be--deposited--to--the
 5-13 credit--of--the--General--Revenue--Fund--to--be--appropriated--to--such
 5-14 purposes--as--may--be--prescribed--by--law. All-moneys-becoming--a--part
 5-15 of--said--Fund--thereafter--shall--likewise--be--deposited--to--the--credit
 5-16 of--the--General--Revenue--Fund.]

5-17 [When-a-Division-of-said-Fund-(each--Division--consisting--of
 5-18 the--moneys--attributable--to--the--bonds--issued--and--sold--pursuant--to--a
 5-19 single--Constitutional--authorization--and--the--lands--purchased
 5-20 therewith)--contains--sufficient--moneys--to--retire--all--of--the--bonds
 5-21 secured--by--such--Division,--the--moneys--thereof,--except--such--portion
 5-22 as--may--be--needed--to--retire--all--of--the--bonds--secured--by--such
 5-23 Division--which--portion--shall--be--set--aside--and--remain--a--part--of--such
 5-24 Division--for--the--purpose--of--retiring--all--such--bonds,--may--be--used
 5-25 for--the--purpose--of--paying--the--principal--and--the--interest--thereon,
 5-26 together--with--the--expenses--herein--authorized,--of--any--other--bonds
 5-27 heretofore--or--hereafter--issued--and--sold--by--said--Board. Such-use
 5-28 shall--be--a--matter--for--the--discretion--and--direction--of--said--Board,
 5-29 but--there--may--be--no--such--use--of--any--such--moneys--contrary--to--the
 5-30 rights--of--any--holder--of--any--of--the--bonds--issued--and--sold--by--said
 5-31 Board--or--violative--of--any--contract--to--which--said--Board--is--a--party.]

5-32 [The--Veterans'-Land-Fund-shall-be-used-by-said-Board-for-the
 5-33 purpose--of--purchasing--lands--situated--in--the--State--of--Texas--owned--by
 5-34 the--United--States--or--any--governmental--agency--thereof,--owned--by--the
 5-35 Texas--Prison--System--or--any--other--governmental--agency--of--the--State
 5-36 of--Texas,--or--owned--by--any--person,--firm,--or--corporation. All--lands
 5-37 thus--purchased--shall--be--acquired--at--the--lowest--price--obtainable,--to
 5-38 be--paid--for--in--cash,--and--shall--be--a--part--of--said--Fund. Such--lands
 5-39 heretofore--or--hereafter--purchased--and--comprising--a--part--of--said
 5-40 Fund--are--hereby--declared--to--be--held--for--a--governmental--purpose,
 5-41 although--the--individual--purchasers--thereof--shall--be--subject--to
 5-42 taxation--to--the--same--extent--and--in--the--same--manner--as--are
 5-43 purchasers--of--lands--dedicated--to--the--Permanent--Free--Public--School
 5-44 Fund.]

5-45 [The--lands--of--the--Veterans'-Land-Fund-shall-be-sold-by-said
 5-46 Board--in--such--quantities,--on--such--terms,--at--such--prices,--at--such
 5-47 rates--of--interest--and--under--such--rules--and--regulations--as--are--now
 5-48 or--may--hereafter--be--provided--by--law--to--veterans,--as--they--are--now--or
 5-49 may--hereafter--be--defined--by--the--laws--of--the--State--of--Texas. The
 5-50 foregoing--notwithstanding,--any--lands--in--the--Veterans'-Land-Fund
 5-51 which--have--been--first--offered--for--sale--to--veterans--and--which--have
 5-52 not--been--sold--may--be--sold--or--resold--to--such--purchasers,--in--such
 5-53 quantities,--and--on--such--terms,--and--at--such--prices--and--rates--of
 5-54 interest,--and--under--such--rules--and--regulations--as--are--now--or--may
 5-55 hereafter--be--provided--by--law.]

5-56 (e) Said Veterans' Land Fund, to the extent of the moneys
 5-57 attributable to any bonds hereafter issued and sold by said Board
 5-58 may be used by said Board, as is now or may hereafter be provided
 5-59 by law, for the purpose of paying the expenses of surveying,
 5-60 monumenting, road construction, legal fees, recordation fees,
 5-61 advertising and other like costs necessary or incidental to the
 5-62 purchase and sale, or resale, of any lands purchased with any of
 5-63 the moneys attributable to such additional bonds, such expenses to
 5-64 be added to the price of such lands when sold, or resold, by said
 5-65 Board; for the purpose of paying the expenses of issuing, selling,
 5-66 and delivering any such additional bonds; and for the purpose of
 5-67 meeting the expenses of paying the interest or principal due or to
 5-68 become due on any such additional bonds.

5-69 [All-of-the--moneys--attributable--to--any--series--of--bonds

6-1 hereafter--issued-and-sold-by-said-Board-(a-"series-of-bonds"-being
 6-2 all-of-the-bonds-issued-and-sold--in--a--single--transaction--as--a
 6-3 single--installment-of-bonds)-may-be-used-for-the-purchase-of-lands
 6-4 as-herein-provided,--to-be-sold-as-herein--provided,--for--a--period
 6-5 ending--eight--(8)--years--after-the-date-of-sale-of-such-series-of
 6-6 bonds,--provided,--however,--that-so-much-of-such-moneys--as--may--be
 6-7 necessary--to-pay-interest-on-bonds-hereafter-issued-and-sold-shall
 6-8 be-set-aside-for-that-purpose-in--accordance--with--the--resolution
 6-9 adopted--by--said--Board--authorizing-the-issuance-and-sale-of-such
 6-10 series-of-bonds.--After-such-eight--(8)--year--period,--all--of--such
 6-11 moneys-shall-be-set-aside-for-the-retirement-of-any-bonds-hereafter
 6-12 issued--and--sold--and--to--pay-interest-thereon,--together-with-any
 6-13 expenses-as-provided-herein,--in--accordance-with-the--resolution--or
 6-14 resolutions--authorizing--the--issuance-and-sale-of-such-additional
 6-15 bonds,--until-there-are-sufficient-moneys-to-retire-all-of-the-bonds
 6-16 hereafter-issued-and-sold,--at--which--time--all--such--moneys--then
 6-17 remaining--a--part--of--said--Veterans¹--Land--Fund--and--thereafter
 6-18 becoming-a-part--of--said--Fund--shall--be--governed--as--elsewhere
 6-19 provided-herein.

6-20 [This--Amendment--being--intended--only--to-establish-a-basic
 6-21 framework-and-not-to-be-a-comprehensive-treatment-of-the--Veterans¹
 6-22 Land-Program,--there-is-hereby-reposed-in-the-Legislature-full-power
 6-23 to--implement--and--effectuate--the--design--and--objects--of--this
 6-24 Amendment,--including--the--power--to--delegate--such--duties,
 6-25 responsibilities,--functions,--and--authority--to--the--Veterans¹--Land
 6-26 Board-as-it-believes-necessary.

6-27 [Should--the--Legislature--enact--any--enabling--laws--in
 6-28 anticipation-of-this-Amendment,--no-such-law-shall-be-void-by-reason
 6-29 of-its-anticipatory-nature.

6-30 [Sec.-49-b-1--(a)--In-addition--to--the--general--obligation
 6-31 bonds--authorized-to-be-issued-and-to-be-sold-by-the-Veterans¹--Land
 6-32 Board-by-Section-49-b-of-this-article,--the-Veterans¹--Land-Board-may
 6-33 provide-for,--issue--and--sell--not--to--exceed--\$1.3-billion-in-bonds-of
 6-34 the-State-of-Texas,--\$800-million--of--which--have--heretofore--been
 6-35 authorized--to--provide--financing--to--veterans--of--the--state-in
 6-36 recognition-of-their-service-to-their-state-and-country.]

6-37 (f) [(b)] For purposes of this section, "veteran" means a
 6-38 person who satisfies the definition of "veteran" as [is-now-or-may
 6-39 hereafter-be] set forth by the laws of the State of Texas.

6-40 [(c)--The-bonds-shall-be-sold-for-not-less-than-par-value-and
 6-41 accrued-interest,--shall-be-issued-in-such-forms-and--denominations,
 6-42 upon-such-terms,--at-such-times-and-places,--and-in-such-installments
 6-43 as-may-be-determined-by-the-board,--and,--notwithstanding-the-rate-of
 6-44 interest--specified--by--any--other-provision-of-this-constitution,
 6-45 shall-bear-a-rate-or-rates-of-interest-fixed--by--the--board.--All
 6-46 bonds--issued--and--sold-pursuant-to-Subsections-(a)-through-(f)-of
 6-47 this-section-shall,--after-execution-by-the-board,--approval--by--the
 6-48 Attorney--General--of--Texas,--registration--by--the-Comptroller-of
 6-49 Public-Accounts--of--the--State--of--Texas,--and--delivery--to--the
 6-50 purchaser--or--purchasers,--be--incontestable--and-shall-constitute
 6-51 general-obligations-of-the-state-under-the-Constitution-of-Texas.

6-52 [(d)--Three--hundred--million--dollars--of--the--state--bonds
 6-53 authorized-by-this-section-shall-be-used-to-augment--the--Veterans¹
 6-54 Land--Fund.--The-Veterans¹--Land-Fund-shall-be-used-by-the-board-for
 6-55 the-purpose-of-purchasing-lands-situated--in--the--State--of--Texas
 6-56 owned--by--the--United-States-government-or-any-agency-thereof,--the
 6-57 State-of-Texas-or-any-subdivision-or-agency-thereof,--or-any-person,
 6-58 firm,--or-corporation.--The-lands-shall-be-sold-to-veterans-in--such
 6-59 quantities,--on--such--terms,--at--such--prices,--at--such--rates-of
 6-60 interest,--and-under-such-rules-and-regulations-as-may-be-authorized
 6-61 by-law.--The-expenses-of-the-board-in-connection-with-the--issuance
 6-62 of--the--bonds--and--the-purchase-and-sale-of-the-lands-may-be-paid
 6-63 from-money-in-the-fund.--The-Veterans¹--Land-Fund-shall-continue--to
 6-64 consist--of--any--lands-purchased-by-the-board-until-the-sale-price
 6-65 therefor,--together-with-any-interest-and-penalties-due,--have--been
 6-66 received--by--the--board--(although-nothing-herein-shall-prevent-the
 6-67 board-from-accepting-full-payment-for-a-portion-of-any--tract)--and
 6-68 of-the-money-attributable-to-any-bonds-issued-and-sold-by-the-board
 6-69 for--the--Veterans¹--Land--Fund,--which-money-so-attributable-shall

7-1 include-but-shall-not-be-limited-to-the-proceeds-from-the-issuance
 7-2 and-sale-of-such-bonds,-the-money-received-from-the-sale-or-resale
 7-3 of-any-lands,-or-rights-therein,-purchased-from-such-proceeds,-the
 7-4 money-received-from-the-sale-or-resale-of-any-lands,-or-rights
 7-5 therein,-purchased-with-other-money-attributable-to-such-bonds,-the
 7-6 interest-and-penalties-received-from-the-sale-or-resale-of-such
 7-7 lands,-or-rights-therein,-the-bonuses,-income,-rents,-royalties,
 7-8 and-any-other-pecuniary-benefit-received-by-the-board-from-any-such
 7-9 lands,-sums-received-by-way-of-indemnity-or-forfeiture-for-the
 7-10 failure-of-any-bidder-for-the-purchase-of-any-such-bonds-to-comply
 7-11 with-his-bid-and-accept-and-pay-for-such-bonds-or-for-the-failure
 7-12 of-any-bidder-for-the-purchase-of-any-lands-comprising-a-part-of
 7-13 the-fund-to-comply-with-his-bid-and-accept-and-pay-for-any-such
 7-14 lands,-and-interest-received-from-investments-of-any-such-money.
 7-15 The-principal-of-and-interest-on-the-general-obligation-bonds
 7-16 previously-authorized-by-Section-49-b-of-this-constitution-shall-be
 7-17 paid-out-of-the-money-of-the-fund-in-conformance-with-the
 7-18 constitutional-provisions-authorizing-such-bonds.-The-principal-of
 7-19 and-interest-on-the-general-obligation-bonds-authorized-by-this
 7-20 section-for-the-benefit-of-the-Veterans'-Land-Fund-shall-be-paid
 7-21 out-of-the-money-of-the-fund,-but-the-money-of-the-fund-which-is
 7-22 not-immediately-committed-to-the-payment-of-principal-and-interest
 7-23 on-such-bonds,-the-purchase-of-lands-as-herein-provided,-or-the
 7-24 payment-of-expenses-as-herein-provided-may-be-invested-as
 7-25 authorized-by-law-until-the-money-is-needed-for-such-purposes.]

7-26 (g) [(f)] The Veterans' Housing Assistance Fund [is created,
 7-27 and-\$1-billion-of-the-state-bonds-authorized-by-this-section-shall
 7-28 be-used-for-the-Veterans'-Housing-Assistance-Fund,-\$500-million-of
 7-29 which-have-heretofore-been-authorized.-Money-in-the-Veterans'-
 7-30 Housing-Assistance-Fund] shall be administered by the Veterans'
 7-31 Land Board and shall be used for the purpose of making home
 7-32 mortgage loans to veterans for housing within the State of Texas in
 7-33 such quantities, on such terms, at such rates of interest, and
 7-34 under such rules and regulations as may be authorized by law. The
 7-35 expenses of the board in connection with the issuance of the bonds
 7-36 for the benefit of the Veterans' Housing Assistance Fund and the
 7-37 making of the loans may be paid from money in the fund. [The
 7-38 Veterans'-Housing-Assistance-Fund-shall-consist-of-any-interest-of
 7-39 the-board-in-all-home-mortgage-loans-made-to-veterans-by-the-board
 7-40 pursuant-to-a-Veterans'-Housing-Assistance-Program-which-the
 7-41 legislature-may-establish-by-appropriate-legislation-until,-with
 7-42 respect-to-any-such-home-mortgage-loan,-the-principal-amount,
 7-43 together-with-any-interest-and-penalties-due,-have-been-received-by
 7-44 the-board,-the-money-attributable-to-any-bonds-issued-and-sold-by
 7-45 the-board-to-provide-money-for-the-fund,-which-money-so
 7-46 attributable-shall-include-but-shall-not-be-limited-to-the-proceeds
 7-47 from-the-issuance-and-sale-of-such-bonds,-income,-rents,-and-any
 7-48 other-pecuniary-benefit-received-by-the-board-as-a-result-of-making
 7-49 such-loans,-sums-received-by-way-of-indemnity-or-forfeiture-for-the
 7-50 failure-of-any-bidder-for-the-purchase-of-any-such-bonds-to-comply
 7-51 with-his-bid-and-accept-and-pay-for-such-bonds,-and-interest
 7-52 received-from-investments-of-any-such-money.] The principal of and
 7-53 interest on the general obligation bonds authorized by this section
 7-54 for the benefit of the Veterans' Housing Assistance Fund shall be
 7-55 paid out of the money of the fund, but the money of the fund which
 7-56 is not immediately committed to the payment of principal and
 7-57 interest on such bonds, the making of home mortgage loans as herein
 7-58 provided, or the payment of expenses as herein provided may be
 7-59 invested as authorized by law until the money is needed for such
 7-60 purposes.

7-61 [(f)]--To-the-extent--there--is--not--money--in--either--the
 7-62 Veterans'-Land-Fund-or-the-Veterans'-Housing-Assistance-Fund-as-the
 7-63 case--may--be,-available-for-payment-of-principal-of-and-interest-on
 7-64 the-general-obligation-bonds-authorized-by-this-section-to-provide
 7-65 money-for-either-of-the-funds,-there-is-hereby-appropriated-out-of
 7-66 the-first-money-coming-into-the-treasury-in-each-fiscal-year,-not
 7-67 otherwise-appropriated-by-this-constitution,-an-amount-which-is
 7-68 sufficient-to-pay-the-principal-of-and-interest-on-such-general
 7-69 obligation-bonds-that-mature-or-become-due-during-that-fiscal-year.

8-1 [g]--Receipt--of--all--kinds--of--the--funds--determined--by--the
 8-2 board--not--to--be--required--for--the--payment--of--principal--of--and
 8-3 interest--on--the--general--obligation--bonds--herein--authorized,
 8-4 heretofore--authorized,--or--hereafter--authorized--by--this--constitution
 8-5 to--be--issued--by--the--board--to--provide--money--for--either--of--the--funds
 8-6 may--be--used--by--the--board,--to--the--extent--not--inconsistent--with--the
 8-7 proceedings--authorizing--such--bonds,--to--pay--the--principal--of--and
 8-8 interest--on--general--obligation--bonds--issued--to--provide--money--for
 8-9 the--other--fund,--or--to--pay--the--principal--of--and--interest--on--revenue
 8-10 bonds--of--the--board--issued--for--the--purposes--of--providing--funds--for
 8-11 the--purchasing--of--lands--and--making--the--sale--thereof--to--veterans--or
 8-12 making--home--mortgage--loans--to--veterans--as--provided--by--this--section.
 8-13 The--revenue--bonds--shall--be--special--obligations--and--payable--only
 8-14 from--the--receipt--of--the--funds--and--shall--not--constitute--indebtedness
 8-15 of--the--state--or--the--Veterans'--Land--Board.--The--board--is--authorized
 8-16 to--issue--such--revenue--bonds--from--time--to--time--which--shall--not
 8-17 exceed--an--aggregate--principal--amount--that--can--be--fully--retired--from
 8-18 the--receipts--of--the--funds--and--other--revenues--pledged--to--the
 8-19 retirement--of--the--revenue--bonds.--The--revenue--bonds--shall--be--issued
 8-20 in--such--forms--and--denominations,--upon--such--terms,--at--such--times--and
 8-21 places,--and--in--such--installments--as--may--be--determined--by--the--board,
 8-22 and,--notwithstanding--the--rate--of--interest--specified--by--any--other
 8-23 provision--of--the--constitution,--shall--bear--a--rate--or--rates--of
 8-24 interest--fixed--by--the--board.

8-25 [h]--This--Amendment--being--intended--only--to--establish--a--basic
 8-26 framework--and--not--to--be--a--comprehensive--treatment--of--the--Veterans'
 8-27 Housing--Assistance--Program--and--the--Veterans'--Land--Program,--there--is
 8-28 hereby--reposed--in--the--Legislature--full--power--to--implement--and
 8-29 effectuate--the--design--and--objects--of--this--Amendment,--including--the
 8-30 power--to--delegate--such--duties,--responsibilities,--functions,--and
 8-31 authority--to--the--Veterans'--Land--Board--as--it--believes--necessary.

8-32 [Sec.--49--b--2,--(a)]--In--addition--to--the--general--obligation
 8-33 bonds--authorized--to--be--issued--and--to--be--sold--by--the--Veterans'--Land
 8-34 Board--by--Sections--49--b--and--49--b--1--of--this--article,--the--Veterans'
 8-35 Land--Board--may--provide--for,--issue,--and--sell--general--obligation
 8-36 bonds--of--the--state--in--an--amount--not--to--exceed--\$750--million,--to
 8-37 provide--financing--to--veterans--of--the--state--in--recognition--of--their
 8-38 service--to--their--state--and--the--United--States--of--America.]

8-39 (h) The [b]--Two--hundred--fifty--million--dollars--of--the
 8-40 general--obligation--bonds--authorized--by--this--section--shall--be--used
 8-41 to--augment--the--Veterans'--Land--Fund.--Notwithstanding--any--provision
 8-42 of--Section--49--b--or--49--b--1--of--this--article--to--the--contrary,--the]
 8-43 Veterans' Land Fund shall be used by the Veterans' Land Board to
 8-44 purchase lands situated in the state owned by the United States
 8-45 government, an agency of the United States government, this state,
 8-46 a political subdivision or agency of this state, or a person, firm,
 8-47 or corporation.

8-48 (i) Lands purchased and comprising a part of the Veterans'
 8-49 Land Fund are declared to be held for a governmental purpose, but
 8-50 the individual purchasers of those lands shall be subject to
 8-51 taxation to the same extent and in the same manner as are
 8-52 purchasers of lands dedicated to the Permanent Free Public School
 8-53 Fund. The lands shall be sold to veterans in quantities, on terms,
 8-54 at prices, and at fixed, variable, floating, or other rates of
 8-55 interest, determined by the Board and in accordance with rules of
 8-56 the Board. Notwithstanding any provisions of this section to the
 8-57 contrary, lands in the Veterans' Land Fund that are offered for
 8-58 sale to veterans and that are not sold may be sold or resold to the
 8-59 purchasers in quantities, on terms, at prices, and at rates of
 8-60 interest determined by the Board and in accordance with rules of
 8-61 the Board.

8-62 (j) The expenses of the Board in connection with the
 8-63 issuance of the bonds for the benefit of the Veterans' Land Fund
 8-64 and the purchase and sale of the lands may be paid from money in
 8-65 the Veterans' Land Fund.

8-66 (k) [c] The Veterans' Land Fund shall consist of:
 8-67 (1) lands heretofore or hereafter purchased by the
 8-68 Board;
 8-69 (2) money attributable to bonds heretofore or

9-1 hereafter issued and sold by the Board for the fund, including
9-2 proceeds from the issuance and sale of the bonds;
9-3 (3) money received from the sale or resale of lands or
9-4 rights in lands purchased from those proceeds;
9-5 (4) money received from the sale or resale of lands or
9-6 rights in lands purchased with other money attributable to the
9-7 bonds;
9-8 (5) proceeds derived from the sale or other
9-9 disposition of the Board's interest in contracts for the sale or
9-10 resale of lands or rights in lands;
9-11 (6) interest and penalties received from the sale or
9-12 resale of lands or rights in lands;
9-13 (7) bonuses, income, rents, royalties, and other
9-14 pecuniary benefits received by the Board from lands;
9-15 (8) money received by way of indemnity or forfeiture
9-16 for the failure of a bidder for the purchase of bonds to comply
9-17 with the bid and accept and pay for the bonds or for the failure of
9-18 a bidder for the purchase of lands comprising a part of the
9-19 Veterans' Land Fund to comply with the bid and accept and pay for
9-20 the lands;
9-21 (9) payments received by the Board under a bond
9-22 enhancement agreement with respect to the bonds; and
9-23 (10) interest received from investments of money in
9-24 the fund.

9-25 (l) [(d)] The principal of and interest on the general
9-26 obligation bonds [~~authorized--by--this--section~~] for the benefit of
9-27 the Veterans' Land Fund, including payments by the Board under a
9-28 bond enhancement agreement with respect to principal of or interest
9-29 on the bonds, shall be paid out of the money of the Veterans' Land
9-30 Fund, but the money in the fund that is not immediately committed
9-31 to the payment of principal and interest on the bonds, the purchase
9-32 of lands, or the payment of expenses may be invested as authorized
9-33 by law until the money is needed for those purposes.

9-34 (m) [(e)] The Veterans' Housing Assistance Fund II [~~is~~
9-35 ~~created,--and--\$500--million--of--the--general--obligation--bonds~~
9-36 ~~authorized--by--this--section--shall--be--used--for--the--Veterans'-Housing~~
9-37 ~~Assistance-Fund-II;--The-Veterans'-Housing-Assistance-Fund-II~~] is a
9-38 separate and distinct fund from the Veterans' Housing Assistance
9-39 Fund [~~established-under-Section-49-b-1-of-this-article~~]. Money in
9-40 the Veterans' Housing Assistance Fund II shall be administered by
9-41 the Veterans' Land Board and shall be used to make home mortgage
9-42 loans to veterans for housing within this state in quantities, on
9-43 terms, and at fixed, variable, floating, or other rates of
9-44 interest, determined by the Board and in accordance with rules of
9-45 the Board. The expenses of the Board in connection with the
9-46 issuance of the bonds for the benefit of the Veterans' Housing
9-47 Assistance Fund II and the making of the loans may be paid from
9-48 money in the Veterans' Housing Assistance Fund II.

9-49 (n) [(f)] The Veterans' Housing Assistance Fund II shall
9-50 consist of:

9-51 (1) the Board's interest in home mortgage loans the
9-52 Board makes to veterans from money in the fund under the Veterans'
9-53 Housing Assistance Program established by law;

9-54 (2) proceeds derived from the sale or other
9-55 disposition of the Board's interest in home mortgage loans;

9-56 (3) money attributable to bonds issued and sold by the
9-57 Board to provide money for the fund, including the proceeds from
9-58 the issuance and sale of bonds;

9-59 (4) income, rents, and other pecuniary benefits
9-60 received by the Board as a result of making loans;

9-61 (5) money received by way of indemnity or forfeiture
9-62 for the failure of a bidder for the purchase of bonds to comply
9-63 with the bid and accept and pay for the bonds;

9-64 (6) payments received by the Board under a bond
9-65 enhancement agreement with respect to the bonds; and

9-66 (7) interest received from investments of money.

9-67 (o) [(g)] The principal of and interest on the general
9-68 obligation bonds [~~authorized-by-this-section~~] for the benefit of
9-69 the Veterans' Housing Assistance Fund II, including payments by the

10-1 Board under a bond enhancement agreement with respect to principal
 10-2 of or interest on the bonds, shall be paid out of the money of the
 10-3 Veterans' Housing Assistance Fund II, but the money in the fund
 10-4 that is not immediately committed to the payment of principal and
 10-5 interest on the bonds, the making of home mortgage loans, or the
 10-6 payment of expenses may be invested as authorized by law until the
 10-7 money is needed for those purposes.

10-8 (p) ~~[(h) Notwithstanding the provisions of Section~~
 10-9 ~~49-b-1-of-this-article-to-the-contrary, the]~~ Veterans' Housing
 10-10 Assistance Fund shall consist of:

10-11 (1) the Board's interest in home mortgage loans the
 10-12 Board makes to veterans from money in the fund under the Veterans'
 10-13 Housing Assistance Program established by law;

10-14 (2) proceeds derived from the sale or other
 10-15 disposition of the Board's interest in home mortgage loans;

10-16 (3) money attributable to bonds issued and sold by the
 10-17 Board to provide money for the fund, including proceeds from the
 10-18 issuance and sale of bonds;

10-19 (4) income, rents, and other pecuniary benefits
 10-20 received by the Board as a result of making loans;

10-21 (5) money received by way of indemnity or forfeiture
 10-22 for the failure of a bidder for the purchase of bonds to comply
 10-23 with the bid and accept and pay for the bonds;

10-24 (6) payments received by the Board under a bond
 10-25 enhancement agreement with respect to the bonds; and

10-26 (7) interest received from investments of money.

10-27 (q) ~~[(i)]~~ The principal of and interest on the general
 10-28 obligation bonds ~~[authorized by Section 49-b-1-of-this-article]~~ for
 10-29 the benefit of the Veterans' Housing Assistance Fund, including
 10-30 payments by the Board under a bond enhancement agreement with
 10-31 respect to principal of or interest on the bonds, shall be paid out
 10-32 of money in the Veterans' Housing Assistance Fund.

10-33 (r) ~~[(j)]~~ If there is not enough money in the Veterans' Land
 10-34 Fund, the Veterans' Housing Assistance Fund, or the Veterans'
 10-35 Housing Assistance Fund II, as the case may be, available to pay
 10-36 the principal of and interest on the general obligation bonds
 10-37 benefiting those funds ~~[authorized by this section or by Section~~
 10-38 ~~49-b-or-49-b-1-of-this-article]~~, including money to make payments
 10-39 by the Board under a bond enhancement agreement with respect to
 10-40 principal of or interest on the bonds, there is appropriated out of
 10-41 the first money coming into the treasury in each fiscal year, not
 10-42 otherwise appropriated by this constitution, an amount that is
 10-43 sufficient to pay the principal of and interest on the general
 10-44 obligation bonds that mature or become due during that fiscal year
 10-45 or to make bond enhancement payments with respect to those bonds.

10-46 (s) Receipts ~~[(k) Notwithstanding any provisions of Section~~
 10-47 ~~49-b-or-49-b-1-of-this-article-to-the-contrary, receipts]~~ of all
 10-48 kinds of the Veterans' Land Fund, the Veterans' Housing Assistance
 10-49 Fund, or the Veterans' Housing Assistance Fund II that the Board
 10-50 determines are not required for the payment of principal of and
 10-51 interest on the general obligation bonds benefiting those funds,
 10-52 including payments by the Board under a bond enhancement agreement
 10-53 with respect to principal of or interest on the bonds, ~~[authorized~~
 10-54 ~~by this section or by Section 49-b-or-49-b-1-of-this-article-or~~
 10-55 ~~otherwise authorized by this constitution to be issued by the Board~~
 10-56 ~~to provide money for the fund,]~~ may be used by the Board, to the
 10-57 extent not inconsistent with the proceedings authorizing the bonds
 10-58 to:

10-59 (1) make temporary transfers to another of those funds
 10-60 to avoid a temporary cash deficiency in that fund or make a
 10-61 transfer to another of those funds for the purposes of that fund;

10-62 (2) pay the principal of and interest on general
 10-63 obligation bonds issued to provide money for another of those funds
 10-64 or make bond enhancement payments with respect to the bonds; or

10-65 (3) pay the principal of and interest on revenue bonds
 10-66 of the Board or make bond enhancement payments with respect to the
 10-67 bonds if the bonds are issued to provide funds to purchase lands
 10-68 and sell lands to veterans or make home mortgage loans to veterans.

10-69 (t) ~~[(l)]~~ If the Board determines that assets from the

11-1 Veterans' Land Fund, the Veterans' Housing Assistance Fund, or the
 11-2 Veterans' Housing Assistance Fund II are not required for the
 11-3 purposes of the fund, the Board may transfer the assets to another
 11-4 of those funds or use the assets to secure revenue bonds issued by
 11-5 the Board under this section.

11-6 (u) [(m)] The revenue bonds shall be special obligations of
 11-7 the Board and payable only from and secured only by receipts of the
 11-8 funds, assets transferred from the funds, and other revenues and
 11-9 assets as determined by the Board and shall not constitute
 11-10 indebtedness of the state or the Veterans' Land Board. The Board
 11-11 may issue revenue bonds from time to time, which bonds may not
 11-12 exceed an aggregate principal amount that the Board determines can
 11-13 be fully retired from the receipts of the funds, the assets
 11-14 transferred from the funds, and the other revenues and assets
 11-15 pledged to the retirement of the revenue bonds. [~~The revenue bonds~~
 11-16 ~~shall be issued and sold in forms and denominations, in the manner,~~
 11-17 ~~on terms, at times and places, and in installments the Board~~
 11-18 ~~determines.] Notwithstanding the rate of interest specified by any~~
 11-19 ~~other provision of this constitution, [the] revenue bonds shall~~
 11-20 ~~bear a rate or rates of interest the Board determines. A~~
 11-21 ~~determination made by the Board under this subsection shall be~~
 11-22 ~~binding and conclusive as to the matter determined.~~

11-23 (v) The [(n) ~~Notwithstanding any provisions of Section 49-b~~
 11-24 ~~or 49-b-1 of this article to the contrary, the] bonds authorized to~~
 11-25 ~~be issued and sold by the Veterans' Land Board [by this section or~~
 11-26 ~~by Sections 49-b and 49-b-1 of this article] shall be issued and~~
 11-27 ~~sold in forms and denominations, on terms, at times, in the manner,~~
 11-28 ~~at places, and in installments the Board determines. The bonds~~
 11-29 ~~shall bear a rate or rates of interest the Board determines. The~~
 11-30 ~~bonds shall be incontestable after execution by the Board, approval~~
 11-31 ~~by the Attorney General of Texas, and delivery to the purchaser or~~
 11-32 ~~purchasers of the bonds.~~

11-33 (w) [(o)] This Amendment being intended only to establish a
 11-34 basic framework and not to be a comprehensive treatment of the
 11-35 Veterans' Housing Assistance Program and the Veterans' Land
 11-36 Program, there is hereby reposed in the Legislature full power to
 11-37 implement and effectuate the design and objects of this Amendment,
 11-38 including the power to delegate such duties, responsibilities,
 11-39 functions, and authority to the Veterans' Land Board as it believes
 11-40 necessary.

11-41 [(p) ~~In this section, "veteran" has the meaning assigned by~~
 11-42 ~~Section 49-b-1 of this article.~~

11-43 [Sec. 49-b-3. (a) ~~In addition to the general obligation~~
 11-44 ~~bonds authorized to be issued and to be sold by the Veterans' Land~~
 11-45 ~~Board by Sections 49-b, 49-b-1, and 49-b-2 of this article, the~~
 11-46 ~~Veterans' Land Board may provide for, issue, and sell general~~
 11-47 ~~obligation bonds of the state in an amount not to exceed \$500~~
 11-48 ~~million to provide housing financing to veterans of the state in~~
 11-49 ~~recognition of their service to this state and the United States.~~
 11-50 ~~The Veterans' Land Board may enter into bond enhancement agreements~~
 11-51 ~~with respect to the bonds. The proceeds from the issuance and sale~~
 11-52 ~~of the bonds authorized by this section shall be used to augment~~
 11-53 ~~the Veterans' Housing Assistance Fund II to be administered and~~
 11-54 ~~invested as provided by law.~~

11-55 [(b) ~~The principal of and interest on the general obligation~~
 11-56 ~~bonds authorized by this section, including payments under bond~~
 11-57 ~~enhancement agreements with respect to principal of or interest on~~
 11-58 ~~the bonds, shall be payable from the sources and in the manner~~
 11-59 ~~provided by Section 49-b-2 of this article for general obligation~~
 11-60 ~~bonds issued under that section to augment the Veterans' Housing~~
 11-61 ~~Assistance Fund II.~~

11-62 [(c) ~~The general obligation bonds authorized by this section~~
 11-63 ~~shall be issued and sold in forms and denominations, on terms, at~~
 11-64 ~~times, in the manner, at places, and in installments the Veterans'~~
 11-65 ~~Land Board determines. The bonds shall bear a rate or rates of~~
 11-66 ~~interest the Veterans' Land Board determines. The bonds authorized~~
 11-67 ~~by this section shall be incontestable after execution by the~~
 11-68 ~~Veterans' Land Board, approval by the attorney general, and~~
 11-69 ~~delivery to the purchaser or purchasers of the bonds.]~~

12-1 SECTION 15. Sections 49-c, 49-d, 49-d-1, 49-d-2, 49-d-5,
 12-2 49-d-6, 49-d-7, and 49-d-8, Article III, Texas Constitution, are
 12-3 amended to read as follows:

12-4 Sec. 49-c. (a) The Texas Water Development Board, [~~There is~~
 12-5 ~~hereby created as~~] an agency of the State of Texas, shall [~~the~~
 12-6 ~~Texas Water Development Board to~~] exercise such powers as necessary
 12-7 under this provision together with such other duties and
 12-8 restrictions as may be prescribed by law. The qualifications,
 12-9 compensation, and number of members of said Board shall be
 12-10 determined by law. They shall be appointed by the Governor with
 12-11 the advice and consent of the Senate in the manner and for such
 12-12 terms as may be prescribed by law.

12-13 (b) The Texas Water Development Board shall have the
 12-14 authority to provide for, issue and sell general obligation bonds
 12-15 of the State of Texas as authorized by constitutional amendment or
 12-16 by a debt proposition under Section 49 of this article [~~in an~~
 12-17 ~~amount not to exceed One Hundred Million Dollars (\$100,000,000)~~].
 12-18 [~~The Legislature of Texas, upon two-thirds (2/3) vote of the~~
 12-19 ~~elected Members of each House, may authorize the Board to issue~~
 12-20 ~~additional bonds in an amount not exceeding One Hundred Million~~
 12-21 ~~Dollars (\$100,000,000).~~] The bonds [~~authorized herein or permitted~~
 12-22 ~~to be authorized by the Legislature~~] shall be called "Texas Water
 12-23 Development Bonds," shall be executed in such form, denominations
 12-24 and upon such terms as may be prescribed by law, and [~~provided,~~
 12-25 ~~however, that the bonds shall not bear more than four per cent (4%)~~
 12-26 ~~interest per annum, they~~] may be issued in such installments as the
 12-27 Board finds feasible and practical in accomplishing the purpose set
 12-28 forth herein.

12-29 (c) All moneys received from the sale of the [State] bonds
 12-30 shall be deposited in a fund hereby created in the State Treasury
 12-31 to be known as the Texas Water Development Fund to be administered
 12-32 (without further appropriation) by the Texas Water Development
 12-33 Board in such manner as prescribed by law.

12-34 (d) Such fund shall be used only for the purpose of aiding
 12-35 or making funds available upon such terms and conditions as the
 12-36 Legislature may prescribe, to the various political subdivisions or
 12-37 bodies politic and corporate of the State of Texas including river
 12-38 authorities, conservation and reclamation districts and districts
 12-39 created or organized or authorized to be created or organized under
 12-40 Article XVI, Section 59 or Article III, Section 52, of this
 12-41 Constitution, interstate compact commissions to which the State of
 12-42 Texas is a party and municipal corporations, in the conservation
 12-43 and development of the water resources of this State, including the
 12-44 control, storing and preservation of its storm and flood waters and
 12-45 the waters of its rivers and streams, for all useful and lawful
 12-46 purposes by the acquisition, improvement, extension, or
 12-47 construction of dams, reservoirs and other water storage projects,
 12-48 including any system necessary for the transportation of water from
 12-49 storage to points of treatment and/or distribution, including
 12-50 facilities for transporting water therefrom to wholesale
 12-51 purchasers, or for any one or more of such purposes or methods.

12-52 (e) Any or all financial assistance as provided herein shall
 12-53 be repaid with interest upon such terms, conditions and manner of
 12-54 repayment as may be provided by law.

12-55 (f) While any of the Texas Water Development Bonds [~~bonds~~
 12-56 ~~authorized by this provision or while any of the bonds that may be~~
 12-57 ~~authorized by the Legislature under this provision~~], or any
 12-58 interest on any of such bonds, is outstanding and unpaid, there is
 12-59 hereby appropriated out of the first moneys coming into the
 12-60 Treasury in each fiscal year, not otherwise appropriated by this
 12-61 Constitution, an amount which is sufficient to pay the principal
 12-62 and interest on such bonds that mature or become due during such
 12-63 fiscal year, less the amount in the sinking fund at the close of
 12-64 the prior fiscal year.

12-65 (g) The Legislature may provide for the investment of moneys
 12-66 available in the Texas Water Development Fund, and the interest and
 12-67 sinking funds established for the payment of bonds issued by the
 12-68 Texas Water Development Board. Income from such investment shall
 12-69 be used for the purposes prescribed by the Legislature. The

13-1 Legislature may also make appropriations from the General Revenue
13-2 Fund for paying administrative expenses of the Board.

13-3 (h) From the moneys received by the Texas Water Development
13-4 Board as repayment of principal for financial assistance or as
13-5 interest thereon, there shall be deposited in the interest and
13-6 sinking fund for the bonds [~~authorized by this Section~~] sufficient
13-7 moneys to pay the interest and principal to become due during the
13-8 ensuing year and sufficient to establish and maintain a reserve in
13-9 said fund equal to the average annual principal and interest
13-10 requirements on all outstanding bonds [~~issued under this Section~~].
13-11 If any year [~~prior to December 31, 1982~~] moneys are received in
13-12 excess of the foregoing requirements then such excess shall be
13-13 deposited to the Texas Water Development Fund, and may be used for
13-14 administrative expenses of the Board and for the same purposes and
13-15 upon the same terms and conditions prescribed for the proceeds
13-16 derived from the sale of such State bonds. [~~No grant of financial~~
13-17 ~~assistance shall be made under the provisions of this Section after~~
13-18 ~~December 31, 1982, and all moneys thereafter received as repayment~~
13-19 ~~of principal for financial assistance or as interest thereon shall~~
13-20 ~~be deposited in the interest and sinking fund for the State bonds,~~
13-21 ~~except that such amount as may be required to meet the~~
13-22 ~~administrative expenses of the Board may be annually set aside, and~~
13-23 ~~provided that after all State bonds have been fully paid with~~
13-24 ~~interest, or after there are on deposit in the interest and sinking~~
13-25 ~~fund sufficient moneys to pay all future maturities of principal~~
13-26 ~~and interest, additional moneys so received shall be deposited to~~
13-27 ~~the General Revenue Fund.]~~

13-28 (i) All Texas Water Development Bonds [~~bonds issued~~
13-29 ~~hereunder~~] shall after approval by the Attorney General,
13-30 registration by the Comptroller of Public Accounts of the State of
13-31 Texas, and delivery to the purchasers, be incontestable and shall
13-32 constitute general obligations of the State of Texas under the
13-33 Constitution of Texas.

13-34 [~~Should the Legislature enact enabling laws in anticipation~~
13-35 ~~of the adoption of this amendment, such acts shall not be void by~~
13-36 ~~reason of their anticipatory nature.]~~

13-37 Sec. 49-d. (a) It is hereby declared to be the policy of
13-38 the State of Texas to encourage the optimum development of the
13-39 limited number of feasible sites available for the construction or
13-40 enlargement of dams and reservoirs for conservation of the public
13-41 waters of the state, which waters are held in trust for the use and
13-42 benefit of the public, and to encourage the optimum regional
13-43 development of systems built for the filtration, treatment, and
13-44 transmission of water and wastewater. The proceeds from the sale
13-45 of [~~the additional~~] bonds [~~authorized hereunder~~] deposited in the
13-46 Texas Water Development Fund [~~and the proceeds of bonds previously~~
13-47 ~~authorized by Article III, Section 49-c of this Constitution,~~] may
13-48 be used by the Texas Water Development Board, under such provisions
13-49 as the Legislature may prescribe by General Law, including the
13-50 requirement of a permit for storage or beneficial use, for the
13-51 additional purposes of acquiring and developing storage facilities,
13-52 and any system or works necessary for the filtration, treatment and
13-53 transportation of water or wastewater, or for any one or more of
13-54 such purposes or methods, whether or not such a system or works is
13-55 connected with a reservoir in which the state has a financial
13-56 interest; provided, however, the Texas Water Development Fund or
13-57 any other state fund provided for water development, transmission,
13-58 transfer or filtration shall not be used to finance any project
13-59 which contemplates or results in the removal from the basin of
13-60 origin of any surface water necessary to supply the reasonably
13-61 foreseeable future water requirements for the next ensuing
13-62 fifty-year period within the river basin of origin, except on a
13-63 temporary, interim basis.

13-64 (b) Under such provisions as the Legislature may prescribe
13-65 by General Law the Texas Water Development Fund may be used for the
13-66 conservation and development of water for useful purposes by
13-67 construction or reconstruction or enlargement of reservoirs
13-68 constructed or to be constructed or enlarged within the State of
13-69 Texas or on any stream constituting a boundary of the State of

14-1 Texas, together with any system or works necessary for the
 14-2 filtration, treatment and/or transportation of water, by any one or
 14-3 more of the following governmental agencies: by the United States
 14-4 of America or any agency, department or instrumentality thereof; by
 14-5 the State of Texas or any agency, department or instrumentality
 14-6 thereof; by political subdivisions or bodies politic and corporate
 14-7 of the state; by interstate compact commissions to which the State
 14-8 of Texas is a party; and by municipal corporations. The
 14-9 Legislature shall provide terms and conditions under which the
 14-10 Texas Water Development Board may sell, transfer or lease, in whole
 14-11 or in part, any reservoir and associated system or works which the
 14-12 Texas Water Development Board has financed in whole or in part.

14-13 (c) Under such provisions as the Legislature may prescribe
 14-14 by General Law, the Texas Water Development Board may also execute
 14-15 long-term contracts with the United States or any of its agencies
 14-16 for the acquisition and development of storage facilities in
 14-17 reservoirs constructed or to be constructed by the Federal
 14-18 Government. Such contracts when executed shall constitute general
 14-19 obligations of the State of Texas in the same manner and with the
 14-20 same effect as state bonds issued under the authority of [the
 14-21 preceding] Section 49-c of this article [Constitution], and the
 14-22 provisions of [in-said] Section 49-c of this article with respect
 14-23 to payment of principal and interest on state bonds issued shall
 14-24 likewise apply with respect to payment of principal and interest
 14-25 required to be paid by such contracts. If storage facilities are
 14-26 required for a term of years, such contracts shall contain
 14-27 provisions for renewal that will protect the state's investment.

14-28 [~~The aggregate of the bonds authorized hereunder shall not~~
 14-29 ~~exceed \$200,000,000 and shall be in addition to the aggregate of~~
 14-30 ~~the bonds previously authorized by said Section 49-c of Article III~~
 14-31 ~~of this Constitution. The Legislature upon two-thirds (2/3) vote~~
 14-32 ~~of the elected members of each House, may authorize the Board to~~
 14-33 ~~issue all or any portion of such \$200,000,000 in additional bonds~~
 14-34 ~~herein authorized.]~~

14-35 (d) The Legislature shall provide terms and conditions for
 14-36 the Texas Water Development Board to sell, transfer or lease, in
 14-37 whole or in part, any acquired facilities or the right to use such
 14-38 facilities at a price not less than the direct cost of the Board in
 14-39 acquiring same; and the Legislature may provide terms and
 14-40 conditions for the Board to sell any unappropriated public waters
 14-41 of the state that might be stored in such facilities. As a
 14-42 prerequisite to the purchase of such storage or water, the
 14-43 applicant therefor shall have secured a valid permit from the state
 14-44 [Texas Water Commission or its successor] authorizing the
 14-45 acquisition of such storage facilities or the water impounded
 14-46 therein. The money received from any sale, transfer or lease of
 14-47 facilities shall be used to pay principal and interest on state
 14-48 bonds issued or contractual obligations incurred by the Texas Water
 14-49 Development Board, provided that when moneys are sufficient to pay
 14-50 the full amount of indebtedness then outstanding and the full
 14-51 amount of interest to accrue thereon, any further sums received
 14-52 from the sale, transfer or lease of such facilities shall be
 14-53 deposited and used as provided by law. Money received from the
 14-54 sale of water, which shall include standby service, may be used for
 14-55 the operation and maintenance of acquired facilities, and for the
 14-56 payment of principal and interest on debt incurred.

14-57 [~~Should the Legislature enact enabling laws in anticipation~~
 14-58 ~~of the adoption of this Amendment, such Acts shall not be void by~~
 14-59 ~~reason of their anticipatory character.]~~

14-60 Sec. 49-d-1. (a) The Texas Water Development Board may
 14-61 [shall upon direction of the Texas Water Quality Board, or any
 14-62 successor agency designated by the Legislature,] issue [additional]
 14-63 Texas Water Development Bonds as authorized by constitutional
 14-64 amendment or by a debt proposition under Section 49 of this article
 14-65 [up to an additional aggregate principal amount of \$200,000,000] to
 14-66 provide grants, loans, or any combination of grants and loans for
 14-67 water quality enhancement purposes as established by the
 14-68 Legislature [The Texas Water Quality Board or any successor
 14-69 agency designated by the Legislature may make such grants and

15-1 loans] to political subdivisions or bodies politic and corporate of
 15-2 the State of Texas, including municipal corporations, river
 15-3 authorities, conservation and reclamation districts, and districts
 15-4 created or organized or authorized to be created or organized under
 15-5 Article XVI, Section 59, or Article III, Section 52, of this
 15-6 Constitution, State agencies, and interstate agencies and compact
 15-7 commissions to which the State of Texas is a party, and upon such
 15-8 terms and conditions as the Legislature may authorize by general
 15-9 law. The bonds shall be issued for such terms, in such
 15-10 denominations, form and installments, and upon such conditions as
 15-11 the Legislature may authorize.

15-12 [~~(b)~~---The proceeds from the sale of such bonds shall be
 15-13 deposited in the Texas Water Development Fund to be invested and
 15-14 administered as prescribed by law.

15-15 [~~(c)~~---The bonds authorized in this Section 49-d-1 and all
 15-16 bonds authorized by Sections 49-c and 49-d of Article III shall
 15-17 bear interest at not more than 6% per annum and mature as the Texas
 15-18 Water Development Board shall prescribe, subject to the limitations
 15-19 as may be imposed by the Legislature.]

15-20 (b) [~~(d)~~] The Texas Water Development Fund shall be used for
 15-21 the purposes heretofore permitted by, and subject to the
 15-22 limitations in this Section and Sections 49-c and [7] 49-d [and
 15-23 49-d-1]; provided, however, that the financial assistance may be
 15-24 made [pursuant to the provisions of Sections 49-c, 49-d and 49-d-1]
 15-25 subject only to the availability of funds [and without regard to
 15-26 the provisions in Section 49-c that such financial assistance
 15-27 shall terminate after December 31, 1982].

15-28 [~~(e)~~---Texas Water Development Bonds are secured by the
 15-29 general credit of the State and shall after approval by the
 15-30 Attorney General, registration by the Comptroller of Public
 15-31 Accounts of the State of Texas, and delivery to the purchasers, be
 15-32 incontestable and shall constitute general obligations of the State
 15-33 of Texas under the Constitution of Texas.

15-34 [~~(f)~~---Should the Legislature enact enabling laws in
 15-35 anticipation of the adoption of this amendment, such Acts shall not
 15-36 be void by reason of their anticipatory character.]

15-37 Sec. 49-d-2. [(a)] The Texas Water Development Board may
 15-38 issue [additional] Texas Water Development Bonds [up to an
 15-39 additional aggregate principal amount of \$980 million. Of the
 15-40 additional bonds authorized to be issued, \$590 million of those
 15-41 bonds are dedicated for use for the purposes provided by Sections
 15-42 49-c and 49-d of this article with \$400 million of those bonds to
 15-43 be used for state participation in the acquisition and development
 15-44 of facilities for the storage, transmission, transportation, and
 15-45 treatment of water and wastewater as authorized by Section 49-d of
 15-46 this article. The legislature may set limits on the extent of
 15-47 state participation in projects in each fiscal year through the
 15-48 General Appropriations Act or other law, and state participation is
 15-49 limited to 50 percent of the funding for any single project. Of
 15-50 the additional bonds authorized, \$190 million are dedicated for use
 15-51 for the purposes provided by Section 49-d-1 of this article and
 15-52 \$200 million are dedicated exclusively] for flood control projects
 15-53 and [may be made available] for any acquisition or construction
 15-54 necessary to achieve structural and nonstructural flood control
 15-55 purposes.

15-56 [(b)---The Texas Water Development Board shall issue the
 15-57 additional bonds authorized by this section for the terms, in the
 15-58 denominations, form, and installments, on the conditions, and
 15-59 subject to the limitations provided by Sections 49-c, 49-d, and
 15-60 49-d-1 of this article and by laws adopted by the legislature
 15-61 implementing those sections.

15-62 [(c)---Proceeds from the sale of the bonds authorized by this
 15-63 section shall be deposited in the Texas water development fund to
 15-64 be administered and invested as provided by law.

15-65 [(d)---Financial assistance made available for the purposes
 15-66 provided by this section is subject only to availability of funds.
 15-67 The requirement of Section 49-c of this article that financial
 15-68 assistance terminate on December 31, 1982, does not apply to
 15-69 financial assistance made available under this section.

16-1 [~~(e)~~--Bonds-issued-under-this-section-shall-bear-interest--as
16-2 provided-by-Section-65-of-this-article.]

16-3 Sec. 49-d-5. For the purpose of any program established or
16-4 authorized by [~~Section-49-c, 49-d, 49-d-1, 49-d-2, or 49-d-4 of~~]
16-5 this article and administered by the Texas Water Development Board,
16-6 the legislature by law may extend any benefits to nonprofit water
16-7 supply corporations that it may extend to a district created or
16-8 organized under Article XVI, Section 59, of this constitution.

16-9 Sec. 49-d-6. [~~(a)~~---The--Texas-Water-Development-Board-may
16-10 issue-additional-Texas-Water-Development-Bonds-up-to-an--additional
16-11 aggregate--principal--amount--of--\$400--million.---Of-the-additional
16-12 bonds-authorized-to-be-issued,--\$200-million-of-those-bonds-shall-be
16-13 used-for-purposes-provided-by-Section-49-c-of--this--article,--\$150
16-14 million--of--those--bonds--shall--be--used-for-purposes-provided-by
16-15 Section-49-d-1-of-this-article,--and--\$50--million--of--those--bonds
16-16 shall-be-used-for-flood-control-as-provided-by-law.

16-17 [(b)] The legislature may require review and approval of the
16-18 issuance of Texas Water Development Bonds [the bonds], of the use
16-19 of the bond proceeds, or of the rules adopted by an agency to
16-20 govern use of the bond proceeds. Notwithstanding any other
16-21 provision of this constitution, any entity created or directed to
16-22 conduct this review and approval may include members or appointees
16-23 of members of the executive, legislative, and judicial departments
16-24 of state government.

16-25 [(c)]--The-Texas--Water--Development--Board--shall--issue--the
16-26 additional--bonds--authorized-by-this-section-for-the-terms,--in-the
16-27 denominations,--form,--and--installments,--on--the--conditions,--and
16-28 subject--to-the-limitations-provided-by-Sections-49-c-and-49-d-1-of
16-29 this-article-and-by-laws-adopted-by--the--legislature--implementing
16-30 this-section.

16-31 [(d)]--Subsections--(c)--through--(e)--of--Section-49-d-2-of-this
16-32 article-apply-to-the-bonds-authorized-by-this-section.]

16-33 Sec. 49-d-7. (a) [The-Texas--Water--Development--Board--may
16-34 issue--additional-Texas-water-development-bonds-up-to-an-additional
16-35 aggregate-principal-amount-of--\$500--million.---Of--the--additional
16-36 bonds-authorized-to-be-issued,--\$250-million-of-those-bonds-shall-be
16-37 used--for--purposes--provided-by-Section-49-c-of-this-article,--\$200
16-38 million-of-those-bonds-shall--be--used--for--purposes--provided--by
16-39 Section--49-d-1--of--this--article,--and--\$50-million-of-those-bonds
16-40 shall-be-used-for-flood-control-as-provided-by-law.

16-41 [(b)] The Texas Water Development Board may use the proceeds
16-42 of Texas water development bonds issued for the purposes provided
16-43 by Section 49-c of this article for the additional purpose of
16-44 providing financial assistance, on terms and conditions provided by
16-45 law, to various political subdivisions and bodies politic and
16-46 corporate of the state and to nonprofit water supply corporations
16-47 to provide for acquisition, improvement, extension, or construction
16-48 of water supply projects that involve the distribution of water to
16-49 points of delivery to wholesale or retail customers.

16-50 [(c)]--The--legislature-may-require-review-and-approval-of-the
16-51 issuance-of-the-bonds,--the-use-of-the-bond-proceeds,--or--the--rules
16-52 adopted--by--an--agency--to--govern--use--of--the--bond--proceeds.
16-53 Notwithstanding-any--other--provision--of--this--constitution,--any
16-54 entity--created-or-directed-to-conduct-this-review-and-approval-may
16-55 include--members--or--appointees--of--members--of--the--executive,
16-56 legislative,--and--judicial-departments-of-state-government.

16-57 [(d)]--Except--as--specifically--provided-by-Subsection--(e)--of
16-58 this-section,--the-Texas-Water-Development--Board--shall--issue--the
16-59 additional--bonds--authorized-by-this-section-for-the-terms,--in-the
16-60 denominations,--form,--and--installments,--on--the--conditions,--and
16-61 subject--to-the-limitations-provided-by-Sections-49-c-and-49-d-1-of
16-62 this-article-and-by-laws-adopted-by--the--legislature--implementing
16-63 this-section.]

16-64 (b) [(e)] The legislature may provide by law for subsidized
16-65 loans and grants from the proceeds of Texas water development bonds
16-66 [authorized-by-this-section] to provide wholesale and retail water
16-67 and wastewater facilities to economically distressed areas of the
16-68 state as defined by law, provided, the principal amount of bonds
16-69 that may be issued for the purposes under this subsection may not

17-1 exceed \$250 million [~~50--percent--of--the--total--amount--of--bonds~~
 17-2 ~~authorized---by---this---section~~]. Separate accounts shall be
 17-3 established in the water development fund for administering the
 17-4 proceedings of bonds issued for purposes under this subsection, and
 17-5 an interest and sinking fund separate from and not subject to the
 17-6 limitations of the interest and sinking fund created [~~pursuant--to~~
 17-7 ~~Section---49-c~~] for other Texas water development bonds is
 17-8 established in the State Treasury to be used for paying the
 17-9 principal of and interest on bonds for the purposes of the
 17-10 subsection. While any of the bonds authorized for the purposes of
 17-11 this subsection or any of the interest on those bonds is
 17-12 outstanding and unpaid, there is appropriated out of the first
 17-13 money coming into the State Treasury in each fiscal year, not
 17-14 otherwise appropriated by this constitution, an amount that is
 17-15 sufficient to pay the principal of and interest on those bonds
 17-16 issued for the purposes under this subsection that mature or become
 17-17 due during that fiscal year.

17-18 [~~(f)---Subsections-(e)---through-(e)---of---Section-49-d-2---of---this~~
 17-19 ~~article-apply-to-the-bonds-authorized-by-this-section-~~]

17-20 Sec. 49-d-8. (a) The Texas Water Development Fund II is
 17-21 [created] in the state treasury as a fund separate and distinct
 17-22 from the Texas Water Development Fund established under Section
 17-23 49-c of this article. Money in the Texas Water Development Fund II
 17-24 shall be administered without further appropriation by the Texas
 17-25 Water Development Board and shall be used for any one or more of
 17-26 the purposes currently or formerly authorized by Sections 49-c,
 17-27 49-d, 49-d-1, 49-d-2, 49-d-5, 49-d-6, and 49-d-7 of this article,
 17-28 as determined by the Texas Water Development Board. Separate
 17-29 accounts shall be established in the Texas Water Development Fund
 17-30 II for administering proceedings related to the purposes described
 17-31 in Section 49-d of this article, the purposes described in
 17-32 Subsection (b) [~~(e)~~] of Section 49-d-7 of this article, and all
 17-33 other authorized purposes. The Texas Water Development Board is
 17-34 hereby authorized, at its determination, to issue general
 17-35 obligation bonds for one or more accounts of the Texas Water
 17-36 Development Fund II in an aggregate principal amount equal to the
 17-37 amount of bonds previously authorized pursuant to former Section
 17-38 49-d-6 and Sections 49-d-2[7-49-d-67] and 49-d-7 of this article
 17-39 less the amount of bonds issued pursuant to those sections to
 17-40 augment the Texas Water Development Fund and the amount of bonds
 17-41 issued to augment the Texas Water Development Fund II. Nothing in
 17-42 this section, however, shall grant to the Texas Water Development
 17-43 Board the authority to issue bonds [~~under this section and under~~
 17-44 ~~Sections--49-d-2,--49-d-6,--and--49-d-7--of--this--article~~] in excess of
 17-45 the total amount of those previously authorized bonds [~~described in~~
 17-46 ~~Sections-49-d-2,--49-d-6,--and--49-d-7--of--this--article~~] or to issue
 17-47 bonds for purposes described in Subsection (b) [~~(e)~~] of Section
 17-48 49-d-7 of this article in excess of \$250 million. The expenses of
 17-49 the Texas Water Development Board in connection with the issuance
 17-50 of bonds for an account of the Texas Water Development Fund II and
 17-51 administration of such account may be paid from money in such
 17-52 account.

17-53 (b) The Texas Water Development Board is hereby authorized,
 17-54 at its determination, to issue general obligation bonds for one or
 17-55 more accounts of the Texas Water Development Fund II in order to
 17-56 refund outstanding bonds previously issued to augment the Texas
 17-57 Water Development Fund, as long as the principal amount of the
 17-58 refunding bonds does not exceed the outstanding principal amount of
 17-59 the refunded bonds, and to refund the general obligation of the
 17-60 State of Texas under long-term contracts entered into by the Texas
 17-61 Water Development Board with the United States or any of its
 17-62 agencies under authority granted by Section 49-d of this article,
 17-63 as long as the principal amount of the refunding bonds does not
 17-64 exceed the principal amount of the contractual obligation of the
 17-65 Texas Water Development Board. Money and assets in the Texas Water
 17-66 Development Fund attributable to such refunding bonds shall be
 17-67 transferred to the appropriate account of the Texas Water
 17-68 Development Fund II, as determined by the Texas Water Development
 17-69 Board, to the extent not inconsistent with the proceedings

18-1 authorizing any outstanding bonds issued to augment the Texas Water
 18-2 Development Fund and the terms of any long-term contracts entered
 18-3 into by the Texas Water Development Board with the United States or
 18-4 any of its agencies. In addition, the Texas Water Development
 18-5 Board may transfer other moneys and assets in the Texas Water
 18-6 Development Fund to the appropriate account of the Texas Water
 18-7 Development Fund II, as determined by the Texas Water Development
 18-8 Board, without the necessity of issuing refunding bonds to effect
 18-9 the transfer, to the extent not inconsistent with the proceedings
 18-10 authorizing any outstanding bonds issued to augment the Texas Water
 18-11 Development Fund. Further, at such time as all bonds issued to
 18-12 augment the Texas Water Development Fund and all such contractual
 18-13 obligations have been paid or otherwise discharged, all money and
 18-14 assets in the Texas Water Development Fund shall be transferred to
 18-15 the credit of the Texas Water Development Fund II and deposited to
 18-16 the accounts therein, as determined by the Texas Water Development
 18-17 Board.

18-18 (c) Subject to the limitations set forth in Section 49-d of
 18-19 this article, the legislature shall provide terms and conditions
 18-20 under which the Texas Water Development Board may sell, transfer,
 18-21 or lease, in whole or in part, facilities held for the account
 18-22 established within the Texas Water Development Fund II for
 18-23 administering proceedings related to the purposes described in
 18-24 Section 49-d of this article, and the legislature may provide terms
 18-25 and conditions under which the Texas Water Development Board may
 18-26 sell any unappropriated public waters of the state that may be
 18-27 stored in such facilities. Money received from any sale, transfer,
 18-28 or lease of such facilities or water shall be credited to the
 18-29 account established within the Texas Water Development Fund II for
 18-30 the purpose of administering proceedings related to the purposes
 18-31 described in Section 49-d of this article.

18-32 (d) Each account of the Texas Water Development Fund II
 18-33 shall consist of:

18-34 (1) the Texas Water Development Board's rights to
 18-35 receive repayment of financial assistance provided from such
 18-36 account, together with any evidence of such rights;

18-37 (2) money received from the sale or other disposition
 18-38 of the Texas Water Development Board's rights to receive repayment
 18-39 of such financial assistance;

18-40 (3) money received as repayment of such financial
 18-41 assistance;

18-42 (4) money and assets attributable to bonds issued and
 18-43 sold by the Texas Water Development Board for such account,
 18-44 including money and assets transferred from the Texas Water
 18-45 Development Fund pursuant to this section;

18-46 (5) money deposited in such account pursuant to
 18-47 Subsection (c) of this section;

18-48 (6) payments received by the Texas Water Development
 18-49 Board under a bond enhancement agreement as authorized by law with
 18-50 respect to bonds issued for such account; and

18-51 (7) interest and other income received from investment
 18-52 of money in such account.

18-53 (e) Notwithstanding the other provisions of [Sections
 18-54 49-d-27-49-d-67--and-49-d-7-of] this article, the principal of and
 18-55 interest on the general obligation bonds issued for an account of
 18-56 the Texas Water Development Fund II, including payments by the
 18-57 Texas Water Development Board under a bond enhancement agreement as
 18-58 authorized by law with respect to principal of or interest on such
 18-59 bonds, shall be paid out of such account, but the money in such
 18-60 account that is not immediately committed to the purposes of such
 18-61 account or the payment of expenses may be invested as authorized by
 18-62 law until the money is needed for those purposes. If there is not
 18-63 enough money in any account available to pay the principal of and
 18-64 interest on the general obligation bonds issued for such account,
 18-65 including money to make payments by the Texas Water Development
 18-66 Board under a bond enhancement agreement as authorized by law with
 18-67 respect to principal of or interest on such bonds, there is
 18-68 appropriated out of the first money coming into the state treasury
 18-69 in each fiscal year not otherwise appropriated by this constitution

19-1 an amount that is sufficient to pay the principal of and interest
 19-2 on such general obligation bonds that mature or become due during
 19-3 that fiscal year or to make bond enhancement payments with respect
 19-4 to those bonds.

19-5 (f) The general obligation bonds authorized by this section
 19-6 may be issued as bonds, notes, or other obligations as permitted by
 19-7 law and shall be sold in forms and denominations, on terms, at
 19-8 times, in the manner, at places, and in installments, all as
 19-9 determined by the Texas Water Development Board. The bonds shall
 19-10 bear a rate or rates of interest the Texas Water Development Board
 19-11 determines. The bonds authorized by this section shall be
 19-12 incontestable after execution by the Texas Water Development Board,
 19-13 approval by the attorney general, and delivery to the purchaser or
 19-14 purchasers of the bonds.

19-15 (g) This section being intended only to establish a basic
 19-16 framework and not to be a comprehensive treatment of the Texas
 19-17 Water Development Fund II, there is hereby reposed in the
 19-18 legislature full power to implement and effectuate the design and
 19-19 objects of this section, including the power to delegate such
 19-20 duties, responsibilities, functions, and authority to the Texas
 19-21 Water Development Board as it believes necessary.

19-22 (h) The Texas Water Development Fund II, including any
 19-23 account in that fund, may not be used to finance or aid any project
 19-24 that contemplates or results in the removal from the basin of
 19-25 origin of any surface water necessary to supply the reasonably
 19-26 foreseeable future water requirements for the next ensuing 50-year
 19-27 period within the river basin of origin, except on a temporary,
 19-28 interim basis.

19-29 SECTION 16. Section 49-e, Article III, Texas Constitution,
 19-30 is amended to read as follows:

19-31 Sec. 49-e. (a) The Parks and Wildlife Department, or its
 19-32 successor vested with the powers, duties, and authority which deals
 19-33 with the operation, maintenance, and improvement of State Parks,
 19-34 shall have the authority to provide for, issue and sell general
 19-35 obligation bonds of the State of Texas in an amount authorized by
 19-36 constitutional amendment or by a debt proposition under Section 49
 19-37 of this article [not--to--exceed--Seventy-Five--Million--Dollars
 19-38 {~~\$75,000,000~~}. The bonds [authorized--herein] shall be called
 19-39 "Texas Park Development Bonds," shall be executed in such form,
 19-40 denominations, and upon such terms as may be prescribed by law,
 19-41 [provided--however--that--the--bonds] shall bear a rate or rates of
 19-42 interest as may be fixed by the Parks and Wildlife Department or
 19-43 its successor, not to exceed the maximum prescribed by Section 65
 19-44 of this article, and [but--the--weighted--average--annual--interest
 19-45 rate--as--that--phrase--is--commonly--and--ordinarily--used--and--understood
 19-46 in--the--municipal--bond--market--of--all--the--bonds--issued--and--sold--in
 19-47 any--installment--of--any--bonds--shall--not--exceed--four--and--one--half
 19-48 percent--(~~4-1/2%~~)--interest--per--annum--they] may be issued in such
 19-49 installments as said Parks and Wildlife Department, or its said
 19-50 successor, finds feasible and practical in accomplishing the
 19-51 purpose set forth herein.

19-52 (b) All moneys received from the sale of said bonds shall be
 19-53 deposited in a fund hereby created with the Comptroller of Public
 19-54 Accounts of the State of Texas to be known as the Texas Park
 19-55 Development Fund to be administered (without further appropriation)
 19-56 by the said Parks and Wildlife Department, or its said successor,
 19-57 in such manner as prescribed by law.

19-58 (c) Such fund shall be used by said Parks and Wildlife
 19-59 Department, or its said successor, under such provisions as the
 19-60 Legislature may prescribe by general law, for the purposes of
 19-61 acquiring lands from the United States, or any governmental agency
 19-62 thereof, from any governmental agency of the State of Texas, or
 19-63 from any person, firm, or corporation, for State Park Sites and for
 19-64 developing said sites as State Parks.

19-65 (d) While any of the bonds [authorized-by--this--provision],
 19-66 or any interest on any such bonds, is outstanding and unpaid, there
 19-67 is hereby appropriated out of the first moneys coming into the
 19-68 Treasury in each fiscal year, not otherwise appropriated by this
 19-69 Constitution, an amount which is sufficient to pay the principal

20-1 and interest on such bonds that mature or become due during such
 20-2 fiscal year, less the amount in the interest and sinking fund at
 20-3 the close of the prior fiscal year, which includes any receipts
 20-4 derived during the prior fiscal year by said Parks and Wildlife
 20-5 Department, or its said successor, from admission charges to State
 20-6 Parks, as the Legislature may prescribe by general law.

20-7 (e) The Legislature may provide for the investment of moneys
 20-8 available in the Texas Park Development Fund and the interest and
 20-9 sinking fund established for the payment of bonds issued by said
 20-10 Parks and Wildlife Department, or its said successor. Income from
 20-11 such investment shall be used for the purposes prescribed by the
 20-12 Legislature.

20-13 (f) From the moneys received by said Parks and Wildlife
 20-14 Department, or its said successor, from the sale of the bonds
 20-15 issued hereunder, there shall be deposited in the interest and
 20-16 sinking fund for the bonds authorized by this section sufficient
 20-17 moneys to pay the interest to become due during the State fiscal
 20-18 year in which the bonds were issued. After all bonds have been
 20-19 fully paid with interest, or after there are on deposit in the
 20-20 interest and sinking fund sufficient moneys to pay all future
 20-21 maturities of principal and interest, additional moneys received
 20-22 from admission charges to State Parks shall be deposited to the
 20-23 State Parks Fund, or any successor fund which may be established by
 20-24 the Legislature as a depository for Park revenue earned by said
 20-25 Parks and Wildlife Department, or its said successor.

20-26 (g) All bonds issued hereunder shall after approval by the
 20-27 Attorney General, registration by the Comptroller of Public
 20-28 Accounts of the State of Texas, and delivery to the purchasers, be
 20-29 incontestable and shall constitute general obligations of the State
 20-30 of Texas under the Constitution of Texas.

20-31 [~~Should--the--Legislature--enact--enabling--laws--in--anticipation~~
 20-32 ~~of--the--adoption--of--this--amendment,--such--Acts--shall--not--be--void--by~~
 20-33 ~~reason--of--their--anticipatory--nature.~~]

20-34 SECTION 17. Section 49-h, Article III, Texas Constitution,
 20-35 is amended to read as follows:

20-36 Sec. 49-h. (a) In amounts authorized by constitutional
 20-37 amendment or by a debt proposition under Section 49 of this
 20-38 article, the [The] legislature may provide for [authorize] the
 20-39 issuance of [up--to--\$500-million-in] general obligation bonds and
 20-40 the use of the bond proceeds for acquiring, constructing, or
 20-41 equipping new facilities or for major repair or renovation of
 20-42 existing facilities of corrections institutions, including youth
 20-43 corrections institutions, and mental health and mental retardation
 20-44 institutions. The legislature may require the review and approval
 20-45 of the issuance of the bonds and the projects to be financed by the
 20-46 bond proceeds. Notwithstanding any other provision of this
 20-47 constitution, the issuer of the bonds or any entity created or
 20-48 directed to review and approve projects may include members or
 20-49 appointees of members of the executive, legislative, and judicial
 20-50 departments of state government.

20-51 (b) Bonds issued under this section constitute a general
 20-52 obligation of the state. While any of the bonds or interest on the
 20-53 bonds is outstanding and unpaid, there is appropriated out of the
 20-54 first money coming into the treasury in each fiscal year, not
 20-55 otherwise appropriated by this constitution, the amount sufficient
 20-56 to pay the principal of and interest on the bonds that mature or
 20-57 become due during the fiscal year, less any amount in any sinking
 20-58 fund at the end of the preceding fiscal year that is pledged to
 20-59 payment of the bonds or interest.

20-60 (c) In addition to the purposes authorized under Subsection
 20-61 (a), the [The] legislature may authorize the issuance of the
 20-62 [up-to-\$400-million-in] general obligation bonds[,-in--addition--to
 20-63 the--amount--authorized--by--Subsection--(a)--of--this--section,-and-use
 20-64 the--proceeds--of--the--bonds] for acquiring, constructing, or
 20-65 equipping;

20-66 (1) new [~~corrections--institutions,-mental-health-and~~
 20-67 ~~mental-retardation-institutions,-youth-corrections-institutions,~~
 20-68 ~~and] statewide law enforcement facilities and for major repair or
 20-69 renovation of existing facilities; and [of-these-institutions-~~

21-1 [2]--The provisions of Subsection (a) of this section
 21-2 relating to the review and approval of bonds and the provisions of
 21-3 Subsection (b) of this section relating to the status of the bonds
 21-4 as a general obligation of the state and to the manner in which the
 21-5 principal and interest on the bonds are paid apply to bonds
 21-6 authorized under this subsection.

21-7 [(d)(1)]--The legislature may authorize the issuance of up to
 21-8 \$1.1 billion in general obligation bonds, in addition to the amount
 21-9 authorized by Subsections (a) and (c) of this section, and may use
 21-10 the proceeds of the bonds for acquiring, constructing, or
 21-11 equipping]

21-12 (2) new prisons and substance abuse felony punishment
 21-13 facilities to confine criminals [mental health and mental
 21-14 retardation institutions] and [youth corrections institutions,
 21-15 for] major repair or renovation of existing facilities of those
 21-16 institutions, and for the acquisition of, major repair to, or
 21-17 renovation of other facilities for use as state prisons or
 21-18 substance abuse felony punishment facilities. [Proceeds of general
 21-19 obligation bonds issued under this subdivision may not be
 21-20 appropriated by any session of the legislature other than the 2nd
 21-21 Called Session of the 72nd Legislature or any subsequent session of
 21-22 the legislature.

21-23 [2]--The provisions of Subsection (a) of this section
 21-24 relating to the review and approval of bonds and the provisions of
 21-25 Subsection (b) of this section relating to the status of the bonds
 21-26 as a general obligation of the state and to the manner in which the
 21-27 principal and interest on the bonds are paid apply to bonds
 21-28 authorized under this subsection.

21-29 [(e)(1)]--The legislature may authorize the issuance of up to
 21-30 \$1 billion in general obligation bonds, in addition to the amounts
 21-31 authorized by Subsections (a), (c), and (d) of this section, and
 21-32 use the proceeds of the bonds for acquiring, constructing, or
 21-33 equipping new corrections institutions, including youth corrections
 21-34 institutions, and mental health and mental retardation institutions
 21-35 and for major repair or renovation of existing facilities of those
 21-36 corrections and mental health and mental retardation institutions.

21-37 [2]--The provisions of Subsection (a) of this section
 21-38 relating to the review and approval of bonds and the provisions of
 21-39 Subsection (b) of this section relating to the status of the bonds
 21-40 as a general obligation of the state and to the manner in which the
 21-41 principal and interest on the bonds are paid apply to bonds
 21-42 authorized under this subsection.]

21-43 SECTION 18. Subsection (a), Section 50b-4, Article III,
 21-44 Texas Constitution, is amended to read as follows:

21-45 (a) The legislature by general law may authorize the Texas
 21-46 Higher Education Coordinating Board or its successor or successors
 21-47 to issue and sell general obligation bonds of the State of Texas in
 21-48 an amount authorized by constitutional amendment or by a debt
 21-49 proposition under Section 49 of this article [not to exceed \$300
 21-50 million] to finance educational loans to students. [The bonds are
 21-51 in addition to those bonds issued under Sections 50b, 50b-1,
 21-52 50b-2, and 50b-3, Article III, Texas Constitution.]

21-53 SECTION 19. Section 51, Article III, Texas Constitution, is
 21-54 amended to read as follows:

21-55 Sec. 51. The Legislature shall have no power to make any
 21-56 grant or authorize the making of any grant of public moneys to any
 21-57 individual, association of individuals, municipal or other
 21-58 corporations whatsoever; [provided, however, the legislature may
 21-59 grant aid to indigent and disabled Confederate soldiers and sailors
 21-60 under such regulations and limitations as may be deemed by the
 21-61 legislature as expedient, and to their widows in indigent
 21-62 circumstances under such regulations and limitations as may be
 21-63 deemed by the legislature as expedient,] provided that the
 21-64 provisions of this Section shall not be construed so as to prevent
 21-65 the grant of aid in cases of public calamity.

21-66 SECTION 20. Section 51-a, Article III, Texas Constitution,
 21-67 is amended to read as follows:

21-68 Sec. 51-a. (a) The Legislature shall have the power, by
 21-69 General Laws, to provide, subject to limitations herein contained,

22-1 and such other limitations, restrictions and regulations as may by
 22-2 the Legislature be deemed expedient, for assistance grants to needy
 22-3 dependent children and the caretakers of such children, needy
 22-4 persons who are totally and permanently disabled because of a
 22-5 mental or physical handicap, needy aged persons and needy blind
 22-6 persons.

22-7 (b) The Legislature may provide by General Law for medical
 22-8 care, rehabilitation and other similar services for needy persons.
 22-9 The Legislature may prescribe such other eligibility requirements
 22-10 for participation in these programs as it deems appropriate and may
 22-11 make appropriations out of state funds for such purposes. The
 22-12 maximum amount paid out of state funds for assistance grants, to or
 22-13 on behalf of needy dependent children and their caretakers shall
 22-14 not exceed [~~the amount of Eighty Million Dollars (\$80,000,000)~~
 22-15 ~~during any fiscal year, except that the limit shall be One Hundred~~
 22-16 ~~Sixty Million Dollars (\$160,000,000) for the two years of the~~
 22-17 ~~1982-1983 biennium. For the two years of each subsequent biennium,~~
 22-18 ~~the maximum amount shall not exceed]~~ one percent of the state
 22-19 budget. The Legislature by general statute shall provide for the
 22-20 means for determining the state budget amounts, including state and
 22-21 other funds appropriated by the Legislature, to be used in
 22-22 establishing the biennial limit.

22-23 (c) Provided further, that if the limitations and
 22-24 restrictions herein contained are found to be in conflict with the
 22-25 provisions of appropriate federal statutes, as they now are or as
 22-26 they may be amended to the extent that federal matching money is
 22-27 not available to the state for these purposes, then and in that
 22-28 event the Legislature is specifically authorized and empowered to
 22-29 prescribe such limitations and restrictions and enact such laws as
 22-30 may be necessary in order that such federal matching money will be
 22-31 available for assistance and/or medical care for or on behalf of
 22-32 needy persons.

22-33 (d) Nothing in this Section shall be construed to amend,
 22-34 modify or repeal Section 31 of Article XVI of this Constitution;
 22-35 provided further, however, that such medical care, services or
 22-36 assistance shall also include the employment of objective or
 22-37 subjective means, without the use of drugs, for the purpose of
 22-38 ascertaining and measuring the powers of vision of the human eye,
 22-39 and fitting lenses or prisms to correct or remedy any defect or
 22-40 abnormal condition of vision. Nothing herein shall be construed to
 22-41 permit optometrists to treat the eyes for any defect whatsoever in
 22-42 any manner nor to administer nor to prescribe any drug or physical
 22-43 treatment whatsoever, unless such optometrist is a regularly
 22-44 licensed physician or surgeon under the laws of this state.

22-45 SECTION 21. Subsections (b) and (c), Section 52, Article
 22-46 III, Texas Constitution, are amended to read as follows:

22-47 (b) Under Legislative provision, any county, [~~any~~] political
 22-48 subdivision of a county, [~~any~~] number of adjoining counties, [~~or~~
 22-49 ~~any~~] political subdivision of the State, or [~~any~~] defined district
 22-50 now or hereafter to be described and defined within the State of
 22-51 Texas, and which may or may not include, towns, villages or
 22-52 municipal corporations, upon a vote of two-thirds majority of the
 22-53 [~~resident property taxpayers~~] voting [~~thereon who are~~] qualified
 22-54 voters [~~electors~~] of such district or territory to be affected
 22-55 thereby, [~~in addition to all other debts,~~] may issue bonds or
 22-56 otherwise lend its credit in any amount not to exceed one-fourth of
 22-57 the assessed valuation of the real property of such district or
 22-58 territory, except that the total bonded indebtedness of any city or
 22-59 town shall never exceed the limits imposed by other provisions of
 22-60 this Constitution, and levy and collect taxes to pay the interest
 22-61 thereon and provide a sinking fund for the redemption thereof, as
 22-62 the Legislature may authorize, and in such manner as it may
 22-63 authorize the same, for the following purposes to wit:

22-64 (1) The improvement of rivers, creeks, and streams to
 22-65 prevent overflows, and to permit of navigation thereof, or
 22-66 irrigation thereof, or in aid of such purposes.

22-67 (2) The construction and maintenance of pools, lakes,
 22-68 reservoirs, dams, canals and waterways for the purposes of
 22-69 irrigation, drainage or navigation, or in aid thereof.

23-1 (3) The construction, maintenance and operation of
 23-2 macadamized, graveled or paved roads and turnpikes, or in aid
 23-3 thereof.

23-4 (c) Notwithstanding the provisions of Subsection (b) of this
 23-5 Section, bonds may be issued by any county in an amount not to
 23-6 exceed one-fourth of the assessed valuation of the real property in
 23-7 the county, for the construction, maintenance, and operation of
 23-8 macadamized, graveled, or paved roads and turnpikes, or in aid
 23-9 thereof, upon a vote of a majority of the [resident-property
 23-10 taxpayers] voting [thereon-who-are] qualified voters [electors] of
 23-11 the county, and without the necessity of further or amendatory
 23-12 legislation. The county may levy and collect taxes to pay the
 23-13 interest on the bonds as it becomes due and to provide a sinking
 23-14 fund for redemption of the bonds.

23-15 SECTION 22. Section 52d, Article III, Texas Constitution, is
 23-16 amended to read as follows:

23-17 Sec. 52d. (a) Upon the vote of a majority of the [resident]
 23-18 qualified voters [electors--owning--rendered---taxable---property
 23-19 therein] so authorizing, a county or road district may collect an
 23-20 annual tax for a period not exceeding five (5) years to create a
 23-21 fund for constructing lasting and permanent roads and bridges or
 23-22 both. No contract involving the expenditure of any of such fund
 23-23 shall be valid unless, when it is made, money shall be on hand in
 23-24 such fund.

23-25 (b) At such election, the Commissioners' Court shall submit
 23-26 for adoption a road plan and designate the amount of special tax to
 23-27 be levied; the number of years said tax is to be levied; the
 23-28 location, description, and character of the roads and bridges; and
 23-29 the estimated cost thereof. The funds raised by such taxes shall
 23-30 not be used for purposes other than those specified in the plan
 23-31 submitted to the voters. Elections may be held from time to time
 23-32 to extend or discontinue said plan or to increase or diminish said
 23-33 tax. The Legislature shall enact laws prescribing the procedure
 23-34 hereunder.

23-35 (c) The provisions of this section shall apply only to
 23-36 Harris County and road districts therein.

23-37 SECTION 23. Section 52g, Article III, Texas Constitution, is
 23-38 amended to read as follows:

23-39 Sec. 52g. Bonds to be issued by Dallas County under Section
 23-40 52(b)(3) [52] of Article III of this Constitution [for--the
 23-41 construction--maintenance-and-operation-of-macadamized--graveled-or
 23-42 paved--roads--and--turnpikes,--or-in-aid-thereof,] may, without the
 23-43 necessity of further or amendatory legislation, be issued upon a
 23-44 vote of a majority of the [residents] voting [thereon-who-are]
 23-45 qualified voters [electors] of said county, and bonds heretofore or
 23-46 hereafter issued under Subsections (a) and (b) of said Section 52
 23-47 shall not be included in determining the debt limit prescribed in
 23-48 said Section.

23-49 SECTION 24. Section 7, Article IV, Texas Constitution, is
 23-50 amended to read as follows:

23-51 Sec. 7. He shall be Commander-in-Chief of the military
 23-52 forces of the State, except when they are called into actual
 23-53 service of the United States. He shall have power to call forth
 23-54 the militia to execute the laws of the State, to suppress
 23-55 insurrections, and to repel invasions[and--protect--the--frontier
 23-56 from-hostile-incursions-by-Indians-or-other-predatory-bands].

23-57 SECTION 25. Section 16, Article IV, Texas Constitution, is
 23-58 amended to read as follows:

23-59 Sec. 16. There shall also be a Lieutenant Governor, who
 23-60 shall be chosen at every election for Governor by the same voters
 23-61 [electors], in the same manner, continue in office for the same
 23-62 time, and possess the same qualifications. The voters [electors]
 23-63 shall distinguish for whom they vote as Governor and for whom as
 23-64 Lieutenant Governor. The Lieutenant Governor, shall by virtue of
 23-65 his office, be President of the Senate, and shall have, when in
 23-66 Committee of the Whole, a right to debate and vote on all
 23-67 questions; and when the Senate is equally divided to give the
 23-68 casting vote. In case of the death, resignation, removal from
 23-69 office, inability or refusal of the Governor to serve, or of his

24-1 impeachment or absence from the State, the Lieutenant Governor
 24-2 shall exercise the powers and authority appertaining to the office
 24-3 of Governor until another be chosen at the periodical election, and
 24-4 be duly qualified; or until the Governor impeached, absent or
 24-5 disabled, shall be acquitted, return, or his disability be removed.

24-6 SECTION 26. Section 22, Article IV, Texas Constitution, is
 24-7 amended to read as follows:

24-8 Sec. 22. The Attorney General [~~elected--at--the--general~~
 24-9 ~~election--in--1974,--and--thereafter,--shall--hold--office--for--four--years~~
 24-10 ~~and--until--his--successor--is--duly--qualified,--He]~~ shall represent the
 24-11 State in all suits and pleas in the Supreme Court of the State in
 24-12 which the State may be a party, and shall especially inquire into
 24-13 the charter rights of all private corporations, and from time to
 24-14 time, in the name of the State, take such action in the courts as
 24-15 may be proper and necessary to prevent any private corporation from
 24-16 exercising any power or demanding or collecting any species of
 24-17 taxes, tolls, freight or wharfage not authorized by law. He shall,
 24-18 whenever sufficient cause exists, seek a judicial forfeiture of
 24-19 such charters, unless otherwise expressly directed by law, and give
 24-20 legal advice in writing to the Governor and other executive
 24-21 officers, when requested by them, and perform such other duties as
 24-22 may be required by law. [~~He--shall--reside--at--the--seat--of--government~~
 24-23 ~~during--his--continuance--in--office,--He--shall--receive--for--his~~
 24-24 ~~services--an--annual--salary--in--an--amount--to--be--fixed--by--the~~
 24-25 ~~Legislature.]~~

24-26 SECTION 27. Section 23, Article IV, Texas Constitution, is
 24-27 amended to read as follows:

24-28 Sec. 23. The Comptroller of Public Accounts, the
 24-29 Commissioner of the General Land Office, the Attorney General, and
 24-30 any statutory State officer who is elected by the electorate of
 24-31 Texas at large, unless a term of office is otherwise specifically
 24-32 provided in this Constitution, shall each hold office for the term
 24-33 of four years [~~and--until--his--successor--is--qualified,--The--four--year~~
 24-34 ~~term--applies--to--these--officers--who--are--elected--at--the--general~~
 24-35 ~~election--in--1974--or--thereafter].~~ Each shall receive an annual
 24-36 salary in an amount to be fixed by the Legislature; reside at the
 24-37 Capital of the State during his continuance in office, and perform
 24-38 such duties as are or may be required by law. They and the
 24-39 Secretary of State shall not receive to their own use any fees,
 24-40 costs or perquisites of office. All fees that may be payable by
 24-41 law for any service performed by any officer specified in this
 24-42 section or in his office, shall be paid, when received, into the
 24-43 State Treasury.

24-44 SECTION 28. Section 9, Article V, Texas Constitution, is
 24-45 amended to read as follows:

24-46 Sec. 9. There shall be a Clerk for the District Court of
 24-47 each county, who shall be elected by the qualified voters [~~for~~
 24-48 ~~State--and--county--officers,]~~ and who shall hold his office for four
 24-49 years, subject to removal by information, or by indictment of a
 24-50 grand jury, and conviction of a petit jury. In case of vacancy,
 24-51 the Judge of the District Court shall have the power to appoint a
 24-52 Clerk, who shall hold until the office can be filled by election.

24-53 SECTION 29. Section 2, Article VI, Texas Constitution, is
 24-54 amended to read as follows:

24-55 Sec. 2. Every person subject to none of the foregoing
 24-56 disqualifications [~~who--shall--have--attained--the--age--of--18--years--and]~~
 24-57 who shall be a citizen of the United States and who is a resident
 24-58 of this state shall be deemed a qualified voter [~~elector~~];
 24-59 provided, however, that before offering to vote at an election a
 24-60 voter shall have registered, but such requirement for registration
 24-61 shall not be considered a qualification of a voter [~~an--elector~~]
 24-62 within the meaning of the term "qualified voter [~~elector~~]" as used
 24-63 in any other Article of this Constitution in respect to any matter
 24-64 except qualification and eligibility to vote at an election. The
 24-65 Legislature may authorize absentee voting.

24-66 SECTION 30. Subsections (a) and (b), Section 2a, Article VI,
 24-67 Texas Constitution, are amended to read as follows:

24-68 (a) Notwithstanding any other provision of this
 24-69 Constitution, the Legislature may enact laws and provide a method

25-1 of registration, including the time of such registration,
 25-2 permitting any person who is qualified to vote in this State except
 25-3 for the residence requirements within a county or district, as set
 25-4 forth in Section 2 of this Article, to vote for (1) electors for
 25-5 President and Vice President of the United States and (2) all
 25-6 offices, questions or propositions to be voted on by all voters
 25-7 [~~electors~~] throughout this State.

25-8 (b) Notwithstanding any other provision of this
 25-9 Constitution, the Legislature may enact laws and provide for a
 25-10 method of registration, including the time for such registration,
 25-11 permitting any person (1) who is qualified to vote in this State
 25-12 except for the residence requirements of Section 2 of this Article,
 25-13 and (2) who shall have resided anywhere within this State at least
 25-14 thirty (30) days next preceding a General Election in a
 25-15 presidential election year, and (3) who shall have been a qualified
 25-16 voter [~~elector~~] in another state immediately prior to his removal
 25-17 to this State or would have been eligible to vote in such other
 25-18 state had he remained there until such election, to vote for
 25-19 electors for President and Vice President of the United States in
 25-20 that election.

25-21 SECTION 31. Section 3, Article VI, Texas Constitution, is
 25-22 amended to read as follows:

25-23 Sec. 3. All qualified voters [~~electors~~] of the State, as
 25-24 herein described, who reside within the limits of any city or
 25-25 corporate town, shall have the right to vote for Mayor and all
 25-26 other elective officers.

25-27 SECTION 32. Section 3a, Article VI, Texas Constitution, is
 25-28 amended to read as follows:

25-29 Sec. 3a. When an election is held by any county, or any
 25-30 number of counties, or any political sub-division of the State, or
 25-31 any political sub-division of a county, or any defined district now
 25-32 or hereafter to be described and defined within the State and which
 25-33 may or may not include towns, villages or municipal corporations,
 25-34 or any city, town or village, for the purpose of issuing bonds or
 25-35 otherwise lending credit, or expending money or assuming any debt,
 25-36 only qualified voters of [~~electors-who-own-taxable-property-in~~] the
 25-37 State, county, political sub-division, district, city, town or
 25-38 village where such election is held [~~and-who-have-duly-rendered~~
 25-39 ~~the-same-for-taxation~~] shall be qualified to vote [~~and-all~~
 25-40 ~~electors-shall-vote-in-the-election-precinct-of-their-residence~~].

25-41 SECTION 33. Section 3, Article VII, Texas Constitution, is
 25-42 amended to read as follows:

25-43 Sec. 3. (a) One-fourth of the revenue derived from the
 25-44 State occupation taxes [~~and-poll-tax-of-one-dollar-on-every~~
 25-45 ~~inhabitant-of-the-State-between-the-ages-of-twenty-one-and-sixty~~
 25-46 ~~years~~] shall be set apart annually for the benefit of the public
 25-47 free schools.

25-48 (b) It [~~and-in-addition-thereto, there shall be levied and~~
 25-49 ~~collected an annual ad valorem State tax of such an amount not to~~
 25-50 ~~exceed thirty-five cents on the one hundred (\$100.00) dollars~~
 25-51 ~~valuation as with the available school fund arising from all other~~
 25-52 ~~sources, will be sufficient to maintain and support the public~~
 25-53 ~~schools of this State for a period of not less than six months in~~
 25-54 ~~each year, and it~~] shall be the duty of the State Board of
 25-55 Education to set aside a sufficient amount of available funds [~~out~~
 25-56 ~~of-the-said-tax~~] to provide free text books for the use of children
 25-57 attending the public free schools of this State.

25-58 (c) Should [~~provided, however, that should~~] the [~~limit of~~]
 25-59 taxation herein named be insufficient the deficit may be met by
 25-60 appropriation from the general funds of the State, [~~and the~~]

25-61 (d) The Legislature may [~~also~~] provide for the formation of
 25-62 school districts [~~district~~] by general laws, [~~and~~] and all such school
 25-63 districts may embrace parts of two or more counties.

25-64 (e) The [~~and the~~] Legislature shall be authorized to pass
 25-65 laws for the assessment and collection of taxes in all school
 25-66 [~~said~~] districts and for the management and control of the public
 25-67 school or schools of such districts, whether such districts are
 25-68 composed of territory wholly within a county or in parts of two or
 25-69 more counties, and the Legislature may authorize an additional ad

26-1 valorem tax to be levied and collected within all school districts
 26-2 [~~heretofore--formed--or--hereafter---formed,~~] for the further
 26-3 maintenance of public free schools, and for the erection and
 26-4 equipment of school buildings therein; provided that a majority of
 26-5 the qualified [~~property-taxpaying~~] voters of the district voting at
 26-6 an election to be held for that purpose, shall approve the [~~vote~~
 26-7 ~~such~~] tax [~~not-to-exceed-in-any-one-year-one-(\$1.00)-dollar-on-the~~
 26-8 ~~one-hundred-dollars-valuation-of-the-property-subject--to--taxation~~
 26-9 ~~in--such--district,--but--the--limitation-upon-the-amount-of-school~~
 26-10 ~~district-tax-herein-authorized--shall--not--apply--to--incorporated~~
 26-11 ~~cities--or--towns--constituting--separate--and--independent--school~~
 26-12 ~~districts,--nor-to-independent-or-common-school-districts-created-by~~
 26-13 ~~general-or-special-law~~].

26-14 SECTION 34. Section 1-a, Article VIII, Texas Constitution,
 26-15 is amended to read as follows:

26-16 Sec. 1-a. No [~~From-and-after-January-1,--1951,--no~~] State ad
 26-17 valorem tax shall be levied upon any property within this State
 26-18 [~~for-general-revenue-purposes~~]. The [~~From--and--after--January--1,~~
 26-19 ~~1951,--the~~] several counties of the State are authorized to levy ad
 26-20 valorem taxes upon all property within their respective boundaries
 26-21 for county purposes, except the first Three Thousand Dollars
 26-22 (\$3,000) value of residential homesteads of married or unmarried
 26-23 adults, male or female, including those living alone, not to exceed
 26-24 thirty cents (30¢) on each One Hundred Dollars (\$100) valuation, in
 26-25 addition to all other ad valorem taxes authorized by the
 26-26 Constitution of this State, provided the revenue derived therefrom
 26-27 shall be used for construction and maintenance of Farm to Market
 26-28 Roads or for Flood Control, except as herein otherwise provided.

26-29 [~~Provided-that-in-those-counties-or-political-subdivisions-or~~
 26-30 ~~areas-of-the-State-from-which-tax-donations--have--heretofore--been~~
 26-31 ~~granted,--the--State-Automatic-Tax-Board-shall-continue-to-levy-the~~
 26-32 ~~full-amount-of-the-State-ad-valorem-tax-for-the--duration--of--such~~
 26-33 ~~donation,--or--until-all-legal-obligations-heretofore-authorized-by~~
 26-34 ~~the-law-granting-such-donation-or-donations-shall-have--been--fully~~
 26-35 ~~discharged,--whichever--shall--first--occur,--provided-that-if-such~~
 26-36 ~~donation-to-any-such-county-or-political-subdivision--is--for--less~~
 26-37 ~~than--the--full--amount--of--State--ad-valorem-taxes-so-levied,--the~~
 26-38 ~~portion-of-such-taxes-remaining-over-and-above-such-donation--shall~~
 26-39 ~~be-retained-by-said-county-or-subdivision.~~]

26-40 SECTION 35. Subsection (b), Section 1-b, Article VIII, Texas
 26-41 Constitution, is amended to read as follows:

26-42 (b) The governing body of any county, city, town, school
 26-43 district, or other political subdivision of the State[~~,--other--than~~
 26-44 ~~a-county-education-district,~~] may exempt by its own action not less
 26-45 than Three Thousand Dollars (\$3,000) of the market value of
 26-46 residence homesteads of persons, married or unmarried, including
 26-47 those living alone, who are under a disability for purposes of
 26-48 payment of disability insurance benefits under Federal Old-Age,
 26-49 Survivors, and Disability Insurance or its successor or of married
 26-50 or unmarried persons sixty-five (65) years of age or older,
 26-51 including those living alone, from all ad valorem taxes thereafter
 26-52 levied by the political subdivision. As an alternative, upon
 26-53 receipt of a petition signed by twenty percent (20%) of the voters
 26-54 who voted in the last preceding election held by the political
 26-55 subdivision, the governing body of the subdivision shall call an
 26-56 election to determine by majority vote whether an amount not less
 26-57 than Three Thousand Dollars (\$3,000) as provided in the petition,
 26-58 of the market value of residence homesteads of disabled persons or
 26-59 of persons sixty-five (65) years of age or over shall be exempt
 26-60 from ad valorem taxes thereafter levied by the political
 26-61 subdivision. [~~In--the--manner--provided--by--law,--the-voters-of-a~~
 26-62 ~~county-education-district-at-an-election-held-for-that-purpose--may~~
 26-63 ~~exempt--an-amount-not-less-than-Three-Thousand-Dollars-(\$3,000),--as~~
 26-64 ~~provided--in--the--petition,--of--the--market--value--of--residence~~
 26-65 ~~homesteads-of-disabled-persons-or-of-persons-sixty-five-(65)--years~~
 26-66 ~~of--age--or--over--from--ad--valorem-taxes-thereafter-levied-by-the~~
 26-67 ~~county-education-district.~~] An eligible disabled person who is
 26-68 sixty-five (65) years of age or older may not receive both
 26-69 exemptions from the same political subdivision in the same year but

27-1 may choose either if the subdivision has adopted both. Where any
 27-2 ad valorem tax has theretofore been pledged for the payment of any
 27-3 debt, the taxing officers of the political subdivision shall have
 27-4 authority to continue to levy and collect the tax against the
 27-5 homestead property at the same rate as the tax so pledged until the
 27-6 debt is discharged, if the cessation of the levy would impair the
 27-7 obligation of the contract by which the debt was created. [An
 27-8 exemption adopted under this subsection based on assessed value is
 27-9 increased, effective January 1, 1979, to an amount that, when
 27-10 converted to market value, provides the same reduction in taxes,
 27-11 except that the market value exemption shall be rounded to the
 27-12 nearest \$100.]

27-13 SECTION 36. Subsection (b), Section 1-j, Article VIII, Texas
 27-14 Constitution, is amended to read as follows:

27-15 (b) [Tangible personal property exempted from taxation in
 27-16 Subsection (a) of this section is subject to the following:

27-17 [1] A county, common or independent school district,
 27-18 junior college district, or municipality, including a home rule
 27-19 city, may tax such property otherwise exempt, if the governing body
 27-20 of the county, common or independent school district, junior
 27-21 college district, or municipality takes official action as provided
 27-22 in this section and in the manner provided by law to provide for
 27-23 the taxation of such property.

27-24 [2] Any official action to tax such exempt property
 27-25 must be taken before April 1, 1990. If official action is taken to
 27-26 tax such exempt property before January 1, 1990, such property is
 27-27 taxable effective for the tax year 1990. However, if such official
 27-28 action to tax such exempt property is taken prior to April 1, 1990,
 27-29 but after January 1, 1990, the official action shall not become
 27-30 effective to tax such property until the 1991 tax year.

27-31 [3] Any of the above named political subdivisions
 27-32 shall have the authority to exempt from payment of taxation such
 27-33 property located in such above named political subdivisions for the
 27-34 taxing year 1989. If a governing body exempts the property from
 27-35 1989 taxes, the governing body shall waive 1989 taxes already
 27-36 imposed and refund 1989 taxes already paid on such property for
 27-37 that year.

27-38 [4] The governing body of a county, common, or
 27-39 independent school district, junior college district, or
 27-40 municipality that, acting under previous constitutional authority,
 27-41 taxes [acts under Subdivision (2) of Subsection (b) of this section
 27-42 to tax the] property otherwise exempt by Subsection (a) of this
 27-43 section may subsequently exempt the property from taxation by
 27-44 rescinding its action to tax the property. The exemption applies
 27-45 to each tax year that begins after the date the action is taken and
 27-46 applies to the tax year in which the action is taken if the
 27-47 governing body so provides. A governing body that rescinds its
 27-48 action to tax the property may not take action to tax such property
 27-49 after the rescission.

27-50 SECTION 37. Section 6, Article VIII, Texas Constitution, is
 27-51 amended to read as follows:

27-52 Sec. 6. No money shall be drawn from the Treasury but in
 27-53 pursuance of specific appropriations made by law; nor shall any
 27-54 appropriation of money be made for a longer term than two years [7
 27-55 except by the first Legislature to assemble under this
 27-56 Constitution, which may make the necessary appropriations to carry
 27-57 on the government until the assemblage of the sixteenth
 27-58 Legislature].

27-59 SECTION 38. Section 9, Article VIII, Texas Constitution, is
 27-60 amended to read as follows:

27-61 Sec. 9. (a) No [The State tax on property, exclusive of the
 27-62 tax necessary to pay the public debt, and of the taxes provided for
 27-63 the benefit of the public free schools, shall never exceed
 27-64 Thirty-five Cents (35¢) on the One Hundred Dollars (\$100)
 27-65 valuation, and no] county, city or town shall levy a tax rate in
 27-66 excess of Eighty Cents (80¢) on the One Hundred Dollars (\$100)
 27-67 valuation in any one (1) year for general fund, permanent
 27-68 improvement fund, road and bridge fund and jury fund purposes.

27-69 (b) At [provided further that] the time the

28-1 Commissioners Court meets to levy the annual tax rate for each
 28-2 county it shall levy whatever tax rate may be needed for the four
 28-3 (4) constitutional purposes; namely, general fund, permanent
 28-4 improvement fund, road and bridge fund and jury fund so long as the
 28-5 Court does not impair any outstanding bonds or other obligations
 28-6 and so long as the total of the foregoing tax levies does not
 28-7 exceed Eighty Cents (80¢) on the One Hundred Dollars (\$100)
 28-8 valuation in any one (1) year. Once the Court has levied the
 28-9 annual tax rate, the same shall remain in force and effect during
 28-10 that taxable year.

28-11 (c) ~~The~~ ~~and~~ ~~the~~ Legislature may ~~also~~ authorize an
 28-12 additional annual ad valorem tax to be levied and collected for the
 28-13 further maintenance of the public roads; provided, that a majority
 28-14 of the qualified ~~property-taxpaying~~ voters of the county voting
 28-15 at an election to be held for that purpose shall approve the ~~[vote~~
 28-16 ~~such]~~ tax, not to exceed Fifteen Cents (15¢) on the One Hundred
 28-17 Dollars (\$100) valuation of the property subject to taxation in
 28-18 such county.

28-19 (d) Any county may put all tax money collected by the county
 28-20 into one general fund, without regard to the purpose or source of
 28-21 each tax.

28-22 (e) ~~The~~ ~~And~~ ~~the~~ Legislature may pass local laws for the
 28-23 maintenance of the public roads and highways, without the local
 28-24 notice required for special or local laws.

28-25 (f) This Section shall not be construed as a limitation of
 28-26 powers delegated to counties, cities or towns by any other Section
 28-27 or Sections of this Constitution.

28-28 SECTION 39. Section 16a, Article VIII, Texas Constitution,
 28-29 is amended to read as follows:

28-30 Sec. 16a. In any county having a population of less than ten
 28-31 thousand (10,000) inhabitants, as determined by the last preceding
 28-32 census of the United States, the Commissioners Court may submit to
 28-33 the qualified ~~property--taxpaying~~ voters of such county at an
 28-34 election the question of adding an Assessor-Collector of Taxes to
 28-35 the list of authorized county officials. If a majority of such
 28-36 voters voting in such election shall approve of adding an
 28-37 Assessor-Collector of Taxes to such list, then such official shall
 28-38 be elected at the next General Election for such Constitutional
 28-39 term of office as is provided for other Tax Assessor-Collectors in
 28-40 this State.

28-41 SECTION 40. Section 20, Article VIII, Texas Constitution, is
 28-42 amended to read as follows:

28-43 Sec. 20. No property of any kind in this State shall ever be
 28-44 assessed for ad valorem taxes at a greater value than its fair cash
 28-45 market value nor shall any Board of Equalization of any
 28-46 governmental or political subdivision or taxing district within
 28-47 this State fix the value of any property for tax purposes at more
 28-48 than its fair cash market value; provided that in order to
 28-49 encourage the prompt payment of taxes, the Legislature shall have
 28-50 the power to provide that the taxpayer shall be allowed by the
 28-51 State and all governmental and political subdivisions and taxing
 28-52 districts of the State a three per cent (3%) discount on ad valorem
 28-53 taxes due the State or due any governmental or political
 28-54 subdivision or taxing district of the State if such taxes are paid
 28-55 ninety (90) days before the date when they would otherwise become
 28-56 delinquent; and the taxpayer shall be allowed a two per cent (2%)
 28-57 discount on said taxes if paid sixty (60) days before said taxes
 28-58 would become delinquent; and the taxpayer shall be allowed a one
 28-59 per cent (1%) discount if said taxes are paid thirty (30) days
 28-60 before they would otherwise become delinquent. ~~[This--amendment~~
 28-61 ~~shall--be--effective--January--17--1939.]~~ The Legislature shall pass
 28-62 necessary laws for the proper administration of this Section.

28-63 SECTION 41. Section 1, Article IX, Texas Constitution, is
 28-64 amended to read as follows:

28-65 Sec. 1. The Legislature shall have power to create counties
 28-66 for the convenience of the people subject to the following
 28-67 provisions:

28-68 ~~[First:--In-the-territory-of-the-State-exterior-to--all~~
 28-69 ~~counties-now-existing,--no-new-counties-shall-be-created-with-a-less~~

29-1 area--than--nine--hundred--square--miles,--in-a-square-form,--unless
 29-2 prevented-by-pre-existing-boundary-lines,--Should-the--State--lines
 29-3 render-this-impracticable-in-border-counties,--the-area-may-be-less.
 29-4 The-territory-referred-to-may,--at-any-time,--in-whole-or-in-part,--be
 29-5 divided--into--counties--in-advance-of-population-and-attached,--for
 29-6 judicial-and--land--surveying--purposes,--to--the--most--convenient
 29-7 organized-county-or-counties.]

29-8 (1) [Second:] Within the territory of any county or
 29-9 counties [now-existing], no new county shall be created with a less
 29-10 area than seven hundred square miles, nor shall any such county now
 29-11 existing be reduced to a less area than seven hundred square miles.
 29-12 No new counties shall be created so as to approach nearer than
 29-13 twelve miles of the county seat of any county from which it may in
 29-14 whole or in part be taken. Counties of a less area than nine
 29-15 hundred, but of seven hundred or more square miles, within counties
 29-16 now existing, may be created by a two-thirds vote of each House of
 29-17 the Legislature, taken by yeas and nays and entered on the
 29-18 journals. Any county now existing may be reduced to an area of not
 29-19 less than seven hundred square miles by a like two-thirds vote.
 29-20 When any part of a county is stricken off and attached to, or
 29-21 created into another county, the part stricken off shall be holden
 29-22 for and obliged to pay its proportion of all the liabilities then
 29-23 existing, of the county from which it was taken, in such manner as
 29-24 may be prescribed by law.

29-25 (2) [Third:] No part of any existing county shall be
 29-26 detached from it and attached to another existing county until the
 29-27 proposition for such change shall have been submitted, in such
 29-28 manner as may be provided by law, to a vote of the voters
 29-29 [electors] of both counties, and shall have received a majority of
 29-30 those voting on the question in each.

29-31 SECTION 42. Section 2, Article IX, Texas Constitution, is
 29-32 amended to read as follows:

29-33 Sec. 2. The Legislature shall pass laws regulating the
 29-34 manner of removing county seats, but no county seat situated within
 29-35 five miles of the geographical centre of the county shall be
 29-36 removed, except by a vote of two-thirds of all the voters
 29-37 [electors] voting on the subject. A majority of such voters
 29-38 [electors], however, voting at such election, may remove a county
 29-39 seat from a point more than five miles from the geographical centre
 29-40 of the county to a point within five miles of such centre, in
 29-41 either case the centre to be determined by a certificate from the
 29-42 Commissioner of the General Land Office.

29-43 SECTION 43. Section 4, Article IX, Texas Constitution, is
 29-44 amended to read as follows:

29-45 Sec. 4. The Legislature may by law authorize the creation of
 29-46 county-wide Hospital Districts in counties having a population in
 29-47 excess of 190,000 and in Galveston County, with power to issue
 29-48 bonds for the purchase, acquisition, construction, maintenance and
 29-49 operation of any county owned hospital, or where the hospital
 29-50 system is jointly operated by a county and city within the county,
 29-51 and to provide for the transfer to the county-wide Hospital
 29-52 District of the title to any land, buildings or equipment, jointly
 29-53 or separately owned, and for the assumption by the district of any
 29-54 outstanding bonded indebtedness theretofore issued by any county or
 29-55 city for the establishment of hospitals or hospital facilities; to
 29-56 levy a tax not to exceed seventy-five (\$.75) cents on the One
 29-57 Hundred (\$100.00) Dollars valuation of all taxable property within
 29-58 such district, provided, however, that such district shall be
 29-59 approved at an election held for that purpose, and that only
 29-60 qualified [7-property-taxpaying] voters in such county shall vote
 29-61 therein; provided further, that such Hospital District shall assume
 29-62 full responsibility for providing medical and hospital care to
 29-63 needy inhabitants of the county, and thereafter such county and
 29-64 cities therein shall not levy any other tax for hospital purposes;
 29-65 and provided further that should such Hospital District construct,
 29-66 maintain and support a hospital or hospital system, that the same
 29-67 shall never become a charge against the State of Texas, nor shall
 29-68 any direct appropriation ever be made by the Legislature for the
 29-69 construction, maintenance or improvement of the said hospital or

30-1 hospitals. [~~Should---the---legislature---enact---enabling---laws---in~~
 30-2 ~~anticipation-of-the-adoption-of-this-amendment,---such-Acts-shall-not~~
 30-3 ~~be-invalid-because-of-their-anticipatory-character.]~~

30-4 SECTION 44. Subsections (a), (c), and (e), Section 5,
 30-5 Article IX, Texas Constitution, are amended to read as follows:

30-6 (a) The Legislature may by law authorize the creation of two
 30-7 hospital districts, one to be coextensive with and have the same
 30-8 boundaries as the incorporated City of Amarillo, as such boundaries
 30-9 now exist or as they may hereafter be lawfully extended, and the
 30-10 other to be coextensive with Wichita County.

30-11 If such district or districts are created, they may be
 30-12 authorized to levy a tax not to exceed Seventy-five Cents (75¢) on
 30-13 the One Hundred Dollars (\$100.00) valuation of taxable property
 30-14 within the district; provided, however, no tax may be levied until
 30-15 approved by a majority vote of the participating resident qualified
 30-16 [~~property---taxpaying~~] voters [~~who-have-duly-rendered-their-property~~
 30-17 ~~for---taxation~~]. The maximum rate of tax may be changed at
 30-18 subsequent elections so long as obligations are not impaired, and
 30-19 not to exceed the maximum limit of Seventy-five Cents (75¢) per One
 30-20 Hundred Dollars (\$100.00) valuation, and no election shall be
 30-21 required by subsequent changes in the boundaries of the City of
 30-22 Amarillo.

30-23 If such tax is authorized, no political subdivision or
 30-24 municipality within or having the same boundaries as the district
 30-25 may levy a tax for medical or hospital care for needy individuals,
 30-26 nor shall they maintain or erect hospital facilities, but the
 30-27 district shall by resolution assume all such responsibilities and
 30-28 shall assume all of the liabilities and obligations (including
 30-29 bonds and warrants) of such subdivisions or municipalities or both.
 30-30 The maximum tax rate submitted shall be sufficient to discharge
 30-31 such obligations, liabilities, and responsibilities, and to
 30-32 maintain and operate the hospital system, and the Legislature may
 30-33 authorize the district to issue tax bonds for the purpose of the
 30-34 purchase, construction, acquisition, repair or renovation of
 30-35 improvements and initially equipping the same, and such bonds shall
 30-36 be payable from said Seventy-five Cents (75¢) tax. The Legislature
 30-37 shall provide for transfer of title to properties to the district.

30-38 (c) The Legislature may by law authorize the creation of a
 30-39 hospital district within Jefferson County, the boundaries of which
 30-40 shall include only the area comprising the Jefferson County
 30-41 Drainage District No. 7 and the Port Arthur Independent School
 30-42 District, as such boundaries existed on the first day of January,
 30-43 1957, with the power to issue bonds for the sole purpose of
 30-44 purchasing a site for, and the construction and initial equipping
 30-45 of, a hospital system, and with the power to levy a tax of not to
 30-46 exceed Seventy-five Cents (75¢) on the One Hundred Dollars
 30-47 (\$100.00) valuation of property therein for the purpose of paying
 30-48 the principal and interest on such bonds.

30-49 The [~~creation---of---such-hospital-district-shall-not-be-final~~
 30-50 ~~until-approved-at---an---election---by---a---majority---of---the---resident~~
 30-51 ~~property---taxpaying---voters---voting---at-said-election-who-have-duly~~
 30-52 ~~rendered-their-property-for-taxation-upon-the-tax-rolls---of---either~~
 30-53 ~~said---Drainage---or---said-School-District,---nor-shall-such~~] bonds may
 30-54 not be issued or such tax be levied until [~~so~~] approved by such
 30-55 voters.

30-56 The district shall not have the power to levy any tax for
 30-57 maintenance or operation of the hospital or facilities, but shall
 30-58 contract with other political subdivisions of the state or private
 30-59 individuals, associations, or corporations for such purposes.

30-60 If the district hereinabove authorized is finally created, no
 30-61 other hospital district may be created embracing any part of the
 30-62 territory within its boundaries, but the Legislature by law may
 30-63 authorize the creation of a hospital district incorporating therein
 30-64 the remainder of Jefferson County, having the powers and duties and
 30-65 with the limitations presently provided by Article IX, Section 4,
 30-66 of the Constitution of Texas [~~7---except-that-such-district-shall-be~~
 30-67 ~~confirmed-at-an-election-wherein-the---resident---qualified---property~~
 30-68 ~~taxpaying---voters-who-have-duly-rendered-their-property-within-such~~
 30-69 ~~proposed-district-for---taxation---on---the---county---rolls,---shall---be~~

31-1 authorized--to--vote]. A majority of those participating in the
 31-2 election voting in favor of the district shall be necessary for
 31-3 [~~its confirmation and for~~] bonds to be issued.

31-4 (e) The legislature by law may authorize Randall County to
 31-5 render financial assistance to the Amarillo Hospital District by
 31-6 paying part of the district's operating and maintenance expenses
 31-7 and the debts assumed or created by the district and to levy a tax
 31-8 for that purpose in an amount not to exceed seventy-five cents
 31-9 (75¢) on the One Hundred Dollars (\$100.00) valuation on all
 31-10 property in Randall County that is not within the boundaries of the
 31-11 City of Amarillo or the South Randall County Hospital District.
 31-12 This tax is in addition to any other tax authorized by this
 31-13 constitution. If the tax is authorized by the legislature and
 31-14 approved by the voters of the area to be taxed, the Amarillo
 31-15 Hospital District shall, by resolution, assume the
 31-16 responsibilities, obligations, and liabilities of Randall County in
 31-17 accordance with Subsection (a) of this section and, except as
 31-18 provided by this subsection, Randall County may not levy taxes or
 31-19 issue bonds for hospital purposes or for providing hospital care
 31-20 for needy inhabitants of the county. [~~Not later than the end of~~
 31-21 ~~the first tax year during which taxes are levied under this~~
 31-22 ~~subsection, Randall County shall deposit in the State Treasury to~~
 31-23 ~~the credit of the state General Revenue Fund \$45,000 to reimburse~~
 31-24 ~~the state for the cost of publishing the resolution required by~~
 31-25 ~~this subsection.]~~

31-26 SECTION 45. Subsection (a), Section 8, Article IX, Texas
 31-27 Constitution, is amended to read as follows:

31-28 (a) The Legislature may by law authorize the creation of a
 31-29 Hospital District to be co-extensive with the limits of County
 31-30 Commissioners Precinct No. 4 of Comanche County, Texas.

31-31 If such District is created, it may be authorized to levy a
 31-32 tax not to exceed seventy-five cents (75¢) on the One Hundred
 31-33 Dollar (\$100) valuation of taxable property within the District;
 31-34 provided, however, no tax may be levied until approved by a
 31-35 majority vote of the participating resident qualified [~~property~~
 31-36 ~~taxpaying] voters [who have duly rendered their property for~~
 31-37 ~~taxation]. The maximum rate of tax may be changed at subsequent~~
 31-38 ~~elections so long as obligations are not impaired, and not to~~
 31-39 ~~exceed the maximum limit of seventy-five cents (75¢) per One~~
 31-40 ~~Hundred Dollar (\$100) valuation, and no election shall be required~~
 31-41 ~~by subsequent changes in the boundaries of the Commissioners~~
 31-42 ~~Precinct No. 4 of Comanche County.~~

31-43 If such tax is authorized, no political subdivision or
 31-44 municipality within or having the same boundaries as the District
 31-45 may levy a tax for medical or hospital care for needy individuals,
 31-46 nor shall they maintain or erect hospital facilities, but the
 31-47 District shall by resolution assume all such responsibilities and
 31-48 shall assume all of the liabilities and obligations (including
 31-49 bonds and warrants) of such subdivisions or municipalities or both.
 31-50 The maximum tax rate submitted shall be sufficient to discharge
 31-51 such obligations, liabilities, and responsibilities, and to
 31-52 maintain and operate the hospital system, and the Legislature may
 31-53 authorize the District to issue tax bonds for the purpose of the
 31-54 purchase, construction, acquisition, repair or renovation of
 31-55 improvements and initially equipping the same, and such bonds shall
 31-56 be payable from said seventy-five cent (75¢) tax. The Legislature
 31-57 shall provide for transfer of title to properties to the District.

31-58 SECTION 46. Section 11, Article IX, Texas Constitution, is
 31-59 amended to read as follows:

31-60 Sec. 11. (a) The Legislature may by law authorize the
 31-61 creation of hospital districts in Ochiltree, Castro, Hansford and
 31-62 Hopkins Counties, each district to be coextensive with the limits
 31-63 of such county.

31-64 (b) If any such district is created, it may be authorized to
 31-65 levy a tax not to exceed Seventy-five Cents (75¢) on the One
 31-66 Hundred Dollar (\$100) valuation of taxable property within the
 31-67 district; provided, however, no tax may be levied until approved by
 31-68 a majority vote of the participating resident qualified
 31-69 [~~property-taxpaying] voters [who have duly rendered their property~~

for--taxation]. The maximum rate of tax may be changed at subsequent elections so long as obligations are not impaired, and not to exceed the maximum limit of Seventy-five Cents (75¢) per One Hundred Dollar (\$100) valuation.

(c) If such tax is authorized, no political subdivision or municipality within or having the same boundaries as the district may levy a tax for medical or hospital care for needy individuals, nor shall they maintain or erect hospital facilities, but the district shall by resolution assume all such responsibilities and shall assume all of the liabilities and obligations (including bonds and warrants) of such subdivisions or municipalities or both. The maximum tax rate submitted shall be sufficient to discharge obligations, liabilities, and responsibilities, and to maintain and operate the hospital system, and the Legislature may authorize the district to issue tax bonds for the purpose of the purchase, construction, acquisition, repair or renovation of improvements and initially equipping the same, and such bonds shall be payable from said Seventy-five Cent (75¢) tax. The Legislature shall provide for transfer of title to properties to the district.

~~[Should the Legislature enact enabling laws in anticipation of the adoption of the amendment, such Acts shall not be invalid because of their anticipatory character.]~~

SECTION 47. Section 12, Article IX, Texas Constitution, is amended to read as follows:

Sec. 12. (a) The Legislature may by law provide for the creation, establishment, maintenance and operation of Airport Authorities composed of one or more counties, with power to issue general obligation bonds, revenue bonds, either or both of them, for the purchase, acquisition by the exercise of the power of eminent domain or otherwise, construction, reconstruction, repair or renovation of any airport or airports, landing fields and runways, airport buildings, hangars, facilities, equipment, fixtures, and any and all property, real or personal, necessary to operate, equip and maintain an airport.

(b) The Legislature shall provide for the option by the governing body of the city or cities whose airport facilities are served by certificated airlines and whose facility or some interest therein, is proposed to be or has been acquired by the Authority, to either appoint or elect a Board of Directors of said Authority. If the Directors are appointed such appointment shall be made by the County Commissioners Court after consultation with and consent of the governing body or bodies of such city or cities. If the Board of Directors is elected they shall be elected by the qualified [taxpaying] voters of the county which chooses to elect the Directors to represent that county. Directors shall serve without compensation for a term fixed by the Legislature not to exceed six (6) years, and shall be selected on the basis of the proportionate population of each county based upon the last preceding Federal Census, and shall be [a-resident-or] residents of such county. No county shall have less than one (1) member on the Board of Directors.

(c) The Legislature shall provide for the holding of an election in each county proposing the creation of an Authority to be called by the Commissioners Court or Commissioners Courts, as the case may be, upon petition of five per cent (5%) of the qualified [taxpaying] voters within the county or counties. The elections must be held on the same day if more than one county is included. No more than one (1) such election may be called in a county until after the expiration of one (1) year in the event such an election has failed, and thereafter only upon a petition of ten per cent (10%) of the qualified [taxpaying] voters being presented to the Commissioners Court or Commissioners Courts of the county or counties in which such an election has failed. In the event that two or more counties vote on the proposition of the creation of an Authority therein, the proposition shall not be deemed to carry unless the majority of the qualified [taxpaying] voters in each county voting thereon vote in favor thereof. An Airport Authority may be created and be composed

33-1 of the county or counties that vote in favor of its creation if
 33-2 separate propositions are submitted to the voters of each county so
 33-3 that they may vote for a two or more county Authority or a single
 33-4 county Authority.

33-5 (d) The Legislature shall[7] provide for the appointment by
 33-6 the Board of Directors of an Assessor and Collector of Taxes in the
 33-7 Authority, whether constituted of one or more counties, whose duty
 33-8 it shall be to assess all taxable property, both real and personal,
 33-9 and collect the taxes thereon, based upon the tax rolls approved by
 33-10 the Board of Directors, the tax to be levied not to exceed
 33-11 Seventy-Five Cents (75¢) per One Hundred Dollars (\$100) assessed
 33-12 valuation of the property. The[7--provided,--however,--that--the]
 33-13 property of state regulated common carriers required by law to pay
 33-14 a tax upon intangible assets shall not be subject to taxation by
 33-15 the Authority. The[7--said] taxable property shall be assessed on a
 33-16 valuation not to exceed the market value and shall be equal and
 33-17 uniform throughout the Authority as is otherwise provided by the
 33-18 Constitution.

33-19 (e) The[7--the] Legislature shall authorize the purchase or
 33-20 acquisition by the Authority of any existing airport facility
 33-21 publicly owned and financed and served by certificated airlines, in
 33-22 fee or of any interest therein, or to enter into any lease
 33-23 agreement therefor, upon such terms and conditions as may be
 33-24 mutually agreeable to the Authority and the owner of such
 33-25 facilities, or authorize the acquisition of same through the
 33-26 exercise of the power of eminent domain. In[7--and--in] the event of
 33-27 such acquisition, if there are any general obligation bonds that
 33-28 the owner of the publicly owned airport facility has outstanding,
 33-29 the same shall be fully assumed by the Authority and sufficient
 33-30 taxes levied by the Authority to discharge said outstanding
 33-31 indebtedness. If[7--and--likewise] any city or owner [that] has
 33-32 outstanding revenue bonds where the revenues of the airport have
 33-33 been pledged or said bonds constitute a lien against the airport
 33-34 facilities, the Authority shall assume and discharge all the
 33-35 obligations of the city under the ordinances and bond indentures
 33-36 under which said revenue bonds have been issued and sold.

33-37 (f) Any city which owns airport facilities not serving
 33-38 certificated airlines which are not purchased or acquired or taken
 33-39 over as herein provided by such Authority[7] shall have the power
 33-40 to operate the same under the existing laws or as the same may
 33-41 hereafter be amended.

33-42 (g) Any such Authority when created may be granted the power
 33-43 and authority to promulgate, adopt and enforce appropriate zoning
 33-44 regulations to protect the airport from hazards and obstructions
 33-45 which would interfere with the use of the airport and its
 33-46 facilities for landing and take-off.

33-47 (h) An[7--an] additional county or counties may be added to
 33-48 an existing Authority if a petition of five per cent (5%) of the
 33-49 qualified [taxpaying] voters is filed with and an election is
 33-50 called by the Commissioners Court of the county or counties seeking
 33-51 admission to an Authority. If [and] the vote is favorable, then
 33-52 admission may be granted to such county or counties by the Board of
 33-53 Directors of the then existing Authority upon such terms and
 33-54 conditions as they may agree upon and evidenced by a resolution
 33-55 approved by two-thirds (2/3rds) of the then existing Board of
 33-56 Directors. The[7--provided,--however,--the] county or counties that
 33-57 may be so added to the then existing Authority shall be given
 33-58 representation on the Board of Directors by adding additional
 33-59 directors in proportion to their population according to the last
 33-60 preceding Federal census.

33-61 SECTION 48. Section 2, Article XI, Texas Constitution, is
 33-62 amended to read as follows:

33-63 Sec. 2. The construction of jails, court-houses and bridges
 33-64 [~~and the establishment of county poor houses and farms,~~] and the
 33-65 laying out, construction and repairing of county roads shall be
 33-66 provided for by general laws.

33-67 SECTION 49. Subsection (b), Section 30, Article XVI, Texas
 33-68 Constitution, is amended to read as follows:

33-69 (b) The [~~When a~~] Railroad Commission [~~is created by law it~~]

34-1 shall be composed of three Commissioners who shall be elected by
 34-2 the people at a general election for State officers, and their
 34-3 terms of office shall be six years. [~~Railroad Commissioners--first~~
 34-4 ~~electd--after-this-amendment-goes-into-effect-shall-hold-office-as~~
 34-5 ~~follows:--One-shall-serve-two-years,--and-one-four--years,--and--one~~
 34-6 ~~six--years,--their-terms-to-be-decided-by-lot-immediately-after-they~~
 34-7 ~~shall-have-qualified.]~~ And one Railroad Commissioner shall be
 34-8 elected every two years [thereafter]. In case of vacancy in said
 34-9 office the Governor of the State shall fill said vacancy by
 34-10 appointment until the next general election.

34-11 SECTION 50. Section 44, Article XVI, Texas Constitution, is
 34-12 amended to read as follows:

34-13 Sec. 44. (a) Except as otherwise provided by this section,
 34-14 the Legislature shall prescribe the duties and provide for the
 34-15 election by the qualified voters of each county in this State, of a
 34-16 County Treasurer and a County Surveyor, who shall have an office at
 34-17 the county seat, and hold their office for four years, and until
 34-18 their successors are qualified; and shall have such compensation as
 34-19 may be provided by law.

34-20 (b) The office of County Treasurer or County Surveyor does
 34-21 not exist in those counties in which the office has been abolished
 34-22 pursuant to constitutional amendment or pursuant to the authority
 34-23 of Subsection (c) of this section [in-the-counties-of--Tarrant--and
 34-24 Bee--is--abolished-and-all-the-powers,--duties,--and-functions-of-the
 34-25 office-in-each-of-these-counties--are--transferred--to--the--County
 34-26 Auditor--or-to-the-officer-who-succeeds-to-the-auditor's-functions.
 34-27 The-office-of-County-Treasurer-in-the-counties-of-Bexar-and--Collin
 34-28 are--abolished--and--all--the--powers,--duties,--and-functions-of-the
 34-29 office-in-each-of-these-counties--are--transferred--to--the--County
 34-30 Clerk.---However,--the-office-of-County-Treasurer-shall-be-abolished
 34-31 in-the-counties-covered-by--this--subsection--only--after--a--local
 34-32 election--has--been--held--in--each--county--and--the-proposition--"to
 34-33 abolish-the-elective-office-of-county-treasurer"--has--passed--by--a
 34-34 majority-of-those-persons-voting-in-said-election].

34-35 [(c) ~~The--office--of--County--Treasurer--in--the--counties--of~~
 34-36 ~~Andrews--and--Gregg--is--abolished.---In--Andrews--County,--the--powers,~~
 34-37 ~~duties,--and--functions--of--the--office--are--transferred--to--the--County~~
 34-38 ~~Auditor--of--the--county--or--to--the--officer--who--succeeds--to--the~~
 34-39 ~~auditor's--functions.---In--Gregg--County,--the--functions--of--the--office~~
 34-40 ~~are--transferred--to--an--elected--official--or--the--County--Auditor--as~~
 34-41 ~~designated--by--the--Commissioners--Court,--and--the--Commissioners--Court~~
 34-42 ~~may--from--time--to--time--change--its--designation--as--it--considers~~
 34-43 ~~appropriate.~~

34-44 [(d) ~~The--office--of--County--Treasurer--in--the--counties--of--El~~
 34-45 ~~Paso--and--Payette--is--abolished.---In--El--Paso--County,---the~~
 34-46 ~~Commissioners--Court--may--employ--or--contract--with--a--qualified--person~~
 34-47 ~~or--may--designate--another--county--officer--to--perform--any--of--the~~
 34-48 ~~functions--that--would--have--been--performed--by--the--County--Treasurer--if~~
 34-49 ~~the--office--had--not--been--abolished.---In--Payette--County,--the~~
 34-50 ~~functions--of--the--abolished--office--are--transferred--to--the--County~~
 34-51 ~~Auditor--or--to--the--officer--who--succeeds--to--the--auditor's--functions.~~
 34-52 ~~However,--the--office--of--County--Treasurer--in--El--Paso--or--Payette~~
 34-53 ~~County--is--abolished--under--this--subsection--only--if,--at--the--statewide~~
 34-54 ~~election--at--which--the--constitutional--amendment--providing--for--the~~
 34-55 ~~abolition--of--the--office--in--that--county--is--submitted--to--the--voters,~~
 34-56 ~~a--majority--of--the--voters--of--that--county--voting--on--the--question--at~~
 34-57 ~~that--election--favor--the--amendment.~~

34-58 [(e) ~~The--office--of--County--Surveyor--in--the--counties--of~~
 34-59 ~~Denton,--Randall,--Collin,--Dallas,--El--Paso,--McBennan,--and--Henderson~~
 34-60 ~~is--abolished--upon--the--approval--of--the--abolition--by--a--majority--of~~
 34-61 ~~the--qualified--voters--of--the--respective--county--voting--on--the~~
 34-62 ~~question--at--an--election--that--the--Commissioners--Court--of--the--county~~
 34-63 ~~may--call.---If--the--election--is--called,--the--Commissioners--Court--shall~~
 34-64 ~~order--the--ballot--at--the--election--to--be--printed--to--provide--for~~
 34-65 ~~voting--for--or--against--the--proposition.---"Abolishing--the--office--of~~
 34-66 ~~county--surveyor."---Each--qualified--voter--of--the--county--is--entitled~~
 34-67 ~~to--vote--in--the--election.---If--the--office--of--County--Surveyor--is~~
 34-68 ~~abolished--under--this--subsection,--the--maps,--field--notes,--and--other~~
 34-69 ~~records--in--the--custody--of--the--County--Surveyor--are--transferred--to~~

35-1 the County Clerk of the county. After abolition, the Commissioners
 35-2 Court may employ or contract with a qualified person to perform any
 35-3 of the functions that would have been performed by the County
 35-4 Surveyor if the office had not been abolished.

35-5 [(f)] This subsection applies only to the counties of Cass,
 35-6 Ector, Garza, Smith, Bexar, Harris, and Webb. The office of County
 35-7 Surveyor in the county is abolished on January 1, 1990, if at the
 35-8 statewide election at which the addition to the Constitution of
 35-9 this subsection is submitted to the voters, a majority of the
 35-10 voters of that county voting on the question at that election favor
 35-11 the addition of this subsection. If the office of County Surveyor
 35-12 is abolished in a county under this subsection, the powers, duties,
 35-13 and functions of the office are transferred to the county officer
 35-14 or employee designated by the Commissioners Court of the county in
 35-15 which the office is abolished, and the Commissioners Court may from
 35-16 time to time change its designation as it considers appropriate.

35-17 [(g)] The office of County Treasurer in Nueces County is
 35-18 abolished and all powers, duties, and functions of this office are
 35-19 transferred to the County Clerk. However, the office of County
 35-20 Treasurer in Nueces County is abolished under this subsection only
 35-21 if, at the statewide election at which this amendment is submitted
 35-22 to the voters, a majority of the voters of Nueces County voting on
 35-23 the question at that election favor the amendment. The office of
 35-24 County Treasurer of Nueces County is abolished on January 1, 1988,
 35-25 if the conditions of this subsection are met. If that office in
 35-26 Nueces County is not abolished, this subsection expires on January
 35-27 1, 1988.]

35-28 (c) [(h)] The Commissioners Court of a county may call an
 35-29 election to abolish the office of County Surveyor in the county.
 35-30 The office of County Surveyor in the county is abolished if a
 35-31 majority of the voters of the county voting on the question at that
 35-32 election approve the abolition. If an election is called under
 35-33 this subsection, the Commissioners Court shall order the ballot for
 35-34 the election to be printed to provide for voting for or against the
 35-35 proposition: "Abolishing the office of county surveyor of this
 35-36 county." If the office of County Surveyor is abolished under this
 35-37 subsection, the maps, field notes, and other records in the custody
 35-38 of the County Surveyor are transferred to the county officer or
 35-39 employee designated by the Commissioners Court of the county in
 35-40 which the office is abolished, and the Commissioners Court may from
 35-41 time to time change its designation as it considers appropriate.

35-42 SECTION 51. Subsection (c), Section 59, Article XVI, Texas
 35-43 Constitution, is amended to read as follows:

35-44 (c) The Legislature shall authorize all such indebtedness as
 35-45 may be necessary to provide all improvements and the maintenance
 35-46 thereof requisite to the achievement of the purposes of this
 35-47 amendment. All [and all] such indebtedness may be evidenced by
 35-48 bonds of such conservation and reclamation districts, to be issued
 35-49 under such regulations as may [may] be prescribed by law. The
 35-50 Legislature [and] shall also [and] authorize the levy and collection
 35-51 within such districts of all such taxes, equitably distributed, as
 35-52 may be necessary for the payment of the interest and the creation
 35-53 of a sinking fund for the payment of such bonds [and] [also] for
 35-54 the maintenance of such districts and improvements. Such [and
 35-55 such] indebtedness shall be a lien upon the property assessed for
 35-56 the payment thereof. The [provided the] Legislature shall not
 35-57 authorize the issuance of any bonds or provide for any indebtedness
 35-58 against any reclamation district unless such proposition shall
 35-59 first be submitted to the qualified [property-tax-paying] voters of
 35-60 such district and the proposition adopted.

35-61 SECTION 52. Section 61, Article XVI, Texas Constitution, is
 35-62 amended to read as follows:

35-63 Sec. 61. (a) All district officers in the State of Texas
 35-64 and all county officers in counties having a population of twenty
 35-65 thousand (20,000) or more, according to the then last preceding
 35-66 Federal Census, shall be compensated on a salary basis.

35-67 (b) In all counties in this State, the Commissioners Courts
 35-68 shall be authorized to determine whether precinct officers shall be
 35-69 compensated on a fee basis or on a salary basis, with the exception

36-1 that it shall be mandatory upon the Commissioners Courts, to
 36-2 compensate all justices of the peace, constables, deputy constables
 36-3 and precinct law enforcement officers on a salary basis.

36-4 (c) In ~~[beginning January 1, 1973, and in]~~ counties having a
 36-5 population of less than twenty thousand (20,000), according to the
 36-6 then last preceding Federal Census, the Commissioners Courts ~~[shall~~
 36-7 ~~also]~~ have the authority to determine whether county officers shall
 36-8 be compensated on a fee basis or on a salary basis, with the
 36-9 exception that it shall be mandatory upon the Commissioners Courts
 36-10 to compensate all sheriffs, deputy sheriffs, county law enforcement
 36-11 officers including sheriffs who also perform the duties of assessor
 36-12 and collector of taxes, and their deputies, on a salary basis
 36-13 ~~[beginning January 1, 1949].~~

36-14 (d) All fees earned by district, county and precinct
 36-15 officers shall be paid into the county treasury where earned for
 36-16 the account of the proper fund, provided that fees incurred by the
 36-17 State, county and any municipality, or in case where a pauper's
 36-18 oath is filed, shall be paid into the county treasury when
 36-19 collected and provided that where any officer is compensated wholly
 36-20 on a fee basis such fees may be retained by such officer or paid
 36-21 into the treasury of the county as the Commissioners Court may
 36-22 direct.

36-23 (e) All Notaries Public, county surveyors and public
 36-24 weighers shall continue to be compensated on a fee basis.

36-25 SECTION 53. Section 65, Article XVI, Texas Constitution, is
 36-26 amended to read as follows:

36-27 Sec. 65. (a) This section applies to the following offices
 36-28 ~~[Staggering Terms of Office--The following officers elected at the~~
 36-29 ~~General Election in November, 1954, and thereafter, shall serve for~~
 36-30 ~~the full terms provided in this Constitution]:~~

36-31 ~~[(a)] District Clerks; [(b)] County Clerks;~~
 36-32 ~~[(c)] County Judges; [(d)] Judges of the County Courts at Law,~~
 36-33 ~~County Criminal Courts, County Probate Courts and County Domestic~~
 36-34 ~~Relations Courts; [(e)] County Treasurers; [(f)] Criminal~~
 36-35 ~~District Attorneys; [(g)] County Surveyors; [(h)] Inspectors of~~
 36-36 ~~Hides and Animals; [(i)] County Commissioners [for Precincts Two~~
 36-37 ~~and Four]; [(j)] Justices of the Peace; [~~

36-38 ~~[Notwithstanding other provisions of this Constitution, the~~
 36-39 ~~following officers elected at the General Election in November,~~
 36-40 ~~1954, shall serve only for terms of two (2) years:--(a)] Sheriffs;~~
 36-41 ~~[(b)] Assessors and Collectors of Taxes; [(c)] District~~
 36-42 ~~Attorneys; [(d)] County Attorneys; [(e)] Public Weighers; and~~
 36-43 ~~[(f)] County Commissioners for Precincts One and Three;~~
 36-44 ~~[(g)] Constables. [At subsequent elections, such officers shall be~~
 36-45 ~~elected for the full terms provided in this Constitution:~~

36-46 ~~[In any district, county or precinct where any of the~~
 36-47 ~~aforementioned offices is of such nature that two (2) or more~~
 36-48 ~~persons hold such office, with the result that candidates file for~~
 36-49 ~~"Place No. 1," "Place No. 2," etc., the officers elected at the~~
 36-50 ~~General Election in November, 1954, shall serve for a term of two~~
 36-51 ~~(2) years if the designation of their office is an uneven number,~~
 36-52 ~~and for a term of four (4) years if the designation of their office~~
 36-53 ~~is an even number. Thereafter, all such officers shall be elected~~
 36-54 ~~for the terms provided in this Constitution.]~~

36-55 (b) If ~~[Provided, however, if]~~ any of the officers named
 36-56 herein shall announce their candidacy, or shall in fact become a
 36-57 candidate, in any General, Special or Primary Election, for any
 36-58 office of profit or trust under the laws of this State or the
 36-59 United States other than the office then held, at any time when the
 36-60 unexpired term of the office then held shall exceed one (1) year,
 36-61 such announcement or such candidacy shall constitute an automatic
 36-62 resignation of the office then held, and the vacancy thereby
 36-63 created shall be filled pursuant to law in the same manner as other
 36-64 vacancies for such office are filled.

36-65 SECTION 54. Section 1, Article XVII, Texas Constitution, is
 36-66 amended to read as follows:

36-67 Sec. 1. (a) The Legislature, at any regular session, or at
 36-68 any special session when the matter is included within the purposes
 36-69 for which the session is convened, may propose amendments revising

37-1 the Constitution, to be voted upon by the qualified voters
 37-2 [electors] for statewide offices and propositions, as defined in
 37-3 the Constitution and statutes of this State. The date of the
 37-4 elections shall be specified by the Legislature. The proposal for
 37-5 submission must be approved by a vote of two-thirds of all the
 37-6 members elected to each House, entered by yeas and nays on the
 37-7 journals.

37-8 (b) A brief explanatory statement of the nature of a
 37-9 proposed amendment, together with the date of the election and the
 37-10 wording of the proposition as it is to appear on the ballot, shall
 37-11 be published twice in each newspaper in the State which meets
 37-12 requirements set by the Legislature for the publication of official
 37-13 notices of officers and departments of the state government. The
 37-14 explanatory statement shall be prepared by the Secretary of State
 37-15 and shall be approved by the Attorney General. The Secretary of
 37-16 State shall send a full and complete copy of the proposed amendment
 37-17 or amendments to each county clerk who shall post the same in a
 37-18 public place in the courthouse at least 30 days prior to the
 37-19 election on said amendment. The first notice shall be published
 37-20 not more than 60 days nor less than 50 days before the date of the
 37-21 election, and the second notice shall be published on the same day
 37-22 in the succeeding week. The Legislature shall fix the standards
 37-23 for the rate of charge for the publication, which may not be higher
 37-24 than the newspaper's published national rate for advertising per
 37-25 column inch.

37-26 (c) The election shall be held in accordance with procedures
 37-27 prescribed by the Legislature, and the returning officer in each
 37-28 county shall make returns to the Secretary of State of the number
 37-29 of legal votes cast at the election for and against each amendment.
 37-30 If it appears from the returns that a majority of the votes cast
 37-31 have been cast in favor of an amendment, it shall become a part of
 37-32 this Constitution, and proclamation thereof shall be made by the
 37-33 Governor.

37-34 SECTION 55. The following provisions of the Texas
 37-35 Constitution are repealed:

- 37-36 (1) Article III, Sections 26a, 50b, 50b-1, 50b-2,
 37-37 50b-3, and 54;
 37-38 (2) Article VIII, Sections 1-b-1, 1-c, and 5;
 37-39 (3) Article IX, Section 6;
 37-40 (4) Article XI, Section 6;
 37-41 (5) Article XVI, Sections 18, 47, 53, 66, and 70(r);

37-42 and

- 37-43 (6) Article XVII, Section 2.

37-44 SECTION 56. The following temporary provision is added to
 37-45 the Texas Constitution:

37-46 TEMPORARY TRANSITION PROVISIONS. (a) This section applies
 37-47 to amendments proposed by H.J.R. No. 62, 76th Legislature, Regular
 37-48 Session, 1999.

37-49 (b) The amendments do not impair any obligation created by
 37-50 the issuance of bonds or other evidences of indebtedness in
 37-51 accordance with prior law, and all bonds or other evidences of
 37-52 indebtedness validly issued under provisions amended or repealed
 37-53 remain valid, enforceable, and binding according to their terms
 37-54 and shall be paid from the sources pledged. Bonds or other
 37-55 evidences of indebtedness authorized but unissued on the effective
 37-56 date of the amendments may be issued in compliance with and subject
 37-57 to the provisions of the prior law. The amendments do not reduce
 37-58 or expand the authority to provide for, issue, or sell bonds or
 37-59 other evidences of indebtedness previously authorized.

37-60 (c) As of the date of adoption of H.J.R. No. 62 by the 76th
 37-61 Legislature, Regular Session, 1999, the Veterans' Land Board has
 37-62 authorized but unissued bonds in the aggregate principal amount of
 37-63 \$190,002,225 for the purpose of providing funds for the Veterans'
 37-64 Land Fund, \$1,309,997,775 having previously been issued for that
 37-65 purpose, and \$615,000,000 for the purpose of providing funds for
 37-66 the Veterans' Housing Assistance Fund II, \$385,000,000 having
 37-67 previously been issued for that purpose. The amendments do not in
 37-68 any manner impair the authority of the Veterans' Land Board
 37-69 hereafter to issue bonds or incur other evidences of indebtedness,

38-1 provided that any bonds or other evidences of indebtedness issued
 38-2 or incurred by the Veterans' Land Board prior to adoption of the
 38-3 amendments shall cause the amount of authorized but unissued bonds
 38-4 described in this subsection to be reduced by the amount of the
 38-5 bonds so issued or other evidences of indebtedness so incurred.

38-6 (d) As of the date of adoption of H.J.R. No. 62 by the 76th
 38-7 Legislature, Regular Session, 1999, the Texas Water Development
 38-8 Board has authorized but unissued bonds in the aggregate principal
 38-9 amount of \$945,765,000, and as of that date that board has issued
 38-10 \$113,300,000 in bonds for the purpose of providing wholesale and
 38-11 retail water and wastewater facilities to economically distressed
 38-12 areas of the state, as defined by law. The amendments do not in
 38-13 any manner impair the authority of the Texas Water Development
 38-14 Board hereafter to issue bonds or incur other evidences of
 38-15 indebtedness, provided that any bonds or other evidences of
 38-16 indebtedness issued or incurred by the Texas Water Development
 38-17 Board prior to adoption of the amendments shall cause the amount of
 38-18 authorized but unissued bonds described in this subsection to be
 38-19 reduced by the amount of the bonds so issued or other evidences of
 38-20 indebtedness so incurred.

38-21 (e) As of the date of adoption of H.J.R. No. 62 by the 76th
 38-22 Legislature, Regular Session, 1999, the Texas Higher Education
 38-23 Coordinating Board has authorized but unissued bonds in the
 38-24 aggregate principal amount of \$150,000,000, and as of that date the
 38-25 board has issued \$810,000,000 in bonds for the purpose of
 38-26 educational loans to students. The amendments do not in any manner
 38-27 impair the authority of the Texas Higher Education Coordinating
 38-28 Board hereafter to issue bonds or incur other evidences of
 38-29 indebtedness, provided that any bonds or other evidences of
 38-30 indebtedness issued or incurred by the Texas Higher Education
 38-31 Coordinating Board prior to adoption of the amendments shall cause
 38-32 the amount of authorized but unissued bonds described in this
 38-33 subsection to be reduced by the amount of the bonds so issued or
 38-34 other evidences of indebtedness so incurred.

38-35 (f) The amendment of Subsection (b), Section 1-b, Article
 38-36 VIII, does not affect the increase in the amount of an exemption
 38-37 effective January 1, 1979, under that subsection, and that increase
 38-38 is preserved and given effect in accordance with the prior law.

38-39 (g) The amendment of Subsection (b), Section 1-j, Article
 38-40 VIII, does not affect the taxation of personal property in
 38-41 accordance with action taken under that section before April 1,
 38-42 1990, and that authority to tax personal property is preserved and
 38-43 given effect in accordance with the prior law.

38-44 (h) The amendment of Subsection (c), Section 5, Article IX,
 38-45 does not affect the validity of a confirmation election held in
 38-46 accordance with that section.

38-47 (i) The repeal of Section 5, Article VIII, does not affect
 38-48 the power of a municipality to impose and collect taxes on the
 38-49 property of railroad companies in accordance with the general
 38-50 authority of municipalities under this constitution to impose and
 38-51 collect those taxes.

38-52 (j) The repeal of Section 6, Article IX, does not affect the
 38-53 disposition of assets of the Lamar County Hospital District in
 38-54 accordance with that section.

38-55 (k) The amendment of Section 44, Article XVI, does not
 38-56 affect the power of a county to abolish the office of county
 38-57 treasurer or county surveyor in accordance with previously adopted
 38-58 amendments of that section, and the power is preserved in
 38-59 accordance with the prior law.

38-60 (l) The repeal of Section 66, Article XVI, does not affect
 38-61 the pensions payable under that section and those pensions shall be
 38-62 paid in accordance with the prior law.

38-63 (m) The reenactment of any provision for purposes of
 38-64 amendment does not revive a provision that may have been impliedly
 38-65 repealed by the adoption of a later amendment.

38-66 (n) The amendment of any provision does not affect vested
 38-67 rights.

38-68 SECTION 57. This proposed constitutional amendment shall be
 38-69 submitted to the voters at an election to be held on November 2,

39-1 1999. The ballot shall be printed to permit voting for or against
39-2 the proposition: "The constitutional amendment to eliminate
39-3 duplicative, executed, obsolete, archaic, and ineffective
39-4 provisions of the Texas Constitution."

39-5

* * * * *

**FAVORABLE
SENATE COMMITTEE REPORT ON**

SB SCR SJR SR HB HCR HJR 62
 By Mowery / Shapiro
(Author/Senate Sponsor)
5/13/99
(date)

We, your Committee on STATE AFFAIRS, to which was referred the attached measure, have on 5/13/99, 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

The measure was reported from Committee by the following vote:

	YEA	NAY	ABSENT	PNV
Senator Shapiro, Chair	✓			
Senator Shapleigh, Vice-Chair	✓			
Senator Bernsen	✓			
Senator Brown			✓	
Senator Cain	✓			
Senator Haywood	✓			
Senator Lucio	✓			
Senator Nixon		✓		
Senator Wentworth	✓			
TOTAL VOTES	7	1	1	0

COMMITTEE ACTION

S266 Considered in public hearing
 S270 Testimony taken

CB Waddington
 COMMITTEE CLERK

Shapiro
 CHAIRMAN

WITNESS LIST

HJR 62
SENATE COMMITTEE REPORT
State Affairs Committee

May 13, 1999 - 12:30P

On: Collins, Steve (Texas Legislative Council), Austin

BILL ANALYSIS

Senate Research Center

H.J.R. 62
By: Mowery (Shapiro)
State Affairs
5/11/1999
Engrossed

DIGEST

Currently, some individuals believe that the Texas Constitution is an unnecessarily large, convoluted, complicated, and lengthy document. There are several simplifying and clarifying revisions that can be made without affecting any substantive provisions. H.J.R. 62 requires the submission to the voters of a constitutional amendment to eliminate duplicative, executed, obsolete, archaic, and ineffective constitutional provisions.

PURPOSE

As proposed, H.J.R. 62 requires the submission to the voters of a constitutional amendment to eliminate duplicative, executed, obsolete, archaic, and ineffective constitutional provisions.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 2, Article III, Texas Constitution, to increase the number of representatives in the House of Representatives from 93 to 150. Deletes text regarding reapportionments and member prohibitions.

SECTION 2. Amends Section 3, Article III, Texas Constitution, to require Senators to be chosen by qualified voters, rather than electors. Deletes text regarding successors.

SECTION 3. Amends Section 4, Article III, Texas Constitution, to make conforming changes.

SECTION 4. Amends Section 5, Article III, Texas Constitution, to require the legislature to act on certain bills and resolutions during the remainder of the session, rather than within another certain deadline. Makes conforming changes.

SECTION 5. Amends Section 6, Article III, Texas Constitution, to make a conforming change.

SECTION 6. Amends Section 7, Article III, Texas Constitution, to make a conforming change.

SECTION 7. Amends Section 14, Article III, Texas Constitution, to delete text regarding a legislator's distance from the capitol.

SECTION 8. Amends Section 33, Article III, Texas Constitution, to delete text regarding the Senate's authorization to amend or reject certain bills.

SECTION 9. Amends Section 32, Article III, Texas Constitution, to delete text regarding imperative public necessity.

SECTION 10. Amends Section 39, Article III, Texas Constitution, to delete text regarding an emergency.

SECTION 11. Amends Section 48-e, Article III, Texas Constitution, to make a conforming change.

SECTION 12. Amends Section 48-f, Article III, Texas Constitution, to make a conforming change.

SECTION 13. Amends Section 49a, Article III, Texas Constitution, to delete text regarding dates and outstanding obligations, and make conforming changes.

SECTION 14. Amends Sections 49-b, 49-b-1, 49-b-2, and 49-b-3, Article III, Texas Constitution, to combine and reenact them as Section 49-b. Authorizes the Veterans' Land Board to take certain actions as authorized by constitutional amendment or by a debt proposition under Section 49 of this article. Authorizes certain payments to be made for the benefit of the Veterans' Housing Assistance Fund, Veterans' Land Fund, and Veterans' Housing Assistance Fund II. Deletes text regarding prior amendments, certain amounts of money, procedures for selling certain bonds or obligations, Veterans' Land Fund, a series of bonds, enabling laws, Veterans' Housing Assistance Fund, receipts, Veterans' Housing Assistance Fund II, revenue bonds, and a definition for "veteran." Makes conforming changes.

SECTION 15. Amends Sections 49-c, 49-d, 49-d-1, 49-d-2, 49-d-5 through 49-d-8, Article III, Texas Constitution, to require the Texas Water Development Board (TWDB) to exercise certain powers and duties. Grants certain powers to TWDB as authorized by constitutional amendment or by a debt proposition under Section 49 of this article. Sets forth provisions for Texas Water Development Board Bonds, rather than other bonds. Requires an applicant to have a valid permit from the state, rather than the Texas Water Commission or its successor. Authorizes the legislature to require review an approval of Texas Water Development Board Bonds, rather than the bonds. Prohibits the principal amount of certain bonds from exceeding \$250, rather than 50 percent of the total amount of bonds authorized by this section. Sets forth provisions for the augmentation of the Texas Water Development Fund II. Authorizes TWDB to transfer certain funds to augment the Texas Water Development Fund. Deletes text regarding bonds, dates, financial assistance grants, enabling laws, aggregates of bonds, Texas Water Quality Board, Texas Water Development Fund, Texas Water Development Bonds, and TWDB. Makes nonsubstantive and conforming changes.

SECTION 16. Section 49-e, Article III, Texas Constitution, to prohibit certain rates of interest from exceeding the maximum prescribed by Section 65 of this article. Deletes text regarding an interest rate. Makes conforming and nonsubstantive changes.

SECTION 17. Amends Section 49-h, Article III, Texas Constitution, to delete text regarding certain institutions, approval of bonds, issuance of general obligation bonds, and to make conforming changes.

SECTION 18. Amends Section 50b-4(a), Article III, Texas Constitution, to make conforming changes.

SECTION 19. Amends Section 51, Article III, Texas Constitution, to delete text regarding aid to Confederate soldiers and sailors.

SECTION 20. Amends Section 51-a, Article III, Texas Constitution, to delete text regarding funds for medical care for needy persons. Makes conforming changes.

SECTION 21. Amends Sections 52(b) and (c), Article III, Texas Constitution, to delete text regarding resident property taxpayers, and make conforming changes.

SECTION 22. Amends Section 52d, Article III, Texas Constitution, to provide that certain action takes place upon the vote of qualified voters, rather than resident electors owning rendered taxable property. Makes conforming changes.

SECTION 23. Amends Section 52g, Article III, Texas Constitution, to delete text regarding road maintenance and to make conforming and nonsubstantive changes.

SECTION 24. Amends Section 7, Article IV, Texas Constitution, to delete text regarding the protection of the frontier from incursions by Indians or other predatory bands.

SECTION 25. Amends Section 16, Article IV, Texas Constitution, to make conforming changes.

SECTION 26. Amends Section 22, Article IV, Texas Constitution, to delete specifics regarding the attorney general's term and salary.

SECTION 27. Amends Section 23, Article IV, Texas Constitution, to require the attorney general to hold office for four years. Deletes text regarding officers elected in 1974.

SECTION 28. Amends Section 9, Article V, Texas Constitution, to delete text regarding state and county officers.

SECTION 29. Amends Section 2, Article VI, Texas Constitution, to delete text regarding a minimum age and make conforming changes.

SECTION 30. Amends Sections 2a(a) and (b), Article VI, Texas Constitution, to make conforming changes.

SECTION 31. Amends Section 3, Article VI, Texas Constitution, to make a conforming change.

SECTION 32. Amends Section 3a, Article VI, Texas Constitution, to delete text regarding voting in the precinct of residence.

SECTION 33. Amends Section 3, Article VII, Texas Constitution, to require certain voters to approve a certain tax, and to delete text regarding a poll tax, an annual ad valorem state tax, formation of school districts, and a school district tax.

SECTION 34. Amends Section 1-a, Article VIII, Texas Constitution, to delete text regarding dates and tax donations.

SECTION 35. Amends Section 1-b(b), Article VIII, Texas Constitution, to delete text regarding a county education district and an exemption.

SECTION 36. Amends Section 1-j(b), Article VIII, Texas Constitution, to set forth provisions for certain entities which tax property while acting under previous constitutional authority. Deletes text regarding exempted tangible personal property, and makes conforming changes.

SECTION 37. Amends Section 6, Article VIII, Texas Constitution, to delete text regarding the first legislature.

SECTION 38. Amends Section 9, Article VIII, Texas Constitution, to prohibit certain entities from levying a certain tax rate. Deletes text regarding property taxes, and makes conforming changes.

SECTION 39. Amends Section 16a, Article VIII, Texas Constitution, to delete text regarding property taxpaying.

SECTION 40. Amends Section 20, Article VIII, Texas Constitution, to delete an effective date.

SECTION 41. Amends Section 1, Article IX, Texas Constitution, to delete text regarding the creation of counties and to make conforming changes.

SECTION 42. Amends Section 2, Article IX, Texas Constitution, to make conforming changes.

SECTION 43. Amends Section 4, Article IX, Texas Constitution, to delete text regarding property taxpaying and enabling laws.

SECTION 44. Amends Sections 5(a), (c), and (e), Article IX, Texas Constitution, to delete text regarding dual rendering for property taxpaying, confirmation, and the creation of a hospital district.

SECTION 45. Amends Section 8(a), Article IX, Texas Constitution, to make conforming changes.

SECTION 46. Amends Section 11, Article IX, Texas Constitution, to make conforming changes.

SECTION 47. Amends Section 12, Article IX, Texas Constitution, to specify that the legislature is required to take certain actions regarding airport facilities. Makes conforming and nonsubstantive changes.

SECTION 48. Amends Section 2, Article XI, Texas Constitution, to delete text regarding the establishment of county poor houses and farms.

SECTION 49. Amends Section 30(b), Article XVI, Texas Constitution, to delete text regarding Railroad Commissioners and to make conforming changes.

SECTION 50. Amends Section 44, Article XVI, Texas Constitution, to specify that the office of County Treasurer or County Surveyor does not exist in counties where the office has been abolished. Deletes text regarding specific counties in which the office of county treasurer and county surveyor is abolished and limitations to the application of this subsection. Makes conforming changes.

SECTION 51. Amends Section 59(c), Article XVI, Texas Constitution, to make conforming and nonsubstantive changes.

SECTION 52. Amends Section 61, Article XVI, Texas Constitution, to delete text regarding dates.

SECTION 53. Amends Section 65, Article XVI, Texas Constitution, to provide that this section applies to certain offices. Deletes text regarding certain precincts, officer terms, and officer elections. Makes conforming and nonsubstantive changes.

SECTION 54. Amends Section 1, Article XVII, Texas Constitution, to make conforming changes.

SECTION 55. Repealers:

(1) Article III, Sections 26a, 50b, 50b-1, 50b-2, 50b-3, and 54, Texas Constitution (Counties With More Than Seven Representatives, Additional Student Loans, and Liens on Railroad; Release, Alienation, or Change).

(2) Article VIII, Sections 1-b-1, 1-c, and 5, Texas Constitution (References to County Education Districts, Effectiveness of Resolution, and Railroad Property; Liability to Municipal Taxation).

(3) Article IX, Section 6, Texas Constitution (Lamar County Hospital District; Abolition; Transfer of Assets).

(4) Article XI, Section 6, Texas Constitution (Taxes to Pay Interest and Create Sinking Fund to Satisfy Indebtedness).

(5) Article XVI, Sections 18, 47, 53, 66, and 70(r), Texas Constitution (Existing Rights of Property and of Action; Rights or Actions not Revived, Conscientious Scruples as to Bearing Arms, Processes and Writs not Executed or Returned at Adoption of Constitution, Texas Rangers; Retirement and Disability Pension System for Rangers Ineligible for Membership in Employees Retirement System, and Texas Growth Fund).

(6) Article XVII, Section 2, Texas Constitution (Constitutional Revision Commission; Constitutional Convention).

SECTION 56. Sets forth a temporary provision to the Texas Constitution, as follows:

TEMPORARY TRANSITION PROVISIONS. Provides that this section applies to amendments proposed by H.J.R. No. 62, 76th Legislature, Regular Session, 1999. Provides that the amendments do not impair any obligation created by the issuance of certain bonds or evidences of indebtedness, and requires such bonds to be paid from sources pledged. Sets

forth provisions for the issuance of certain bonds. Sets forth provisions regarding the issuance of bonds for the Veterans' Land Board, TWDB, and the Texas Higher Education Coordinating Board, and their purposes. Provides that certain provisions and repealers do not affect the amount of an exemption, taxation of personal property, the validity of confirmation, the power of a municipality to impose and collect certain taxes on railroad company property, the disposition of assets of the Lamar County Hospital District, the power to abolish certain offices, and pensions. Provides that the reenactment of any provision for purposes of amendment does not revive certain provisions. Provides that the amendment of any provision does not affect vested rights.

SECTION 57. Requires this proposed constitutional amendment to be submitted to the voters at an election to be held on November 2, 1999. Sets forth the required language for the ballot.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 76th Regular Session

May 11, 1999

TO: Honorable Florence Shapiro, Chair, Senate Committee on State Affairs

FROM: John Keel, Director, Legislative Budget Board

IN RE: HJR62 by Mowery (Proposing a constitutional amendment to eliminate duplicative, executed, obsolete, archaic, and ineffective constitutional provisions.), **As Engrossed**

No fiscal implication to the State is anticipated, other than the cost of publication.

The cost to the state for publication of the resolution is \$76,352.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 302 Office Of The Attorney General, 307 Secretary of State, 701 Texas Education Agency - Administration, 304 Comptroller of Public Accounts, 305 General Land Office and Veterans' Land Board

LBB Staff: JK, SD, RS

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 76th Regular Session

April 22, 1999

TO: Honorable Joe Driver, Chair, House Committee on Constitutional Revision

FROM: John Keel, Director, Legislative Budget Board

IN RE: HJR62 by Mowery (proposing a constitutional amendment to eliminate duplicative, executed, obsolete, archaic, and ineffective constitutional provisions), **Committee Report 1st House, Substituted**

No fiscal implication to the State is anticipated, other than the cost of publication.

The cost to the state for publication of the resolution is \$76,352.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 302 Office Of The Attorney General, 307 Secretary of State, 701 Texas Education Agency - Administration, 304 Comptroller of Public Accounts, 305 General Land Office and Veterans' Land Board

LBB Staff: JK, SD, RS

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 76th Regular Session

March 15, 1999

TO: Honorable Joe Driver, Chair, House Committee on Constitutional Revision

FROM: John Keel, Director, Legislative Budget Board

IN RE: **HJR62** by Mowery (Proposing a constitutional amendment to eliminate duplicative, executed, obsolete, archaic, and ineffective constitutional provisions.), **As Introduced**

No fiscal implication to the State is anticipated, other than the cost of publication.

The cost to the state for publication of the resolution is \$76,352.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 302 Office Of The Attorney General, 307 Secretary of State, 701 Texas Education Agency - Administration, 304 Comptroller of Public Accounts, 305 General Land Office and Veterans' Land Board

LBB Staff: JK, SD, RS

LEGISLATIVE BUDGET BOARD
Equalized Education Funding Impact Statement

May 11, 1999

TO: Honorable Florence Shapiro, Chair
Committee on State Affairs
Senate
Austin, Texas

IN RE: House Joint Resolution
No. 62, As Engrossed
By: Mowery

FROM: John Keel, Director

In response to your request for a Equalized Education Funding Impact Statement on HJR62 (Proposing a constitutional amendment to eliminate duplicative, executed, obsolete, archaic, and ineffective constitutional provisions.) this office has determined the following:

No impact on equalized funding requirements and policies affecting public education is anticipated from any of the provisions of this bill.

LEGISLATIVE BUDGET BOARD
Equalized Education Funding Impact Statement

April 25, 1999

TO: Honorable Joe Driver, Chair
Committee on Constitutional Revision
House
Austin, Texas

IN RE: House Joint Resolution
No. 62, Committee
Report 1st House, Substituted
By: Mowery

FROM: John Keel, Director

In response to your request for a Equalized Education Funding Impact Statement on HJR62 (proposing a constitutional amendment to eliminate duplicative, executed, obsolete, archaic, and ineffective constitutional provisions) this office has determined the following:

No impact on equalized funding requirements and policies affecting public education is anticipated from any of the provisions of this bill.

LEGISLATIVE BUDGET BOARD

Tax/Fee Equity Note

May 11, 1999

TO: Honorable Florence Shapiro, Chair
Florence Shapiro, Chair
Senate
Austin, Texas

IN RE: House Joint Resolution
No. 62, As Engrossed
By: Mowery

FROM: John Keel, Director

In response to your request for a Tax/Fee Equity Note on HJR62 (Proposing a constitutional amendment to eliminate duplicative, executed, obsolete, archaic, and ineffective constitutional provisions.) this office has determined the following:

No statistically significant impact on the overall distribution of a state tax or fee burden among individuals and businesses is anticipated from the provisions of this bill.

LEGISLATIVE BUDGET BOARD

Tax/Fee Equity Note

April 23, 1999

TO: Honorable Joe Driver, Chair
Committee on Constitutional Revision
House
Austin, Texas

IN RE: House Joint Resolution
No. 62, Committee
Report 1st House, Substituted
By: Mowery

FROM: John Keel, Director

In response to your request for a Tax/Fee Equity Note on HJR62 (Proposing a constitutional amendment to eliminate duplicative, executed, obsolete, archaic, and ineffective constitutional provisions.) this office has determined the following:

No statistically significant impact on the overall distribution of a state tax or fee burden among individuals and businesses is anticipated from the provisions of this resolution.

LEGISLATIVE BUDGET BOARD

Water Development Impact Statement

May 11, 1999

TO: Honorable Florence Shapiro, Chair
Committee on State Affairs
Senate
Austin, Texas

IN RE: House Joint Resolution
No. 62, As Engrossed
By: Mowery

FROM: John Keel, Director

In response to your request for a Water Development Impact Statement on HJR62 (proposing a constitutional amendment to eliminate duplicative, executed, obsolete, archaic, and ineffective constitutional provisions,) this office, in cooperation with the Water Development Board (TWDB), has determined the following:

The bill does not create a water district or amend Article XVI, Section 59 of the Texas Constitution relating to the creation of water districts.

Therefore, the bill is not in conflict with the objectives of the State Water Plan.

LEGISLATIVE BUDGET BOARD

Water Development Impact Statement

April 27, 1999

TO: Honorable Joe Driver, Chair
Committee on Constitutional Revision
House of Representatives
Austin, Texas

IN RE: House Joint Resolution
No. 62, Committee
Report 1st House, Substituted
By: Mowery

FROM: John Keel, Director

In response to your request for a Water Development Impact Statement on HJR62 (proposing a constitutional amendment to eliminate duplicative, executed, obsolete, archaic, and ineffective constitutional provisions,) this office, in cooperation with the Water Development Board (TWDB), has determined the following:

The bill does not create a water district or amend Article XVI, Section 59 of the Texas Constitution relating to the creation of water districts.

Therefore, the bill is not in conflict with the objectives of the State Water Plan.

ADOPTED

MAY 24 1999

Secretary of the Board
Secretary of the Board

FLOOR AMENDMENT NO. 1

BY *Shigri*

- 1 Amend H.J.R. 62 in SECTION 18 (on page 53, line 17, House Engrossment) between
2 “students” and the period “.” insert “who have been admitted to attend an institution of higher
3 education within the State of Texas, public or private, which is recognized or accredited under terms
4 and conditions prescribed by the Legislature”.

SENATE AMENDMENTS

2nd Printing

90 MAY 23 1999

1000 W. WASHINGTON

ADOPTED

MAY 24 1999

Atty. Gen.
Secretary of the Senate

FLOOR AMENDMENT NO. 2

BY *S. J. ...*

- 1 Amend H.J.R. No. 62, in SECTION 49 (page 84, line 27, House Engrossment), by striking
- 2 "the [~~When a~~] Railroad Commission [~~is created by law it~~]" and substituting "When a Railroad
- 3 Commission is created by law it".

1 shall be chosen biennially thereafter. Senators shall take office
2 following their election, on the day set by law for the convening
3 of the Regular Session of the Legislature, and shall serve
4 thereafter for the full term of years to which elected [~~and--until~~
5 ~~their-successors-shall-have-been-elected-and-qualified~~].

6 SECTION 3. Section 4, Article III, Texas Constitution, is
7 amended to read as follows:

8 Sec. 4. The Members of the House of Representatives shall be
9 chosen by the qualified voters [~~electors~~] for the term of two
10 years. Representatives shall take office following their election,
11 on the day set by law for the convening of the Regular Session of
12 the Legislature, and shall serve thereafter for the full term of
13 years to which elected [~~and--until--their-successors-shall-have-been~~
14 ~~elected-and-qualified~~].

15 SECTION 4. Section 5, Article III, Texas Constitution, is
16 amended to read as follows:

17 Sec. 5. (a) The Legislature shall meet every two years at
18 such time as may be provided by law and at other times when
19 convened by the Governor.

20 (b) When convened in regular Session, the first thirty days
21 thereof shall be devoted to the introduction of bills and
22 resolutions, acting upon emergency appropriations, passing upon the
23 confirmation of the recess appointees of the Governor and such
24 emergency matters as may be submitted by the Governor in special
25 messages to the Legislature. During [~~provided-that-during~~] the
26 succeeding thirty days of the regular session of the Legislature
27 the various committees of each House shall hold hearings to

1 consider all bills and resolutions and other matters then pending;
2 and such emergency matters as may be submitted by the Governor.
3 ~~During~~~~[;--provided-further-that-during]~~ the remainder of the session
4 ~~[following-sixty-days]~~ the Legislature shall act upon such bills
5 and resolutions as may be then pending and upon such emergency
6 matters as may be submitted by the Governor in special messages to
7 the Legislature.

8 (c) Notwithstanding Subsection (b), either~~[;--provided,~~
9 ~~however;--either]~~ House may ~~[otherwise]~~ determine its order of
10 business by an affirmative vote of four-fifths of its membership.

11 SECTION 5. Section 6, Article III, Texas Constitution, is
12 amended to read as follows:

13 Sec. 6. No person shall be a Senator, unless he be a citizen
14 of the United States, and, at the time of his election a qualified
15 voter ~~[elector]~~ of this State, and shall have been a resident of
16 this State five years next preceding his election, and the last
17 year thereof a resident of the district for which he shall be
18 chosen, and shall have attained the age of twenty-six years.

19 SECTION 6. Section 7, Article III, Texas Constitution, is
20 amended to read as follows:

21 Sec. 7. No person shall be a Representative, unless he be a
22 citizen of the United States, and, at the time of his election, a
23 qualified voter ~~[elector]~~ of this State, and shall have been a
24 resident of this State two years next preceding his election, the
25 last year thereof a resident of the district for which he shall be
26 chosen, and shall have attained the age of twenty-one years.

27 SECTION 7. Section 14, Article III, Texas Constitution, is

1 amended to read as follows:

2 Sec. 14. Senators and Representatives shall, except in cases
3 of treason, felony, or breach of the peace, be privileged from
4 arrest during the session of the Legislature, and in going to and
5 returning from the same [~~7-allowing-one-day-for-every-twenty-miles~~
6 ~~such-member-may-reside-from-the-place-at-which-the--legislature--is~~
7 ~~convened~~].

8 SECTION 8. Section 33, Article III, Texas Constitution, is
9 amended to read as follows:

10 Sec. 33. All bills for raising revenue shall originate in
11 the House of Representatives [~~7-but-the-Senate-may-amend-or-reject~~
12 ~~them-as-other-bills~~].

13 SECTION 9. Section 32, Article III, Texas Constitution, is
14 amended to read as follows:

15 Sec. 32. No bill shall have the force of a law, until it has
16 been read on three several days in each House, and free discussion
17 allowed thereon; but [~~in--cases--of--imperative--public--necessity~~
18 ~~{which--necessity--shall--be-stated-in-a-preamble-or-in-the-body-of~~
19 ~~the-bill}~~] four-fifths of the House, in which the bill may be
20 pending, may suspend this rule, the yeas and nays being taken on
21 the question of suspension, and entered upon the journals.

22 SECTION 10. Section 39, Article III, Texas Constitution, is
23 amended to read as follows:

24 Sec. 39. No law passed by the Legislature, except the
25 general appropriation act, shall take effect or go into force until
26 ninety days after the adjournment of the session at which it was
27 enacted, unless [~~in-case-of-an-emergency-7-which-emergency--must--be~~

1 ~~expressed-in-a-preamble-or-in-the-body-of-the-act,~~7] the Legislature
2 shall, by a vote of two-thirds of all the members elected to each
3 House, otherwise direct; said vote to be taken by yeas and nays,
4 and entered upon the journals.

5 SECTION 11. Section 48-e, Article III, Texas Constitution,
6 is amended to read as follows:

7 Sec. 48-e. Laws may be enacted to provide for the
8 establishment and creation of special districts to provide
9 emergency services and to authorize the commissioners courts of
10 participating counties to levy a tax on the ad valorem property
11 situated in said districts not to exceed Ten Cents (10¢) on the One
12 Hundred Dollars (\$100.00) valuation for the support thereof;
13 provided that no tax shall be levied in support of said districts
14 until approved by a vote of the qualified voters [~~electors~~]
15 residing therein. Such a district may provide emergency medical
16 services, emergency ambulance services, rural fire prevention and
17 control services, or other emergency services authorized by the
18 Legislature.

19 SECTION 12. Section 48-f, Article III, Texas Constitution,
20 is amended to read as follows:

21 Sec. 48-f. The legislature, by law, may provide for the
22 creation, operation, and financing of jail districts and may
23 authorize each district to issue bonds and other obligations and to
24 levy an ad valorem tax on property located in the district to pay
25 principal of and interest on the bonds and to pay for operation of
26 the district. An ad valorem tax may not be levied and bonds secured
27 by a property tax may not be issued until approved by the qualified

1 voters [~~electors~~] of the district voting at an election called and
2 held for that purpose.

3 SECTION 13. Section 49a, Article III, Texas Constitution, is
4 amended to read as follows:

5 Sec. 49a. (a) It shall be the duty of the Comptroller of
6 Public Accounts in advance of each Regular Session of the
7 Legislature to prepare and submit to the Governor and to the
8 Legislature upon its convening a statement under oath showing fully
9 the financial condition of the State Treasury at the close of the
10 last fiscal period and an estimate of the probable receipts and
11 disbursements for the then current fiscal year. There shall also
12 be contained in said statement an itemized estimate of the
13 anticipated revenue based on the laws then in effect that will be
14 received by and for the State from all sources showing the fund
15 accounts to be credited during the succeeding biennium and said
16 statement shall contain such other information as may be required
17 by law. Supplemental statements shall be submitted at any Special
18 Session of the Legislature and at such other times as may be
19 necessary to show probable changes.

20 (b) Except [~~From--and--after--January-17-19457--save~~] in the
21 case of emergency and imperative public necessity and with a
22 four-fifths vote of the total membership of each House, no
23 appropriation in excess of the cash and anticipated revenue of the
24 funds from which such appropriation is to be made shall be valid.
25 No [~~From--and--after--January--17--19457--no~~] bill containing an
26 appropriation shall be considered as passed or be sent to the
27 Governor for consideration until and unless the Comptroller of

1 Public Accounts endorses his certificate thereon showing that the
 2 amount appropriated is within the amount estimated to be available
 3 in the affected funds. When the Comptroller finds an appropriation
 4 bill exceeds the estimated revenue he shall endorse such finding
 5 thereon and return to the House in which same originated. Such
 6 information shall be immediately made known to both the House of
 7 Representatives and the Senate and the necessary steps shall be
 8 taken to bring such appropriation to within the revenue, either by
 9 providing additional revenue or reducing the appropriation.

10 ~~[For--the-purpose-of-financing-the-outstanding-obligations-of~~
 11 ~~the-General-Revenue-Fund-of--the--State--and--placing--its--current~~
 12 ~~accounts--on--a-cash-basis-the-Legislature-of-the-State-of-Texas-is~~
 13 ~~hereby-authorized-to-provide-for-the-issuance,-sale,-and-retirement~~
 14 ~~of-serial-bonds,-equal--in--principal--to--the--total--outstanding,~~
 15 ~~valid,-and-approved-obligations-owing-by-said-fund-on-September-1,~~
 16 ~~1943,-provided-such-bonds-shall-not-draw-interest-in-excess-of--two~~
 17 ~~(2)--per--cent--per-annum-and-shall-mature-within-twenty-(20)-years~~
 18 ~~from-date.]~~

19 SECTION 14. Sections 49-b, 49-b-1, 49-b-2, and 49-b-3,
 20 Article III, Texas Constitution, are combined, reenacted as Section
 21 49-b, and amended to read as follows:

22 Sec. 49-b. (a) The ~~[By-virtue-of-prior-Amendments--to--this~~
 23 ~~Constitution,-there--has-been-created-a-governmental-agency-of-the~~
 24 ~~State-of--Texas--performing--governmental--duties--which--has--been~~
 25 ~~designated--the]~~ Veterans' Land Board~~[-Said-Board-shall-continue~~
 26 ~~to-function--for--the--purposes--specified--in--all--of--the--prior~~
 27 ~~Constitutional--Amendments--except-as-modified-herein.-Said-Board]~~

1 shall be composed of the Commissioner of the General Land Office
 2 and two (2) citizens of the State of Texas, one (1) of whom shall
 3 be well versed in veterans' affairs and one (1) of whom shall be
 4 well versed in finances. One (1) such citizen member shall, with
 5 the advice and consent of the Senate, be appointed biennially by
 6 the Governor to serve for a term of four (4) years. In the event
 7 of the resignation or death of any such citizen member, the
 8 Governor shall appoint a replacement to serve for the unexpired
 9 portion of the term to which the deceased or resigning member had
 10 been appointed. The compensation for said citizen members shall be
 11 as is now or may hereafter be fixed by the Legislature; and each
 12 shall make bond in such amount as is now or may hereafter be
 13 prescribed by the Legislature.

14 (b) The Commissioner of the General Land Office shall act as
 15 Chairman of said Board and shall be the administrator of the
 16 Veterans' Land Program under such terms and restrictions as are now
 17 or may hereafter be provided by law. In the absence or illness of
 18 said Commissioner, the Chief Clerk of the General Land Office shall
 19 be the Acting Chairman of said Board with the same duties and
 20 powers that said Commissioner would have if present.

21 (c) The Veterans' Land Board may provide for, issue and sell
 22 [~~not-to-exceed-Nine-Hundred-Fifty--Million--Dollars--(\$950,000,000)~~
 23 ~~in~~] bonds or obligations of the State of Texas as authorized by
 24 constitutional amendment or by a debt proposition under Section 49
 25 of this article for the purpose of creating a fund to be known as
 26 the Veterans' Land Fund [~~7---Seven---Hundred---Million---Dollars~~
 27 [~~\$700,000,000)~~ ~~--of--which--have--heretofore--been--authorized--Such~~

1 bonds-or-obligations-shall-be-sold-for-not-less-than-par-value--and
 2 accrued--interest;---shall--be-issued-in-such-forms;--denominations;
 3 and-upon-such-terms-as-are-now-or-may-hereafter-be-provided-by-law;
 4 shall-be-issued-and-sold-at-such-times;--at-such-places;--and-in-such
 5 installments-as-may-be-determined-by-said-Board;--and-shall--bear--a
 6 rate--or--rates--of--interest-as-may-be-fixed-by-said-Board-but-the
 7 weighted-average-annual-interest-rate;--as-that-phrase--is--commonly
 8 and-ordinarily-used-and-understood-in-the-municipal-bond-market;--of
 9 all--the--bonds-issued-and-sold-in-any-installment-of-any-bonds-may
 10 not-exceed-the-rate-specified-in-Section-65-of-this--Article:---All
 11 bonds--or--obligations--issued--and--sold--hereunder--shall;--after
 12 execution--by-the-Board;--approval--by-the-Attorney-General--of-Texas;
 13 registration-by-the-Comptroller-of-Public-Accounts-of-the-State--of
 14 Texas;---and---delivery---to---the---purchaser--or--purchasers;--be
 15 incontestable-and-shall-constitute-general-obligations-of-the-State
 16 of-Texas-under-the-Constitution-of-Texas;--and-all-bonds--heretofore
 17 issued--and-sold-by-said-Board-are-hereby-in-all-respects-validated
 18 and-declared-to-be-general-obligations-of-the-State-of--Texas:---In
 19 order-to-prevent-default-in-the-payment-of-principal-or-interest-on
 20 any--such--bonds;--the--Legislature--shall-appropriate-a-sufficient
 21 amount-to-pay-the-same].

22 (d) In the sale of any such bonds or obligations, a
 23 preferential right of purchase shall be given to the administrators
 24 of the various Teacher Retirement Funds, the Permanent University
 25 Funds, and the Permanent School Funds.

26 [Said---Veterans¹--Land--Fund--shall--consist--of--any--lands
 27 heretofore-or-hereafter-purchased-by-said--Board;--until--the--sale

1 prizee--theeferof7--tegeetkef-witch-any-inceferest-and-pendattees-due7-have
 2 been-receivved-by-said--Bord--(atthouggh--notching--herein--said--be
 3 eonservved--to--prevenet-said--Bord--from-accepting-fuzz--payment-for-a
 4 portion-of-any-estate)7-and-of-the-monies-actefsbutebte-to-any--bond
 5 herebefore--of--herediteer--issued-and-said--by-said--Bord--with-monies
 6 so-actefsbutebte-said--inestude-bute--said--not--be--itself--to--the
 7 proceeds--from--the--issuance--and--said--of--such--bonds7--the-monies
 8 receivved--from--the--said--of--resaid--of--any--land7--or--rights--therein7
 9 purchasved--with--such--proceeds7--the-monies--receivved--from--the--said--of
 10 resaid--of--any--land7--or--rights--therein7--purchasved--with--other-monies
 11 actefsbutebte--to--such--bonds7--the--inceferest-and-pendattees--receivved
 12 from--the--said--of--resaid--of--such--land7--or--rights--therein7--the
 13 bonds7--income7--rent7--royalties7--and--any--other--pensionary--benefit
 14 receivved--by--said--Bord--from--any--such--land7--sums--receivved--by--way
 15 of--indemnity--or--forfeiture--of--the--said--of--any--bideder--for--the
 16 purchasve--of--any--such--bonds--to--comply--with--his--bid--and--accept--and
 17 pay--for--such--bonds--or--for--the--said--of--any--bideder--for--the
 18 purchasve--of--any--land--comprizing--a--part--of--said--fund--to--comply--with
 19 his--bid--and--accept--and--pay--for--any--such--land7--and--inceferest
 20 receivved--from--investments--of--any--such--monies7--The--prizee--and
 21 inceferest--on--the--bonds--herebefore--and--herediteer--issued--by--said--Bord
 22 said--be--paid--out--of--the--monies--of--said--fund--in--conformance--with
 23 the--Consitutute--provisons--actefsbutebte--such--bonds7--bute--the
 24 monies--of--said--fund--which--are--not--immediately--committved--to--the
 25 payment--of--prizee--and--inceferest--on--such--bonds7--the--purchasve--of
 26 land--as--herein--providved7--or--the--payment--of--expenses--as--herein
 27 providved--may--be--investved--as--actefsbutebte--by--law--with--such--monies--are

1 needed-for-such-purposes.

2 [All--moneys--comprising-a-part-of-said-Fund-and-not-expended
3 for-the-purposes-herein-provided-shall-be-a-part-of-said-Fund-until
4 there-are-sufficient-moneys-therein-to--retire--fully--all--of--the
5 bonds--heretofore--or--hereafter--issued-and-sold-by-said-Board, at
6 which-time-all-such-moneys-remaining--in--said--Fund,--except--such
7 portion--thereof-as-may-be-necessary-to-retire-all-such-bonds-which
8 portion-shall-be-set-aside--and--retained--in--said--Fund--for--the
9 purpose--of--retiring--all--such--bonds,--shall-be-deposited-to-the
10 credit-of-the-General-Revenue--Fund--to--be--appropriated--to--such
11 purposes--as--may-be-prescribed-by-law.--All-moneys-becoming-a-part
12 of-said-Fund-thereafter-shall-like-wise-be-deposited-to--the--credit
13 of-the-General-Revenue-Fund.

14 [When--a--Division--of-said-Fund--(each-Division-consisting-of
15 the-moneys-attributable-to-the-bonds-issued-and-sold-pursuant-to--a
16 single---Constitutional---authorization--and--the--lands--purchased
17 therewith)--contains-sufficient-moneys-to-retire-all--of--the--bonds
18 secured--by--such-Division, the-moneys-thereof,--except-such-portion
19 as-may-be-needed-to--retire--all--of--the--bonds--secured--by--such
20 Division-which-portion-shall-be-set-aside-and-remain-a-part-of-such
21 Division--for--the--purpose-of-retiring-all-such-bonds,--may-be-used
22 for-the-purpose-of-paying-the-principal-and-the--interest--thereon,
23 together--with--the--expenses-herein-authorized, of-any-other-bonds
24 heretofore-or-hereafter-issued-and-sold-by-said--Board.---Such--use
25 shall--be--a-matter-for-the-discretion-and-direction-of-said-Board,
26 but-there-may-be-no-such-use-of-any-such--moneys--contrary--to--the
27 rights--of--any--holder-of-any-of-the-bonds-issued-and-sold-by-said

1 Board-of-voluntarive-of-any-contract-to-which-said-Board-is-a-party-

2 [The-Veterans'-Land-Fund-shall-be-used-by-said-Board-for--the
3 purpose-of-purchasing-lands-situated-in-the-State-of-Texas-owned-by
4 the--United-States-or-any-governmental-agency-thereto-owned-by-the
5 Texas-Prison-System-or-any-other-governmental-agency-of--the--State
6 of--Texas-or-owned-by-any-person-or-corporation--and-lands
7 which-purchased-shall-be-acquired-at-the-lowest-price-obtainable-to
8 be-paid-for-in-cash-and-shall-be-purchased-of-said-Fund--which-lands
9 heretofore--or--hereafter--purchased--and-comprised-a-part-of-said
10 Fund-are-hereby-declared-to-be-held--for--a--governmental--purpose
11 and-heretofore--the--land-which-purchased--thereto--shall-be-subject-to
12 taxation-to--the--same--extent--and--in--the--same--manner--as--are
13 purchased--of--lands-declared-to-be-permanent-free-public-school
14 Fund-

15 [The-lands-of-the-Veterans'-Land-Fund-shall-be-sold--by--said
16 Board--in--such--quantities-on-such-terms-and-such-terms-and-rates
17 and-terms-of-interest-and-under-such-terms-and-rates-as--are--now
18 or-may-hereafter-be-provided-by-law-to-veterans-as-they-are-now-or
19 may--hereafter--be--defined-by-the-law-of-the-State-of-Texas--The
20 foregoing-notwithstanding-any-lands-in--the--Veterans'-Land--Fund
21 which--have--been--sold--for--sale-to-veterans-and-which-have
22 not-been-sold-may-be-sold-or-leased-to--such-purchasers--in--such
23 quantities--and--on--such--terms--and--at--such-terms-and-rates-of
24 interest--and--under-such-terms-and-rates-as-are--now--or--may
25 hereafter-be-provided-by-law-]

26 (e) Said Veterans' Land Fund, to the extent of the moneys
27 attributable to any bonds hereafter issued and sold by said Board

1 may be used by said Board, as is now or may hereafter be provided
2 by law, for the purpose of paying the expenses of surveying,
3 monumenting, road construction, legal fees, recordation fees,
4 advertising and other like costs necessary or incidental to the
5 purchase and sale, or resale, of any lands purchased with any of
6 the moneys attributable to such additional bonds, such expenses to
7 be added to the price of such lands when sold, or resold, by said
8 Board; for the purpose of paying the expenses of issuing, selling,
9 and delivering any such additional bonds; and for the purpose of
10 meeting the expenses of paying the interest or principal due or to
11 become due on any such additional bonds.

12 [All--of--the--moneys--attributable--to--any--series--of--bonds
13 hereafter--issued--and--sold--by--said--Board--(a--"series--of--bonds"--being
14 all--of--the--bonds--issued--and--sold--in--a--single--transaction--as--a
15 single--installment--of--bonds)--may--be--used--for--the--purchase--of--lands
16 as--herein--provided,--to--be--sold--as--herein--provided,--for--a--period
17 ending--eight--(8)--years--after--the--date--of--sale--of--such--series--of
18 bonds,--provided,--however,--that--so--much--of--such--moneys--as--may--be
19 necessary--to--pay--interest--on--bonds--hereafter--issued--and--sold--shall
20 be--set--aside--for--that--purpose--in--accordance--with--the--resolution
21 adopted--by--said--Board--authorizing--the--issuance--and--sale--of--such
22 series--of--bonds.---After--such--eight--(8)--year--period,--all--of--such
23 moneys--shall--be--set--aside--for--the--retirement--of--any--bonds--hereafter
24 issued--and--sold--and--to--pay--interest--thereon,--together--with--any
25 expenses--as--provided--herein,--in--accordance--with--the--resolution--or
26 resolutions--authorizing--the--issuance--and--sale--of--such--additional
27 bonds,--until--there--are--sufficient--moneys--to--retire--all--of--the--bonds

1 hereafter--is amended--and--so that--the--whenever--the--money--when
2 removed--part--of--the--Veterans--and--the--whenever
3 becomen--part--of--the--Veterans--be--governed--as--elsewhere
4 provided--herein.

5 [This Amendment be in effect--and--to--be--a--part--of--the--
6 framework--and--not--to--be--a--comprehensive--treatment--of--the--Veterans
7 and--Program--there--is--hereby--reposed--in--the--legislative--power
8 to--implement--and--execute--the--desires--and--objects--of--the
9 Amendment--and--the--power--to--delegate--such--duties
10 responsibilities--and--the--Veterans--and--the--Veterans--and
11 Board--as--to--be--necessary.

12 [Should--the--legislative--enact--any--enabling--laws--in
13 accordance--of--the--Amendment--no--such--law--shall--be--void--by--reason
14 of--the--amendment--and--the--legislative--power.

15 [Sec. 49-b--(a)--and--the--legislative--power--to--be--
16 bonds--and--the--legislative--power--to--be--so--that--by--the--Veterans--and
17 Board--by--Section 49-b--of--the--Veterans--and--Board--may
18 provide--for--the--and--the--not--to--execute--§ 49-b--in--the--of
19 the--State--of--Texas--§ 49-b--which--have--heretofore--been
20 authorized--to--provide--for--the--and--the--State--in
21 recognition--of--their--service--to--the--State--and--country.]

22 (f) (b) For purposes of this section, "veteran" means a
23 person who satisfies the definition of "veteran" as [is now or may
24 hereafter be] set forth by the laws of the State of Texas.

25 (c)--The--bonds--shall--be--so--that--not--less--than--part--and
26 accepted--interest--shall--be--is--and--the--forms--and--denominations
27 upon--such--terms--at--such--times--and--places--and--in--such--instruments

1 as may be determined by the board, and notwithstanding the rate of
2 interest specified by any other provision of this constitution,
3 shall bear a rate or rates of interest fixed by the board. All
4 bonds issued and sold pursuant to Subsections (a) through (f) of
5 this section shall, after execution by the board, approval by the
6 Attorney General of Texas, registration by the Comptroller of
7 Public Accounts of the State of Texas, and delivery to the
8 purchaser or purchasers, be incontestable and shall constitute
9 general obligations of the state under the Constitution of Texas.

10 [(d) Three hundred million dollars of the state bonds
11 authorized by this section shall be used to augment the Veterans'
12 Land Fund. The Veterans' Land Fund shall be used by the board for
13 the purpose of purchasing lands situated in the State of Texas
14 owned by the United States government or any agency thereof, the
15 State of Texas or any subdivision or agency thereof, or any person,
16 firm, or corporation. The lands shall be sold to veterans in such
17 quantities, on such terms, at such prices, at such rates of
18 interest, and under such rules and regulations as may be authorized
19 by law. The expenses of the board in connection with the issuance
20 of the bonds and the purchase and sale of the lands may be paid
21 from money in the fund. The Veterans' Land Fund shall continue to
22 consist of any lands purchased by the board until the sale price
23 therefor, together with any interest and penalties due, have been
24 received by the board (although nothing herein shall prevent the
25 board from accepting full payment for a portion of any tract) and
26 of the money attributable to any bonds issued and sold by the board
27 for the Veterans' Land Fund, which money so attributable shall

1 ~~be-used-for-the-Veterans'-Housing-Assistance-Fund, \$500-million--of~~
2 ~~which--have--heretofore--been--authorized,---Money-in-the-Veterans'~~
3 ~~Housing-Assistance-Fund]~~ shall be administered by the Veterans'
4 Land Board and shall be used for the purpose of making home
5 mortgage loans to veterans for housing within the State of Texas in
6 such quantities, on such terms, at such rates of interest, and
7 under such rules and regulations as may be authorized by law. The
8 expenses of the board in connection with the issuance of the bonds
9 for the benefit of the Veterans' Housing Assistance Fund and the
10 making of the loans may be paid from money in the fund. [The
11 ~~Veterans'--Housing-Assistance-Fund-shall-consist-of-any-interest-of~~
12 ~~the-board-in-all-home-mortgage-loans-made-to-veterans-by-the--board~~
13 ~~pursuant--to--a--Veterans'--Housing--Assistance--Program--which-the~~
14 ~~legislature-may-establish-by-appropriate--legislation--until,--with~~
15 ~~respect--to--any--such--home--mortgage--loan, the principal amount,~~
16 ~~together-with-any-interest-and-penalties-due, have-been-received-by~~
17 ~~the-board, the money attributable to any bonds issued and--sold--by~~
18 ~~the--board--to--provide--money--for--the--fund,--which--money--so~~
19 ~~attributable-shall-include-but-shall-not-be-limited-to-the-proceeds~~
20 ~~from-the-issuance-and-sale-of-such-bonds, income, rents,--and--any~~
21 ~~other-pecuniary-benefit-received-by-the-board-as-a-result-of-making~~
22 ~~such-loans, sums-received-by-way-of-indemnity-or-forfeiture-for-the~~
23 ~~failure--of--any-bidder-for-the-purchase-of-any-such-bonds-to-comply~~
24 ~~with-his-bid-and-accept--and--pay--for--such--bonds,--and--interest~~
25 ~~received-from-investments-of-any-such-money.]~~ The principal of and
26 interest on the general obligation bonds authorized by this section
27 for the benefit of the Veterans' Housing Assistance Fund shall be

1 paid out of the money of the fund, but the money of the fund which
2 is not immediately committed to the payment of principal and
3 interest on such bonds, the making of home mortgage loans as herein
4 provided, or the payment of expenses as herein provided may be
5 invested as authorized by law until the money is needed for such
6 purposes.

7 [(f) -- For the extent there is not money in either the
8 Veterans' Bond Fund or the Veterans' Housing Assistance Fund as the
9 case may be available for payment of principal or interest on
10 the general obligation bonds authorized by the State to provide
11 money for either of the funds, there is hereby appropriated out of
12 the State money coming into the Treasury in each fiscal year not
13 otherwise appropriated by the State Comptroller and not withheld
14 sufficient to pay the principal or interest on such general
15 obligation bonds to the extent of the amount of the bonds in each
16

17 [(g) -- Receipts of the State of the funds derived by the
18 board not to be required for the payment of principal or interest
19 on the general obligation bonds hereinafter authorized
20 hereafter authorized or hereafter authorized by the State Comptroller
21 to be issued by the board to provide money for either of the
22 funds may be used by the board to the extent of the amount of the
23 proceeds of the bonds authorized to be issued to provide money for
24 the other fund or to pay the principal or interest on the revenue
25 bonds of the board issued for the purchase of bonds of the
26 the purchase of bonds of the State to make the State a member of
27 the home mortgage loan fund to the extent of the amount of the

1 The revenue bonds shall be special obligations and payable only
 2 from the receipt of the funds and shall not constitute indebtedness
 3 of the state or the Veterans' Land Board. The board is authorized
 4 to issue such revenue bonds from time to time which shall not
 5 exceed an aggregate principal amount that can be fully retired from
 6 the receipts of the funds and other revenues pledged to the
 7 retirement of the revenue bonds. The revenue bonds shall be issued
 8 in such forms and denominations, upon such terms, at such times and
 9 places, and in such installments as may be determined by the board,
 10 and notwithstanding the rate of interest specified by any other
 11 provision of the constitution, shall bear a rate or rates of
 12 interest fixed by the board.

13 [(h) This Amendment being intended only to establish a basic
 14 framework and not to be a comprehensive treatment of the Veterans'
 15 Housing Assistance Program and the Veterans' Land Program, there is
 16 hereby reposed in the Legislature full power to implement and
 17 effectuate the design and objects of this Amendment, including the
 18 power to delegate such duties, responsibilities, functions, and
 19 authority to the Veterans' Land Board as it believes necessary.

20 [Sec. 49-b-2-(a) In addition to the general obligation
 21 bonds authorized to be issued and to be sold by the Veterans' Land
 22 Board by Sections 49-b and 49-b-1 of this article, the Veterans'
 23 Land Board may provide for, issue, and sell general obligation
 24 bonds of the state in an amount not to exceed \$750 million, to
 25 provide financing to veterans of the state in recognition of their
 26 service to their state and the United States of America.]

27 (h) The [(b) Two hundred fifty million dollars of the

1 ~~general obligation bonds authorized by this section shall be used~~
 2 ~~to augment the Veterans' Land Fund. Notwithstanding any provision~~
 3 ~~of Section 49-b or 49-b-1 of this article to the contrary, the~~
 4 Veterans' Land Fund shall be used by the Veterans' Land Board to
 5 purchase lands situated in the state owned by the United States
 6 government, an agency of the United States government, this state,
 7 a political subdivision or agency of this state, or a person, firm,
 8 or corporation.

9 (i) Lands purchased and comprising a part of the Veterans'
 10 Land Fund are declared to be held for a governmental purpose, but
 11 the individual purchasers of those lands shall be subject to
 12 taxation to the same extent and in the same manner as are
 13 purchasers of lands dedicated to the Permanent Free Public School
 14 Fund. The lands shall be sold to veterans in quantities, on terms,
 15 at prices, and at fixed, variable, floating, or other rates of
 16 interest, determined by the Board and in accordance with rules of
 17 the Board. Notwithstanding any provisions of this section to the
 18 contrary, lands in the Veterans' Land Fund that are offered for
 19 sale to veterans and that are not sold may be sold or resold to the
 20 purchasers in quantities, on terms, at prices, and at rates of
 21 interest determined by the Board and in accordance with rules of
 22 the Board.

23 (i) The expenses of the Board in connection with the
 24 issuance of the bonds for the benefit of the Veterans' Land Fund
 25 and the purchase and sale of the lands may be paid from money in
 26 the Veterans' Land Fund.

27 (k) [††] The Veterans' Land Fund shall consist of:

1 (1) lands heretofore or hereafter purchased by the
2 Board;

3 (2) money attributable to bonds heretofore or
4 hereafter issued and sold by the Board for the fund, including
5 proceeds from the issuance and sale of the bonds;

6 (3) money received from the sale or resale of lands or
7 rights in lands purchased from those proceeds;

8 (4) money received from the sale or resale of lands or
9 rights in lands purchased with other money attributable to the
10 bonds;

11 (5) proceeds derived from the sale or other
12 disposition of the Board's interest in contracts for the sale or
13 resale of lands or rights in lands;

14 (6) interest and penalties received from the sale or
15 resale of lands or rights in lands;

16 (7) bonuses, income, rents, royalties, and other
17 pecuniary benefits received by the Board from lands;

18 (8) money received by way of indemnity or forfeiture
19 for the failure of a bidder for the purchase of bonds to comply
20 with the bid and accept and pay for the bonds or for the failure of
21 a bidder for the purchase of lands comprising a part of the
22 Veterans' Land Fund to comply with the bid and accept and pay for
23 the lands;

24 (9) payments received by the Board under a bond
25 enhancement agreement with respect to the bonds; and

26 (10) interest received from investments of money in
27 the fund.

1 (l) [~~td~~] The principal of and interest on the general
2 obligation bonds [~~authorized-by-this-section~~] for the benefit of
3 the Veterans' Land Fund, including payments by the Board under a
4 bond enhancement agreement with respect to principal of or interest
5 on the bonds, shall be paid out of the money of the Veterans' Land
6 Fund, but the money in the fund that is not immediately committed
7 to the payment of principal and interest on the bonds, the purchase
8 of lands, or the payment of expenses may be invested as authorized
9 by law until the money is needed for those purposes.

10 (m) [~~te~~] The Veterans' Housing Assistance Fund II [~~is~~
11 ~~created~~,---and---\$500---million---of---the---general---obligation---bonds
12 ~~authorized-by-this-section-shall-be-used-for-the-Veterans'-Housing~~
13 ~~Assistance-Fund-III---The-Veterans'-Housing-Assistance-Fund-III~~] is a
14 separate and distinct fund from the Veterans' Housing Assistance
15 Fund [~~established-under-Section-49-b-1-of-this-article~~]. Money in
16 the Veterans' Housing Assistance Fund II shall be administered by
17 the Veterans' Land Board and shall be used to make home mortgage
18 loans to veterans for housing within this state in quantities, on
19 terms, and at fixed, variable, floating, or other rates of
20 interest, determined by the Board and in accordance with rules of
21 the Board. The expenses of the Board in connection with the
22 issuance of the bonds for the benefit of the Veterans' Housing
23 Assistance Fund II and the making of the loans may be paid from
24 money in the Veterans' Housing Assistance Fund II.

25 (n) [~~tf~~] The Veterans' Housing Assistance Fund II shall
26 consist of:

27 (1) the Board's interest in home mortgage loans the

1 Board makes to veterans from money in the fund under the Veterans'
2 Housing Assistance Program established by law;

3 (2) proceeds derived from the sale or other
4 disposition of the Board's interest in home mortgage loans;

5 (3) money attributable to bonds issued and sold by the
6 Board to provide money for the fund, including the proceeds from
7 the issuance and sale of bonds;

8 (4) income, rents, and other pecuniary benefits
9 received by the Board as a result of making loans;

10 (5) money received by way of indemnity or forfeiture
11 for the failure of a bidder for the purchase of bonds to comply
12 with the bid and accept and pay for the bonds;

13 (6) payments received by the Board under a bond
14 enhancement agreement with respect to the bonds; and

15 (7) interest received from investments of money.

16 (o) [~~g~~] The principal of and interest on the general
17 obligation bonds [~~authorized--by--this--section~~] for the benefit of
18 the Veterans' Housing Assistance Fund II, including payments by the
19 Board under a bond enhancement agreement with respect to principal
20 of or interest on the bonds, shall be paid out of the money of the
21 Veterans' Housing Assistance Fund II, but the money in the fund
22 that is not immediately committed to the payment of principal and
23 interest on the bonds, the making of home mortgage loans, or the
24 payment of expenses may be invested as authorized by law until the
25 money is needed for those purposes.

26 (p) The [~~h~~]~~--Notwithstanding--the--provisions--of--Section~~
27 ~~49-b-1--of--this--article--to--the--contrary,--the~~] Veterans' Housing

1 Assistance Fund shall consist of:

2 (1) the Board's interest in home mortgage loans the
3 Board makes to veterans from money in the fund under the Veterans'
4 Housing Assistance Program established by law;

5 (2) proceeds derived from the sale or other
6 disposition of the Board's interest in home mortgage loans;

7 (3) money attributable to bonds issued and sold by the
8 Board to provide money for the fund, including proceeds from the
9 issuance and sale of bonds;

10 (4) income, rents, and other pecuniary benefits
11 received by the Board as a result of making loans;

12 (5) money received by way of indemnity or forfeiture
13 for the failure of a bidder for the purchase of bonds to comply
14 with the bid and accept and pay for the bonds;

15 (6) payments received by the Board under a bond
16 enhancement agreement with respect to the bonds; and

17 (7) interest received from investments of money.

18 (g) [~~††~~] The principal of and interest on the general
19 obligation bonds [~~authorized-by-Section-49-b-1-of-this-article~~] for
20 the benefit of the Veterans' Housing Assistance Fund, including
21 payments by the Board under a bond enhancement agreement with
22 respect to principal of or interest on the bonds, shall be paid out
23 of money in the Veterans' Housing Assistance Fund.

24 (r) [~~††~~] If there is not enough money in the Veterans' Land
25 Fund, the Veterans' Housing Assistance Fund, or the Veterans'
26 Housing Assistance Fund II, as the case may be, available to pay
27 the principal of and interest on the general obligation bonds

1 benefiting those funds [~~authorized-by-this-section-or-by-Section~~
2 ~~49-b-or-49-b-1-of-this-article~~], including money to make payments
3 by the Board under a bond enhancement agreement with respect to
4 principal of or interest on the bonds, there is appropriated out of
5 the first money coming into the treasury in each fiscal year, not
6 otherwise appropriated by this constitution, an amount that is
7 sufficient to pay the principal of and interest on the general
8 obligation bonds that mature or become due during that fiscal year
9 or to make bond enhancement payments with respect to those bonds.

10 (s) Receipts [~~(k)--Notwithstanding-any-provisions-of-Section~~
11 ~~49-b-or-49-b-1-of-this-article-to-the-contrary,--receipts~~] of all
12 kinds of the Veterans' Land Fund, the Veterans' Housing Assistance
13 Fund, or the Veterans' Housing Assistance Fund II that the Board
14 determines are not required for the payment of principal of and
15 interest on the general obligation bonds benefiting those funds,
16 including payments by the Board under a bond enhancement agreement
17 with respect to principal of or interest on the bonds, [~~authorized~~
18 ~~by--this--section--or--by-Section-49-b-or-49-b-1-of-this-article-or~~
19 ~~otherwise-authorized-by-this-constitution-to-be-issued-by-the-Board~~
20 ~~to-provide-money-for-the-fund,~~] may be used by the Board, to the
21 extent not inconsistent with the proceedings authorizing the bonds
22 to:

23 (1) make temporary transfers to another of those funds
24 to avoid a temporary cash deficiency in that fund or make a
25 transfer to another of those funds for the purposes of that fund;

26 (2) pay the principal of and interest on general
27 obligation bonds issued to provide money for another of those funds

1 or make bond enhancement payments with respect to the bonds; or

2 (3) pay the principal of and interest on revenue bonds
3 of the Board or make bond enhancement payments with respect to the
4 bonds if the bonds are issued to provide funds to purchase lands
5 and sell lands to veterans or make home mortgage loans to veterans.

6 (t) [~~t~~] If the Board determines that assets from the
7 Veterans' Land Fund, the Veterans' Housing Assistance Fund, or the
8 Veterans' Housing Assistance Fund II are not required for the
9 purposes of the fund, the Board may transfer the assets to another
10 of those funds or use the assets to secure revenue bonds issued by
11 the Board under this section.

12 (u) [~~u~~] The revenue bonds shall be special obligations of
13 the Board and payable only from and secured only by receipts of the
14 funds, assets transferred from the funds, and other revenues and
15 assets as determined by the Board and shall not constitute
16 indebtedness of the state or the Veterans' Land Board. The Board
17 may issue revenue bonds from time to time, which bonds may not
18 exceed an aggregate principal amount that the Board determines can
19 be fully retired from the receipts of the funds, the assets
20 transferred from the funds, and the other revenues and assets
21 pledged to the retirement of the revenue bonds. [~~The revenue bonds~~
22 ~~shall be issued and sold in forms and denominations in the manner~~
23 ~~on terms at times and places and in installments the Board~~
24 ~~determines.~~] Notwithstanding the rate of interest specified by any
25 other provision of this constitution, [the] revenue bonds shall
26 bear a rate or rates of interest the Board determines. A
27 determination made by the Board under this subsection shall be

1 binding and conclusive as to the matter determined.

2 (v) ~~The [notwithstanding any provisions of Section 49-b~~
3 ~~or 49-b-1 of this article to the contrary, the]~~ bonds authorized to
4 be issued and sold by the Veterans' Land Board ~~[by this section or~~
5 ~~by Sections 49-b and 49-b-1 of this article]~~ shall be issued and
6 sold in forms and denominations, on terms, at times, in the manner,
7 at places, and in installments the Board determines. The bonds
8 shall bear a rate or rates of interest the Board determines. The
9 bonds shall be incontestable after execution by the Board, approval
10 by the Attorney General of Texas, and delivery to the purchaser or
11 purchasers of the bonds.

12 (w) ~~[to]~~ This Amendment being intended only to establish a
13 basic framework and not to be a comprehensive treatment of the
14 Veterans' Housing Assistance Program and the Veterans' Land
15 Program, there is hereby reposed in the Legislature full power to
16 implement and effectuate the design and objects of this Amendment,
17 including the power to delegate such duties, responsibilities,
18 functions, and authority to the Veterans' Land Board as it believes
19 necessary.

20 ~~[(p) in this section, "veteran" has the meaning assigned by~~
21 ~~Section 49-b-1 of this article.~~

22 ~~[Sec. 49-b-3. (a) In addition to the general obligation~~
23 ~~bonds authorized to be issued and to be sold by the Veterans' Land~~
24 ~~Board by Sections 49-b, 49-b-1, and 49-b-2 of this article, the~~
25 ~~Veterans' Land Board may provide for, issue, and sell general~~
26 ~~obligation bonds of the state in an amount not to exceed \$500~~
27 ~~million to provide housing financing to veterans of the state in~~

1 recognize--of--the--service--to--the--state--and--the--United--States
2 The--Veterans--and--Board--may--enter--into--bond--enhancement--agreements
3 with--respect--to--the--bonds--The--proceeds--from--the--issuance--and--sale
4 of--the--bonds--authorized--by--this--section--shall--be--used--to--augment
5 the--Veterans--Housing--Assistance--Fund--to--be--administered--and
6 invested--as--provided--by--law.

7 [(b)--The--principal--of--and--interest--on--the--general--obligation
8 bonds--authorized--by--this--section--and--interest--payments--under--bond
9 enhancement--agreements--with--respect--to--principal--of--or--interest--on
10 the--bonds--shall--be--payable--from--the--sources--and--in--the--manner
11 provided--by--Section--49-b-2--of--this--article--for--general--obligation
12 bonds--issued--under--this--section--to--augment--the--Veterans--Housing
13 Assistance--Fund--.]

14 [(c)--The--general--obligation--bonds--authorized--by--this--section
15 shall--be--issued--and--sold--in--forms--and--denominations--and--terms--and
16 times--in--the--manner--and--places--and--in--instruments--the--Veterans--
17 and--Board--determines--The--bonds--shall--bear--date--or--dates--of
18 interest--the--Veterans--and--Board--determines--The--bonds--authorized
19 by--this--section--shall--be--incontestable--after--execution--by--the
20 Veterans--and--Board--approved--by--the--attorney--general--and
21 delivery--to--the--purchaser--or--purchasers--of--the--bonds.]

22 SECTION 15. Sections 49-c, 49-d, 49-d-1, 49-d-2, 49-d-5,
23 49-d-6, 49-d-7, and 49-d-8, Article III, Texas Constitution, are
24 amended to read as follows:

25 Sec. 49-c. (a) The Texas Water Development Board, [there-is
26 hereby--created--as] an agency of the State of Texas, shall [the
27 Texas-Water-Development-Board-to] exercise such powers as necessary

1 under this provision together with such other duties and
 2 restrictions as may be prescribed by law. The qualifications,
 3 compensation, and number of members of said Board shall be
 4 determined by law. They shall be appointed by the Governor with
 5 the advice and consent of the Senate in the manner and for such
 6 terms as may be prescribed by law.

7 (b) The Texas Water Development Board shall have the
 8 authority to provide for, issue and sell general obligation bonds
 9 of the State of Texas as authorized by constitutional amendment or
 10 by a debt proposition under Section 49 of this article [~~in an~~
 11 ~~amount not to exceed One Hundred Million Dollars--(\$100,000,000)].~~
 12 [~~The Legislature of Texas, upon two-thirds (2/3) vote of the~~
 13 ~~elected Members of each House, may authorize the Board to issue~~
 14 ~~additional bonds in an amount not exceeding One Hundred Million~~
 15 ~~Dollars--(\$100,000,000).]~~ The bonds [authorized herein or permitted
 16 to be authorized by the Legislature] shall be called "Texas Water
 17 Development Bonds," shall be executed in such form, denominations
 18 and upon such terms as may be prescribed by law, and [provided,
 19 however, that the bonds shall not bear more than four per cent (4%)
 20 interest per annum, they] may be issued in such installments as the
 21 Board finds feasible and practical in accomplishing the purpose set
 22 forth herein.

23 (c) All moneys received from the sale of the [State] bonds
 24 shall be deposited in a fund hereby created in the State Treasury
 25 to be known as the Texas Water Development Fund to be administered
 26 (without further appropriation) by the Texas Water Development
 27 Board in such manner as prescribed by law.

1 (d) Such fund shall be used only for the purpose of aiding
2 or making funds available upon such terms and conditions as the
3 Legislature may prescribe, to the various political subdivisions or
4 bodies politic and corporate of the State of Texas including river
5 authorities, conservation and reclamation districts and districts
6 created or organized or authorized to be created or organized under
7 Article XVI, Section 59 or Article III, Section 52, of this
8 Constitution, interstate compact commissions to which the State of
9 Texas is a party and municipal corporations, in the conservation
10 and development of the water resources of this State, including the
11 control, storing and preservation of its storm and flood waters and
12 the waters of its rivers and streams, for all useful and lawful
13 purposes by the acquisition, improvement, extension, or
14 construction of dams, reservoirs and other water storage projects,
15 including any system necessary for the transportation of water from
16 storage to points of treatment and/or distribution, including
17 facilities for transporting water therefrom to wholesale
18 purchasers, or for any one or more of such purposes or methods.

19 (e) Any or all financial assistance as provided herein shall
20 be repaid with interest upon such terms, conditions and manner of
21 repayment as may be provided by law.

22 (f) While any of the Texas Water Development Bonds [bonds
23 ~~authorized-by-this-provision-or-while-any-of-the-bonds-that-may-be~~
24 ~~authorized-by-the-legislature-under-this-provision], or any~~
25 interest on any of such bonds, is outstanding and unpaid, there is
26 hereby appropriated out of the first moneys coming into the
27 Treasury in each fiscal year, not otherwise appropriated by this

1 Constitution, an amount which is sufficient to pay the principal
2 and interest on such bonds that mature or become due during such
3 fiscal year, less the amount in the sinking fund at the close of
4 the prior fiscal year.

5 (g) The Legislature may provide for the investment of moneys
6 available in the Texas Water Development Fund, and the interest and
7 sinking funds established for the payment of bonds issued by the
8 Texas Water Development Board. Income from such investment shall
9 be used for the purposes prescribed by the Legislature. The
10 Legislature may also make appropriations from the General Revenue
11 Fund for paying administrative expenses of the Board.

12 (h) From the moneys received by the Texas Water Development
13 Board as repayment of principal for financial assistance or as
14 interest thereon, there shall be deposited in the interest and
15 sinking fund for the bonds [~~authorized-by-this-Section~~] sufficient
16 moneys to pay the interest and principal to become due during the
17 ensuing year and sufficient to establish and maintain a reserve in
18 said fund equal to the average annual principal and interest
19 requirements on all outstanding bonds [~~issued-under-this--Section~~].
20 If any year [~~prior--to-December-31,--1982~~] moneys are received in
21 excess of the foregoing requirements then such excess shall be
22 deposited to the Texas Water Development Fund, and may be used for
23 administrative expenses of the Board and for the same purposes and
24 upon the same terms and conditions prescribed for the proceeds
25 derived from the sale of such State bonds. [~~No-grant-of--financial~~
26 ~~assistance-shall-be-made-under-the-provisions-of-this-Section-after~~
27 ~~December--31,--1982,--and-all-moneys-thereafter-received-as-repayment~~

1 of principal for financial assistance or as interest thereon shall
2 be deposited in the interest and sinking fund for the State bonds,
3 except that such amount as may be required to meet the
4 administrative expenses of the Board may be annually set aside, and
5 provided that after all State bonds have been fully paid with
6 interest or after there are on deposit in the interest and sinking
7 fund sufficient moneys to pay all future maturities of principal
8 and interest, additional moneys so received shall be deposited to
9 the General Revenue Fund.]

10 (i) All Texas Water Development Bonds [bonds issued
11 hereunder] shall after approval by the Attorney General,
12 registration by the Comptroller of Public Accounts of the State of
13 Texas, and delivery to the purchasers, be incontestable and shall
14 constitute general obligations of the State of Texas under the
15 Constitution of Texas.

16 [Should the legislature enact enabling laws in anticipation
17 of the adoption of this amendment, such acts shall not be void by
18 reason of their anticipatory nature.]

19 Sec. 49-d. (a) It is hereby declared to be the policy of
20 the State of Texas to encourage the optimum development of the
21 limited number of feasible sites available for the construction or
22 enlargement of dams and reservoirs for conservation of the public
23 waters of the state, which waters are held in trust for the use and
24 benefit of the public, and to encourage the optimum regional
25 development of systems built for the filtration, treatment, and
26 transmission of water and wastewater. The proceeds from the sale
27 of [the additional] bonds [authorized hereunder] deposited in the

1 Texas Water Development Fund [~~and the proceeds of bonds previously~~
2 ~~authorized by Article III, Section 49-c of this Constitution,~~] may
3 be used by the Texas Water Development Board, under such provisions
4 as the Legislature may prescribe by General Law, including the
5 requirement of a permit for storage or beneficial use, for the
6 additional purposes of acquiring and developing storage facilities,
7 and any system or works necessary for the filtration, treatment and
8 transportation of water or wastewater, or for any one or more of
9 such purposes or methods, whether or not such a system or works is
10 connected with a reservoir in which the state has a financial
11 interest; provided, however, the Texas Water Development Fund or
12 any other state fund provided for water development, transmission,
13 transfer or filtration shall not be used to finance any project
14 which contemplates or results in the removal from the basin of
15 origin of any surface water necessary to supply the reasonably
16 foreseeable future water requirements for the next ensuing
17 fifty-year period within the river basin of origin, except on a
18 temporary, interim basis.

19 (b) Under such provisions as the Legislature may prescribe
20 by General Law the Texas Water Development Fund may be used for the
21 conservation and development of water for useful purposes by
22 construction or reconstruction or enlargement of reservoirs
23 constructed or to be constructed or enlarged within the State of
24 Texas or on any stream constituting a boundary of the State of
25 Texas, together with any system or works necessary for the
26 filtration, treatment and/or transportation of water, by any one or
27 more of the following governmental agencies: by the United States

1 of America or any agency, department or instrumentality thereof; by
 2 the State of Texas or any agency, department or instrumentality
 3 thereof; by political subdivisions or bodies politic and corporate
 4 of the state; by interstate compact commissions to which the State
 5 of Texas is a party; and by municipal corporations. The
 6 Legislature shall provide terms and conditions under which the
 7 Texas Water Development Board may sell, transfer or lease, in whole
 8 or in part, any reservoir and associated system or works which the
 9 Texas Water Development Board has financed in whole or in part.

10 (c) Under such provisions as the Legislature may prescribe
 11 by General Law, the Texas Water Development Board may also execute
 12 long-term contracts with the United States or any of its agencies
 13 for the acquisition and development of storage facilities in
 14 reservoirs constructed or to be constructed by the Federal
 15 Government. Such contracts when executed shall constitute general
 16 obligations of the State of Texas in the same manner and with the
 17 same effect as state bonds issued under the authority of [the
 18 preceding] Section 49-c of this article [Constitution], and the
 19 provisions of [~~in-said~~] Section 49-c of this article with respect
 20 to payment of principal and interest on state bonds issued shall
 21 likewise apply with respect to payment of principal and interest
 22 required to be paid by such contracts. If storage facilities are
 23 required for a term of years, such contracts shall contain
 24 provisions for renewal that will protect the state's investment.

25 [~~The--aggregate--of--the-bonds-authorized-hereunder-shall-not~~
 26 ~~exceed-\$200,000,000-and-shall-be-in-addition-to--the--aggregate--of~~
 27 ~~the-bonds-previously-authorized-by-said-Section-49-c-of-Article-III~~]

1 of--this--Constitution;--The-Legislature-upon-two-thirds-(2/3)-vote
2 of-the-elected-members-of-each-House,--may-authorize--the--Board--to
3 issue--all--or-any-portion-of-such-\$200,000,000-in-additional-bonds
4 herein-authorized.]

5 (d) The Legislature shall provide terms and conditions for
6 the Texas Water Development Board to sell, transfer or lease, in
7 whole or in part, any acquired facilities or the right to use such
8 facilities at a price not less than the direct cost of the Board in
9 acquiring same; and the Legislature may provide terms and
10 conditions for the Board to sell any unappropriated public waters
11 of the state that might be stored in such facilities. As a
12 prerequisite to the purchase of such storage or water, the
13 applicant therefor shall have secured a valid permit from the state
14 [~~Texas--Water--Commission--or--its--successor~~] authorizing the
15 acquisition of such storage facilities or the water impounded
16 therein. The money received from any sale, transfer or lease of
17 facilities shall be used to pay principal and interest on state
18 bonds issued or contractual obligations incurred by the Texas Water
19 Development Board, provided that when moneys are sufficient to pay
20 the full amount of indebtedness then outstanding and the full
21 amount of interest to accrue thereon, any further sums received
22 from the sale, transfer or lease of such facilities shall be
23 deposited and used as provided by law. Money received from the
24 sale of water, which shall include standby service, may be used for
25 the operation and maintenance of acquired facilities, and for the
26 payment of principal and interest on debt incurred.

27 [~~Should-the-Legislature-enact-enabling-laws--in--anticipation~~

1 of--the--adoption--of--this--Amendment--such--Acts--shall--not--be--void--by
2 reason--of--their--anticipatory--character.]

3 Sec. 49-d-1. (a) The Texas Water Development Board may
4 [shall--upon--direction--of--the--Texas--Water--Quality--Board--or--any
5 successor--agency--designated--by--the--legislature] issue [additional]
6 Texas Water Development Bonds as authorized by constitutional
7 amendment or by a debt proposition under Section 49 of this article
8 [up--to--an--additional--aggregate--principal--amount--of--\$200,000,000] to
9 provide grants, loans, or any combination of grants and loans for
10 water quality enhancement purposes as established by the
11 Legislature[---The--Texas--Water--Quality--Board--or--any--successor
12 agency--designated--by--the--legislature--may--make--such--grants--and
13 loans] to political subdivisions or bodies politic and corporate of
14 the State of Texas, including municipal corporations, river
15 authorities, conservation and reclamation districts, and districts
16 created or organized or authorized to be created or organized under
17 Article XVI, Section 59, or Article III, Section 52, of this
18 Constitution, State agencies, and interstate agencies and compact
19 commissions to which the State of Texas is a party, and upon such
20 terms and conditions as the Legislature may authorize by general
21 law. The bonds shall be issued for such terms, in such
22 denominations, form and installments, and upon such conditions as
23 the Legislature may authorize.

24 [(b)--The--proceeds--from--the--sale--of--such--bonds--shall--be
25 deposited--in--the--Texas--Water--Development--Fund--to--be--invested--and
26 administered--as--prescribed--by--law.]

27 [(c)--The--bonds--authorized--in--this--Section--49--d--1--and--all

1 ~~bonds authorized by Sections 49-c and 49-d of Article III shall~~
2 ~~bear interest at not more than 6% per annum and mature as the Texas~~
3 ~~Water Development Board shall prescribe, subject to the limitations~~
4 ~~as may be imposed by the Legislature.]~~

5 (b) [(d)] The Texas Water Development Fund shall be used for
6 the purposes heretofore permitted by, and subject to the
7 limitations in this Section and Sections 49-c and[7] 49-d [and
8 49-d-1]; provided, however, that the financial assistance may be
9 made [pursuant to the provisions of Sections 49-c, 49-d and 49-d-1]
10 subject only to the availability of funds [and without regard to
11 the provisions in Section 49-c that such financial assistance
12 shall terminate after December 31, 1982].

13 [(e) Texas Water Development Bonds are secured by the
14 general credit of the State and shall after approval by the
15 Attorney General, registration by the Comptroller of Public
16 Accounts of the State of Texas, and delivery to the purchasers, be
17 incontestable and shall constitute general obligations of the State
18 of Texas under the Constitution of Texas.]

19 [(f) Should the Legislature enact enabling laws in
20 anticipation of the adoption of this amendment, such Acts shall not
21 be void by reason of their anticipatory character.]

22 Sec. 49-d-2. [(a)] The Texas Water Development Board may
23 issue [additional] Texas Water Development Bonds [up to an
24 additional aggregate principal amount of \$980 million. Of the
25 additional bonds authorized to be issued, \$590 million of those
26 bonds are dedicated for use for the purposes provided by Sections
27 49-c and 49-d of this article with \$400 million of those bonds to

1 be-used-for-state-projects-in-the-development
 2 of--flood-control--for--the-state-of-texas--and
 3 the-creation-of-water-and-wastewater-as-authorized-by-section-49-d--of
 4 the--constitution--the--legislature--may--set--limits--on--the--extent--of
 5 state-projects--in--each--year--through--the
 6 General-Appropriations-Act--or--other--law--and--state-projects--is
 7 limited--to--50--percent--of--the--funding--for--any--single--project--of
 8 the--state--bond--authorized--§190--limitation--are--dedicated--for--use
 9 for--the--purposes--provided--by--section-49-d--of--the--constitution--and
 10 \$200--million--are--dedicated--exclusively] for flood control projects
 11 and [may-be-made-available] for any acquisition or construction
 12 necessary to achieve structural and nonstructural flood control
 13 purposes.

14 [(b)--The-Texas--Water--Development--Board--shall--issue--the
 15 state--bond--authorized--by--the--section--of--the--constitution--in--the
 16 denominations--form--and--interest--on--the--condition--and
 17 subject--to--the--limitations--provided--by--sections-49-e-7-49-d--and
 18 49-d--of--the--constitution--and--by--laws--adopted--by--the--legislature
 19 implementing--these--sections.

20 [(c)--Proceeds--from--the--sale--of--the--bond--authorized--by--the
 21 section--shall--be--deposited--in--the--Texas--water--development--fund--to
 22 be--administered--and--invested--as--provided--by--law.

23 [(d)--Funds--available--made--available--for--the--purposes
 24 provided--by--the--section--is--subject--to--the--availability--of--funds.
 25 The--requirement--of--section--49-e--of--the--constitution--that--funds
 26 available--to--be--used--on--December--31--1987--do--not--apply--to
 27 funds--available--made--available--under--the--section.

1 ~~[(e)--Bonds--issued--under--this--section--shall--bear--interest--as~~
2 ~~provided--by--Section--65--of--this--article.]~~

3 Sec. 49-d-5. For the purpose of any program established or
4 authorized by ~~[Section--49-c, 49-d, 49-d-1, 49-d-2, or 49-d-4 of]~~
5 this article and administered by the Texas Water Development Board,
6 the legislature by law may extend any benefits to nonprofit water
7 supply corporations that it may extend to a district created or
8 organized under Article XVI, Section 59, of this constitution.

9 Sec. 49-d-6. ~~[(a)--The--Texas--Water--Development--Board--may~~
10 ~~issue--additional--Texas--Water--Development--Bonds--up--to--an--additional~~
11 ~~aggregate--principal--amount--of--\$400--million.---Of--the--additional~~
12 ~~bonds--authorized--to--be--issued, \$200--million--of--those--bonds--shall--be~~
13 ~~used--for--purposes--provided--by--Section--49-c--of--this--article, \$150~~
14 ~~million--of--those--bonds--shall--be--used--for--purposes--provided--by~~
15 ~~Section--49-d-1--of--this--article,--and--\$50--million--of--those--bonds~~
16 ~~shall--be--used--for--flood--control--as--provided--by--law.~~

17 ~~[(b)]~~ The legislature may require review and approval of the
18 issuance of Texas Water Development Bonds ~~[the bonds]~~, of the use
19 of the bond proceeds, or of the rules adopted by an agency to
20 govern use of the bond proceeds. Notwithstanding any other
21 provision of this constitution, any entity created or directed to
22 conduct this review and approval may include members or appointees
23 of members of the executive, legislative, and judicial departments
24 of state government.

25 ~~[(c)--The--Texas--Water--Development--Board--shall--issue--the~~
26 ~~additional--bonds--authorized--by--this--section--for--the--terms,--in--the~~
27 ~~denominations,--form,--and--installments,--on--the--conditions,--and~~

1 subject-to-the-limitations-provided-by-Sections-49-c-and-49-d-1-of
2 this-article-and-by-laws-adopted-by-the-legislature-implementing
3 this-section

4 [(d)--Subsections-(c)-through-(e)-of-Section-49-d-2-of-this
5 article-apply-to-the-bonds-authorized-by-this-section]

6 Sec. 49-d-7. (a) [The-Texas-Water-Development-Board-may
7 issue-additional-Texas-water-development-bonds-up-to-an-additional
8 aggregate-principal-amount-of-\$500-million-of-the-additional
9 bonds-authorized-to-be-issued-\$250-million-of-these-bonds-shall-be
10 used-for-purposes-provided-by-Section-49-c-of-this-article-\$200
11 million-of-these-bonds-shall-be-used-for-purposes-provided-by
12 Section-49-d-1-of-this-article-and-\$50-million-of-these-bonds
13 shall-be-used-for-flood-control-as-provided-by-law

14 [(b)] The Texas Water Development Board may use the proceeds
15 of Texas water development bonds issued for the purposes provided
16 by Section 49-c of this article for the additional purpose of
17 providing financial assistance, on terms and conditions provided by
18 law, to various political subdivisions and bodies politic and
19 corporate of the state and to nonprofit water supply corporations
20 to provide for acquisition, improvement, extension, or construction
21 of water supply projects that involve the distribution of water to
22 points of delivery to wholesale or retail customers.

23 [(e)--The-legislature-may-require-review-and-approval-of-the
24 issuance-of-the-bonds-the-use-of-the-bond-proceeds-or-the-rules
25 adopted-by-an-agency-to-govern-use-of-the-bond-proceeds
26 Notwithstanding-any-other-provision-of-this-constitution-any
27 entity-created-or-directed-to-conduct-this-review-and-approval-may

1 include---members--or--appointees--of--members--of--the--executive,
2 legislative,~~and-judicial-departments-of-state-government.~~

3 [~~(d)~~---Except-as-specifically-provided-by--Subsection--~~(e)~~---of
4 this--section,~~the--Texas--Water-Development-Board-shall-issue-the~~
5 ~~additional-bonds-authorized-by-this-section-for-the-terms,~~---in--the
6 ~~denominations,~~---form,~~and--installments,~~---on--the--conditions,~~and~~
7 ~~subject-to-the-limitations-provided-by-Sections-49-c-and-49-d-1--of~~
8 ~~this--article--and--by-laws-adopted-by-the-legislature-implementing~~
9 ~~this-section.]~~

10 (b) [~~(e)~~] The legislature may provide by law for subsidized
11 loans and grants from the proceeds of Texas water development bonds
12 [~~authorized--by-this-section~~] to provide wholesale and retail water
13 and wastewater facilities to economically distressed areas of the
14 state as defined by law, provided, the principal amount of bonds
15 that may be issued for the purposes under this subsection may not
16 exceed \$250 million [~~50--percent--of--the--total-amount-of-bonds~~
17 ~~authorized--by--this--section~~]. Separate accounts shall be
18 established in the water development fund for administering the
19 proceedings of bonds issued for purposes under this subsection, and
20 an interest and sinking fund separate from and not subject to the
21 limitations of the interest and sinking fund created [~~pursuant-to~~
22 ~~Section--49-c~~] for other Texas water development bonds is
23 established in the State Treasury to be used for paying the
24 principal of and interest on bonds for the purposes of the
25 subsection. While any of the bonds authorized for the purposes of
26 this subsection or any of the interest on those bonds is
27 outstanding and unpaid, there is appropriated out of the first

1 money coming into the State Treasury in each fiscal year, not
2 otherwise appropriated by this constitution, an amount that is
3 sufficient to pay the principal of and interest on those bonds
4 issued for the purposes under this subsection that mature or become
5 due during that fiscal year.

6 [~~(f)~~--Subsections--~~(e)~~--through--~~(e)~~--of--Section--49-d-2--of--this
7 article--apply--to--the--bonds--authorized--by--this--section.]

8 Sec. 49-d-8. (a) The Texas Water Development Fund II is
9 [created] in the state treasury as a fund separate and distinct
10 from the Texas Water Development Fund established under Section
11 49-c of this article. Money in the Texas Water Development Fund II
12 shall be administered without further appropriation by the Texas
13 Water Development Board and shall be used for any one or more of
14 the purposes currently or formerly authorized by Sections 49-c,
15 49-d, 49-d-1, 49-d-2, 49-d-5, 49-d-6, and 49-d-7 of this article,
16 as determined by the Texas Water Development Board. Separate
17 accounts shall be established in the Texas Water Development Fund
18 II for administering proceedings related to the purposes described
19 in Section 49-d of this article, the purposes described in
20 Subsection (b) [~~(e)~~] of Section 49-d-7 of this article, and all
21 other authorized purposes. The Texas Water Development Board is
22 hereby authorized, at its determination, to issue general
23 obligation bonds for one or more accounts of the Texas Water
24 Development Fund II in an aggregate principal amount equal to the
25 amount of bonds previously authorized pursuant to former Section
26 49-d-6 and Sections 49-d-2[7-49-d-67] and 49-d-7 of this article
27 less the amount of bonds issued pursuant to those sections to

1 augment the Texas Water Development Fund and the amount of bonds
2 issued to augment the Texas Water Development Fund II. Nothing in
3 this section, however, shall grant to the Texas Water Development
4 Board the authority to issue bonds [~~under this section and under~~
5 ~~Sections 49-d-2, 49-d-6, and 49-d-7 of this article~~] in excess of
6 the total amount of those previously authorized bonds [~~described in~~
7 ~~Sections 49-d-2, 49-d-6, and 49-d-7 of this article~~] or to issue
8 bonds for purposes described in Subsection (b) [~~(e)~~] of Section
9 49-d-7 of this article in excess of \$250 million. The expenses of
10 the Texas Water Development Board in connection with the issuance
11 of bonds for an account of the Texas Water Development Fund II and
12 administration of such account may be paid from money in such
13 account.

14 (b) The Texas Water Development Board is hereby authorized,
15 at its determination, to issue general obligation bonds for one or
16 more accounts of the Texas Water Development Fund II in order to
17 refund outstanding bonds previously issued to augment the Texas
18 Water Development Fund, as long as the principal amount of the
19 refunding bonds does not exceed the outstanding principal amount of
20 the refunded bonds, and to refund the general obligation of the
21 State of Texas under long-term contracts entered into by the Texas
22 Water Development Board with the United States or any of its
23 agencies under authority granted by Section 49-d of this article,
24 as long as the principal amount of the refunding bonds does not
25 exceed the principal amount of the contractual obligation of the
26 Texas Water Development Board. Money and assets in the Texas Water
27 Development Fund attributable to such refunding bonds shall be

1 transferred to the appropriate account of the Texas Water
2 Development Fund II, as determined by the Texas Water Development
3 Board, to the extent not inconsistent with the proceedings
4 authorizing any outstanding bonds issued to augment the Texas Water
5 Development Fund and the terms of any long-term contracts entered
6 into by the Texas Water Development Board with the United States or
7 any of its agencies. In addition, the Texas Water Development
8 Board may transfer other moneys and assets in the Texas Water
9 Development Fund to the appropriate account of the Texas Water
10 Development Fund II, as determined by the Texas Water Development
11 Board, without the necessity of issuing refunding bonds to effect
12 the transfer, to the extent not inconsistent with the proceedings
13 authorizing any outstanding bonds issued to augment the Texas Water
14 Development Fund. Further, at such time as all bonds issued to
15 augment the Texas Water Development Fund and all such contractual
16 obligations have been paid or otherwise discharged, all money and
17 assets in the Texas Water Development Fund shall be transferred to
18 the credit of the Texas Water Development Fund II and deposited to
19 the accounts therein, as determined by the Texas Water Development
20 Board.

21 (c) Subject to the limitations set forth in Section 49-d of
22 this article, the legislature shall provide terms and conditions
23 under which the Texas Water Development Board may sell, transfer,
24 or lease, in whole or in part, facilities held for the account
25 established within the Texas Water Development Fund II for
26 administering proceedings related to the purposes described in
27 Section 49-d of this article, and the legislature may provide terms

1 and conditions under which the Texas Water Development Board may
2 sell any unappropriated public waters of the state that may be
3 stored in such facilities. Money received from any sale, transfer,
4 or lease of such facilities or water shall be credited to the
5 account established within the Texas Water Development Fund II for
6 the purpose of administering proceedings related to the purposes
7 described in Section 49-d of this article.

8 (d) Each account of the Texas Water Development Fund II
9 shall consist of:

10 (1) the Texas Water Development Board's rights to
11 receive repayment of financial assistance provided from such
12 account, together with any evidence of such rights;

13 (2) money received from the sale or other disposition
14 of the Texas Water Development Board's rights to receive repayment
15 of such financial assistance;

16 (3) money received as repayment of such financial
17 assistance;

18 (4) money and assets attributable to bonds issued and
19 sold by the Texas Water Development Board for such account,
20 including money and assets transferred from the Texas Water
21 Development Fund pursuant to this section;

22 (5) money deposited in such account pursuant to
23 Subsection (c) of this section;

24 (6) payments received by the Texas Water Development
25 Board under a bond enhancement agreement as authorized by law with
26 respect to bonds issued for such account; and

27 (7) interest and other income received from investment

1 of money in such account.

2 (e) Notwithstanding the other provisions of [Sections
 3 49-d-27--49-d-67--and-49-d-7-of] this article, the principal of and
 4 interest on the general obligation bonds issued for an account of
 5 the Texas Water Development Fund II, including payments by the
 6 Texas Water Development Board under a bond enhancement agreement as
 7 authorized by law with respect to principal of or interest on such
 8 bonds, shall be paid out of such account, but the money in such
 9 account that is not immediately committed to the purposes of such
 10 account or the payment of expenses may be invested as authorized by
 11 law until the money is needed for those purposes. If there is not
 12 enough money in any account available to pay the principal of and
 13 interest on the general obligation bonds issued for such account,
 14 including money to make payments by the Texas Water Development
 15 Board under a bond enhancement agreement as authorized by law with
 16 respect to principal of or interest on such bonds, there is
 17 appropriated out of the first money coming into the state treasury
 18 in each fiscal year not otherwise appropriated by this constitution
 19 an amount that is sufficient to pay the principal of and interest
 20 on such general obligation bonds that mature or become due during
 21 that fiscal year or to make bond enhancement payments with respect
 22 to those bonds.

23 (f) The general obligation bonds authorized by this section
 24 may be issued as bonds, notes, or other obligations as permitted by
 25 law and shall be sold in forms and denominations, on terms, at
 26 times, in the manner, at places, and in installments, all as
 27 determined by the Texas Water Development Board. The bonds shall

1 bear a rate or rates of interest the Texas Water Development Board
2 determines. The bonds authorized by this section shall be
3 incontestable after execution by the Texas Water Development Board,
4 approval by the attorney general, and delivery to the purchaser or
5 purchasers of the bonds.

6 (g) This section being intended only to establish a basic
7 framework and not to be a comprehensive treatment of the Texas
8 Water Development Fund II, there is hereby reposed in the
9 legislature full power to implement and effectuate the design and
10 objects of this section, including the power to delegate such
11 duties, responsibilities, functions, and authority to the Texas
12 Water Development Board as it believes necessary.

13 (h) The Texas Water Development Fund II, including any
14 account in that fund, may not be used to finance or aid any project
15 that contemplates or results in the removal from the basin of
16 origin of any surface water necessary to supply the reasonably
17 foreseeable future water requirements for the next ensuing 50-year
18 period within the river basin of origin, except on a temporary,
19 interim basis.

20 SECTION 16. Section 49-e, Article III, Texas Constitution,
21 is amended to read as follows:

22 Sec. 49-e. (a) The Parks and Wildlife Department, or its
23 successor vested with the powers, duties, and authority which deals
24 with the operation, maintenance, and improvement of State Parks,
25 shall have the authority to provide for, issue and sell general
26 obligation bonds of the State of Texas in an amount authorized by
27 constitutional amendment or by a debt proposition under Section 49

1 of this article [~~not--to--exceed--Seventy-Five--Million--Dollars~~
2 ~~(\$75,000,000)~~]. The bonds [~~authorized--herein~~] shall be called
3 "Texas Park Development Bonds," shall be executed in such form,
4 denominations, and upon such terms as may be prescribed by law,
5 [~~provided--however--that--the--bonds~~] shall bear a rate or rates of
6 interest as may be fixed by the Parks and Wildlife Department or
7 its successor, not to exceed the maximum prescribed by Section 65
8 of this article, and [~~but--the--weighted--average--annual--interest~~
9 ~~rate--as--that--phrase--is--commonly--and--ordinarily--used--and--understood~~
10 ~~in--the--municipal--bond--market--of--all--the--bonds--issued--and--sold--in~~
11 ~~any--installment--of--any--bonds--shall--not--exceed--four--and--one-half~~
12 ~~percent--(4--1/2%)--interest--per--annum--they~~] may be issued in such
13 installments as said Parks and Wildlife Department, or its said
14 successor, finds feasible and practical in accomplishing the
15 purpose set forth herein.

16 (b) All moneys received from the sale of said bonds shall be
17 deposited in a fund hereby created with the Comptroller of Public
18 Accounts of the State of Texas to be known as the Texas Park
19 Development Fund to be administered (without further appropriation)
20 by the said Parks and Wildlife Department, or its said successor,
21 in such manner as prescribed by law.

22 (c) Such fund shall be used by said Parks and Wildlife
23 Department, or its said successor, under such provisions as the
24 Legislature may prescribe by general law, for the purposes of
25 acquiring lands from the United States, or any governmental agency
26 thereof, from any governmental agency of the State of Texas, or
27 from any person, firm, or corporation, for State Park Sites and for

1 developing said sites as State Parks.

2 (d) While any of the bonds [~~authorized-by-this-provision~~],
3 or any interest on any such bonds, is outstanding and unpaid, there
4 is hereby appropriated out of the first moneys coming into the
5 Treasury in each fiscal year, not otherwise appropriated by this
6 Constitution, an amount which is sufficient to pay the principal
7 and interest on such bonds that mature or become due during such
8 fiscal year, less the amount in the interest and sinking fund at
9 the close of the prior fiscal year, which includes any receipts
10 derived during the prior fiscal year by said Parks and Wildlife
11 Department, or its said successor, from admission charges to State
12 Parks, as the Legislature may prescribe by general law.

13 (e) The Legislature may provide for the investment of moneys
14 available in the Texas Park Development Fund and the interest and
15 sinking fund established for the payment of bonds issued by said
16 Parks and Wildlife Department, or its said successor. Income from
17 such investment shall be used for the purposes prescribed by the
18 Legislature.

19 (f) From the moneys received by said Parks and Wildlife
20 Department, or its said successor, from the sale of the bonds
21 issued hereunder, there shall be deposited in the interest and
22 sinking fund for the bonds authorized by this section sufficient
23 moneys to pay the interest to become due during the State fiscal
24 year in which the bonds were issued. After all bonds have been
25 fully paid with interest, or after there are on deposit in the
26 interest and sinking fund sufficient moneys to pay all future
27 maturities of principal and interest, additional moneys received

1 from admission charges to State Parks shall be deposited to the
2 State Parks Fund, or any successor fund which may be established by
3 the Legislature as a depository for Park revenue earned by said
4 Parks and Wildlife Department, or its said successor.

5 (g) All bonds issued hereunder shall after approval by the
6 Attorney General, registration by the Comptroller of Public
7 Accounts of the State of Texas, and delivery to the purchasers, be
8 incontestable and shall constitute general obligations of the State
9 of Texas under the Constitution of Texas.

10 [~~Should the Legislature enact enabling laws in anticipation~~
11 ~~of the adoption of this amendment, such Acts shall not be void by~~
12 ~~reason of their anticipatory nature.~~]

13 SECTION 17. Section 49-h, Article III, Texas Constitution,
14 is amended to read as follows:

15 Sec. 49-h. (a) In amounts authorized by constitutional
16 amendment or by a debt proposition under Section 49 of this
17 article, the [~~The~~] legislature may provide for [~~authorize~~] the
18 issuance of [~~up to \$500 million in~~] general obligation bonds and
19 the use of the bond proceeds for acquiring, constructing, or
20 equipping new facilities or for major repair or renovation of
21 existing facilities of corrections institutions, including youth
22 corrections institutions, and mental health and mental retardation
23 institutions. The legislature may require the review and approval
24 of the issuance of the bonds and the projects to be financed by the
25 bond proceeds. Notwithstanding any other provision of this
26 constitution, the issuer of the bonds or any entity created or
27 directed to review and approve projects may include members or

1 appointees of members of the executive, legislative, and judicial
2 departments of state government.

3 (b) Bonds issued under this section constitute a general
4 obligation of the state. While any of the bonds or interest on the
5 bonds is outstanding and unpaid, there is appropriated out of the
6 first money coming into the treasury in each fiscal year, not
7 otherwise appropriated by this constitution, the amount sufficient
8 to pay the principal of and interest on the bonds that mature or
9 become due during the fiscal year, less any amount in any sinking
10 fund at the end of the preceding fiscal year that is pledged to
11 payment of the bonds or interest.

12 (c) In addition to the purposes authorized under Subsection
13 (a), the [~~{1}--The~~] legislature may authorize the issuance of the
14 [up--to--\$400-million-in] general obligation bonds~~[7-in-addition-to~~
15 ~~the-amount-authorized-by-Subsection-(a)-of-this--section,7--and--use~~
16 ~~the---proceeds--of--the--bonds]~~ for acquiring, constructing, or
17 equipping:

18 (1) new [~~corrections-institutions,7-mental--health--and~~
19 ~~mental--retardation--institutions,7--youth-corrections-institutions,7~~
20 and] statewide law enforcement facilities and for major repair or
21 renovation of existing facilities; and [~~of-these-institutions,~~

22 [~~{2}--The--provisions-of-Subsection-(a)-of-this-section~~
23 ~~relating-to-the-review-and-approval-of-bonds-and-the-provisions--of~~
24 ~~Subsection--(b)-of-this-section-relating-to-the-status-of-the-bonds~~
25 ~~as-a-general-obligation-of-the-state-and-to-the-manner-in-which-the~~
26 ~~principal-and-interest--on--the--bonds--are--paid--apply--to--bonds~~
27 ~~authorized-under-this-subsection.~~

1 [(d) (1) -- The -- legislation may authorize the -- issuance of -- up -- to
2 \$ -- 100,000 -- in -- general -- obligation -- bonds -- in -- the -- amount
3 authorized -- by -- subsections (a) -- and -- (c) -- of -- this -- section -- and -- may -- use
4 the -- proceeds -- of -- the -- bonds -- for -- acquiring -- construction -- or
5 equipping]

6 (2) new prisons and substance abuse felony punishment
7 facilities to confine criminals [-- mental -- health -- and -- mental
8 retardation -- institutions] and [youth -- corrections institutions
9 for] major repair or renovation of existing facilities of those
10 institutions, and for the acquisition of, major repair to, or
11 renovation of other facilities for use as state prisons or
12 substance abuse felony punishment facilities. [Proceeds of general
13 obligation -- bonds -- issued -- under -- this -- subsection -- may -- not -- be
14 appropriated -- by -- any -- session -- of -- the -- legislature -- other -- than -- the
15 Legislature -- of -- the -- 72nd -- Legislature -- or -- any -- subsequent -- session -- of
16 the -- legislature]

17 [(2) -- The -- provisions of -- subsection (a) -- of -- this -- section
18 relating -- to -- the -- review -- and -- approval -- of -- bonds -- and -- the -- provisions of
19 subsection (b) -- of -- this -- section -- relating -- to -- the -- sale -- of -- the -- bonds
20 as -- a -- general -- obligation -- of -- the -- state -- and -- the -- manner -- in -- which -- the
21 proceeds -- and -- interest -- on -- the -- bonds -- are -- paid -- apply -- to -- bonds
22 authorized -- under -- this -- subsection]

23 [(c) (1) -- The -- legislation may authorize the -- issuance of -- up -- to
24 \$ -- 100,000 -- in -- general -- obligation -- bonds -- in -- the -- amount
25 authorized -- by -- subsections (a) -- and -- (c) -- and -- (d) -- of -- this -- section -- and
26 use -- the -- proceeds -- of -- the -- bonds -- for -- acquiring -- construction -- or
27 equipping new -- correctional -- institutions -- and -- institutions -- youth -- correctional]

1 institutions, and mental health and mental retardation institutions
2 and for major repair or renovation of existing facilities of those
3 corrections and mental health and mental retardation institutions.

4 [(2) -- The provisions of Subsection (a) of this section
5 relating to the review and approval of bonds and the provisions of
6 Subsection (b) of this section relating to the status of the bonds
7 as a general obligation of the state and to the manner in which the
8 principal and interest on the bonds are paid apply to bonds
9 authorized under this subsection.]

10 SECTION 18. Subsection (a), Section 50b-4, Article III,
11 Texas Constitution, is amended to read as follows:

12 (a) The legislature by general law may authorize the Texas
13 Higher Education Coordinating Board or its successor or successors
14 to issue and sell general obligation bonds of the State of Texas in
15 an amount authorized by constitutional amendment or by a debt
16 proposition under Section 49 of this article [not to exceed \$300
17 million] to finance educational loans to students. [The bonds are
18 in addition to those bonds issued under Sections 50b-1, 50b-2,
19 50b-3, and 50b-4, Article III, Texas Constitution.]

20 SECTION 19. Section 51, Article III, Texas Constitution, is
21 amended to read as follows:

22 Sec. 51. The Legislature shall have no power to make any
23 grant or authorize the making of any grant of public moneys to any
24 individual, association of individuals, municipal or other
25 corporations whatsoever; [provided, however, the Legislature may
26 grant aid to indigent and disabled Confederate soldiers and sailors
27 under such regulations and limitations as may be deemed by the

1 legislature as expedient, and to their widows in indigent
 2 circumstances under such regulations and limitations as may be
 3 deemed by the legislature as expedient,] provided that the
 4 provisions of this Section shall not be construed so as to prevent
 5 the grant of aid in cases of public calamity.

6 SECTION 20. Section 51-a, Article III, Texas Constitution,
 7 is amended to read as follows:

8 Sec. 51-a. (a) The Legislature shall have the power, by
 9 General Laws, to provide, subject to limitations herein contained,
 10 and such other limitations, restrictions and regulations as may by
 11 the Legislature be deemed expedient, for assistance grants to needy
 12 dependent children and the caretakers of such children, needy
 13 persons who are totally and permanently disabled because of a
 14 mental or physical handicap, needy aged persons and needy blind
 15 persons.

16 (b) The Legislature may provide by General Law for medical
 17 care, rehabilitation and other similar services for needy persons.
 18 The Legislature may prescribe such other eligibility requirements
 19 for participation in these programs as it deems appropriate and may
 20 make appropriations out of state funds for such purposes. The
 21 maximum amount paid out of state funds for assistance grants, to or
 22 on behalf of needy dependent children and their caretakers shall
 23 not exceed [the amount of Eighty Million Dollars (\$80,000,000)
 24 during any fiscal year, except that the limit shall be One Hundred
 25 Sixty Million Dollars (\$160,000,000) for the two years of the
 26 1982-1983 biennium. For the two years of each subsequent biennium
 27 the maximum amount shall not exceed] one percent of the state

1 budget. The Legislature by general statute shall provide for the
2 means for determining the state budget amounts, including state and
3 other funds appropriated by the Legislature, to be used in
4 establishing the biennial limit.

5 (c) Provided further, that if the limitations and
6 restrictions herein contained are found to be in conflict with the
7 provisions of appropriate federal statutes, as they now are or as
8 they may be amended to the extent that federal matching money is
9 not available to the state for these purposes, then and in that
10 event the Legislature is specifically authorized and empowered to
11 prescribe such limitations and restrictions and enact such laws as
12 may be necessary in order that such federal matching money will be
13 available for assistance and/or medical care for or on behalf of
14 needy persons.

15 (d) Nothing in this Section shall be construed to amend,
16 modify or repeal Section 31 of Article XVI of this Constitution;
17 provided further, however, that such medical care, services or
18 assistance shall also include the employment of objective or
19 subjective means, without the use of drugs, for the purpose of
20 ascertaining and measuring the powers of vision of the human eye,
21 and fitting lenses or prisms to correct or remedy any defect or
22 abnormal condition of vision. Nothing herein shall be construed to
23 permit optometrists to treat the eyes for any defect whatsoever in
24 any manner nor to administer nor to prescribe any drug or physical
25 treatment whatsoever, unless such optometrist is a regularly
26 licensed physician or surgeon under the laws of this state.

27 SECTION 21. Subsections (b) and (c), Section 52, Article

1 III, Texas Constitution, are amended to read as follows:

2 (b) Under Legislative provision, any county, [any] political
3 subdivision of a county, [any] number of adjoining counties, [or
4 any] political subdivision of the State, or [any] defined district
5 now or hereafter to be described and defined within the State of
6 Texas, and which may or may not include, towns, villages or
7 municipal corporations, upon a vote of two-thirds majority of the
8 [~~resident--property--taxpayers~~] voting [~~thereon-who-are~~] qualified
9 voters [~~electors~~] of such district or territory to be affected
10 thereby, [~~in--addition--to--all--other--debts~~] may issue bonds or
11 otherwise lend its credit in any amount not to exceed one-fourth of
12 the assessed valuation of the real property of such district or
13 territory, except that the total bonded indebtedness of any city or
14 town shall never exceed the limits imposed by other provisions of
15 this Constitution, and levy and collect taxes to pay the interest
16 thereon and provide a sinking fund for the redemption thereof, as
17 the Legislature may authorize, and in such manner as it may
18 authorize the same, for the following purposes to wit:

19 (1) The improvement of rivers, creeks, and streams to
20 prevent overflows, and to permit of navigation thereof, or
21 irrigation thereof, or in aid of such purposes.

22 (2) The construction and maintenance of pools, lakes,
23 reservoirs, dams, canals and waterways for the purposes of
24 irrigation, drainage or navigation, or in aid thereof.

25 (3) The construction, maintenance and operation of
26 macadamized, graveled or paved roads and turnpikes, or in aid
27 thereof.

1 (c) Notwithstanding the provisions of Subsection (b) of this
2 Section, bonds may be issued by any county in an amount not to
3 exceed one-fourth of the assessed valuation of the real property in
4 the county, for the construction, maintenance, and operation of
5 macadamized, graveled, or paved roads and turnpikes, or in aid
6 thereof, upon a vote of a majority of the [~~resident--property~~
7 ~~taxpayers~~] voting [~~thereon-who-are~~] qualified voters [~~electors~~] of
8 the county, and without the necessity of further or amendatory
9 legislation. The county may levy and collect taxes to pay the
10 interest on the bonds as it becomes due and to provide a sinking
11 fund for redemption of the bonds.

12 SECTION 22. Section 52d, Article III, Texas Constitution, is
13 amended to read as follows:

14 Sec. 52d. (a) Upon the vote of a majority of the [~~resident~~
15 qualified voters [~~electors--owning--rendered--taxable--property~~
16 ~~therein~~] so authorizing, a county or road district may collect an
17 annual tax for a period not exceeding five (5) years to create a
18 fund for constructing lasting and permanent roads and bridges or
19 both. No contract involving the expenditure of any of such fund
20 shall be valid unless, when it is made, money shall be on hand in
21 such fund.

22 (b) At such election, the Commissioners' Court shall submit
23 for adoption a road plan and designate the amount of special tax to
24 be levied; the number of years said tax is to be levied; the
25 location, description, and character of the roads and bridges; and
26 the estimated cost thereof. The funds raised by such taxes shall
27 not be used for purposes other than those specified in the plan

1 submitted to the voters. Elections may be held from time to time
2 to extend or discontinue said plan or to increase or diminish said
3 tax. The Legislature shall enact laws prescribing the procedure
4 hereunder.

5 (c) The provisions of this section shall apply only to
6 Harris County and road districts therein.

7 SECTION 23. Section 52g, Article III, Texas Constitution, is
8 amended to read as follows:

9 Sec. 52g. Bonds to be issued by Dallas County under Section
10 52(b)(3) [52] of Article III of this Constitution [~~for--the~~
11 ~~construction-maintenance-and-operation-of-macadamized-graveled-or~~
12 ~~paved-roads-and-turnpikes-or-in-aid--thereof~~] may, without the
13 necessity of further or amendatory legislation, be issued upon a
14 vote of a majority of the [residents] voting [thereon--who--are]
15 qualified voters [electors] of said county, and bonds heretofore or
16 hereafter issued under Subsections (a) and (b) of said Section 52
17 shall not be included in determining the debt limit prescribed in
18 said Section.

19 SECTION 24. Section 7, Article IV, Texas Constitution, is
20 amended to read as follows:

21 Sec. 7. He shall be Commander-in-Chief of the military
22 forces of the State, except when they are called into actual
23 service of the United States. He shall have power to call forth
24 the militia to execute the laws of the State, to suppress
25 insurrections, and to repel invasions [~~and-protect-the-frontier~~
26 ~~from-hostile-incursions-by-Indians-or-other-predatory-bands~~].

27 SECTION 25. Section 16, Article IV, Texas Constitution, is

1 amended to read as follows:

2 Sec. 16. There shall also be a Lieutenant Governor, who
3 shall be chosen at every election for Governor by the same voters
4 [~~electors~~], in the same manner, continue in office for the same
5 time, and possess the same qualifications. The voters [~~electors~~]
6 shall distinguish for whom they vote as Governor and for whom as
7 Lieutenant Governor. The Lieutenant Governor, shall by virtue of
8 his office, be President of the Senate, and shall have, when in
9 Committee of the Whole, a right to debate and vote on all
10 questions; and when the Senate is equally divided to give the
11 casting vote. In case of the death, resignation, removal from
12 office, inability or refusal of the Governor to serve, or of his
13 impeachment or absence from the State, the Lieutenant Governor
14 shall exercise the powers and authority appertaining to the office
15 of Governor until another be chosen at the periodical election, and
16 be duly qualified; or until the Governor impeached, absent or
17 disabled, shall be acquitted, return, or his disability be removed.

18 SECTION 26. Section 22, Article IV, Texas Constitution, is
19 amended to read as follows:

20 Sec. 22. The Attorney General [~~elected--at--the--general~~
21 ~~election--in-1974--and--thereafter--shall--hold--office--for--four--years~~
22 ~~and--until--his--successor--is--duly--qualified.--He~~] shall represent the
23 State in all suits and pleas in the Supreme Court of the State in
24 which the State may be a party, and shall especially inquire into
25 the charter rights of all private corporations, and from time to
26 time, in the name of the State, take such action in the courts as
27 may be proper and necessary to prevent any private corporation from

1 exercising any power or demanding or collecting any species of
 2 taxes, tolls, freight or wharfage not authorized by law. He shall,
 3 whenever sufficient cause exists, seek a judicial forfeiture of
 4 such charters, unless otherwise expressly directed by law, and give
 5 legal advice in writing to the Governor and other executive
 6 officers, when requested by them, and perform such other duties as
 7 may be required by law. [~~He shall reside at the seat of government~~
 8 ~~during his continuance in office. He shall receive for his~~
 9 ~~services an annual salary in an amount to be fixed by the~~
 10 ~~Legislature.]~~

11 SECTION 27. Section 23, Article IV, Texas Constitution, is
 12 amended to read as follows:

13 Sec. 23. The Comptroller of Public Accounts, the
 14 Commissioner of the General Land Office, the Attorney General, and
 15 any statutory State officer who is elected by the electorate of
 16 Texas at large, unless a term of office is otherwise specifically
 17 provided in this Constitution, shall each hold office for the term
 18 of four years [~~and until his successor is qualified. The four-year~~
 19 ~~term applies to these officers who are elected at the general~~
 20 ~~election in 1974 or thereafter]. Each shall receive an annual~~
 21 salary in an amount to be fixed by the Legislature; reside at the
 22 Capital of the State during his continuance in office, and perform
 23 such duties as are or may be required by law. They and the
 24 Secretary of State shall not receive to their own use any fees,
 25 costs or perquisites of office. All fees that may be payable by
 26 law for any service performed by any officer specified in this
 27 section or in his office, shall be paid, when received, into the

1 State Treasury.

2 SECTION 28. Section 9, Article V, Texas Constitution, is
3 amended to read as follows:

4 Sec. 9. There shall be a Clerk for the District Court of
5 each county, who shall be elected by the qualified voters [~~for~~
6 ~~State-and-county-officers,~~] and who shall hold his office for four
7 years, subject to removal by information, or by indictment of a
8 grand jury, and conviction of a petit jury. In case of vacancy,
9 the Judge of the District Court shall have the power to appoint a
10 Clerk, who shall hold until the office can be filled by election.

11 SECTION 29. Section 2, Article VI, Texas Constitution, is
12 amended to read as follows:

13 Sec. 2. Every person subject to none of the foregoing
14 disqualifications [~~who shall have attained the age of 18 years and~~
15 who shall be a citizen of the United States and who is a resident
16 of this state shall be deemed a qualified voter [~~elector~~];
17 provided, however, that before offering to vote at an election a
18 voter shall have registered, but such requirement for registration
19 shall not be considered a qualification of a voter [~~an elector~~]
20 within the meaning of the term "qualified voter [~~elector~~]" as used
21 in any other Article of this Constitution in respect to any matter
22 except qualification and eligibility to vote at an election. The
23 Legislature may authorize absentee voting.

24 SECTION 30. Subsections (a) and (b), Section 2a, Article VI,
25 Texas Constitution, are amended to read as follows:

26 (a) Notwithstanding any other provision of this
27 Constitution, the Legislature may enact laws and provide a method

1 of registration, including the time of such registration,
2 permitting any person who is qualified to vote in this State except
3 for the residence requirements within a county or district, as set
4 forth in Section 2 of this Article, to vote for (1) electors for
5 President and Vice President of the United States and (2) all
6 offices, questions or propositions to be voted on by all voters
7 [~~electors~~] throughout this State.

8 (b) Notwithstanding any other provision of this
9 Constitution, the Legislature may enact laws and provide for a
10 method of registration, including the time for such registration,
11 permitting any person (1) who is qualified to vote in this State
12 except for the residence requirements of Section 2 of this Article,
13 and (2) who shall have resided anywhere within this State at least
14 thirty (30) days next preceding a General Election in a
15 presidential election year, and (3) who shall have been a qualified
16 voter [~~elector~~] in another state immediately prior to his removal
17 to this State or would have been eligible to vote in such other
18 state had he remained there until such election, to vote for
19 electors for President and Vice President of the United States in
20 that election.

21 SECTION 31. Section 3, Article VI, Texas Constitution, is
22 amended to read as follows:

23 Sec. 3. All qualified voters [~~electors~~] of the State, as
24 herein described, who reside within the limits of any city or
25 corporate town, shall have the right to vote for Mayor and all
26 other elective officers.

27 SECTION 32. Section 3a, Article VI, Texas Constitution, is

1 amended to read as follows:

2 Sec. 3a. When an election is held by any county, or any
3 number of counties, or any political sub-division of the State, or
4 any political sub-division of a county, or any defined district now
5 or hereafter to be described and defined within the State and which
6 may or may not include towns, villages or municipal corporations,
7 or any city, town or village, for the purpose of issuing bonds or
8 otherwise lending credit, or expending money or assuming any debt,
9 only qualified voters of [~~electors-who-own-taxable-property-in~~] the
10 State, county, political sub-division, district, city, town or
11 village where such election is held[~~7-and-who-have-duly-rendered~~
12 ~~the-same-for--taxation7~~] shall be qualified to vote [~~and--all~~
13 ~~electors-shall-vote-in-the-election-precinct-of-their-residence~~].

14 SECTION 33. Section 3, Article VII, Texas Constitution, is
15 amended to read as follows:

16 Sec. 3. (a) One-fourth of the revenue derived from the
17 State occupation taxes [~~and--poll--tax--of--one--dollar-on-every~~
18 ~~inhabitant-of-the-State7-between-the-ages-of-twenty-one--and--sixty~~
19 ~~years7~~] shall be set apart annually for the benefit of the public
20 free schools.

21 (b) It[~~7-and-in-addition-thereto7-there-shall-be-levied--and~~
22 ~~collected--an--annual-ad-valorem-State-tax-of-such-an-amount-not-to~~
23 ~~exceed-thirty-five-cents--on--the--one--hundred--(\$100.00)--dollars~~
24 ~~valuation7-as-with-the-available-school-fund-arising-from-all-other~~
25 ~~sources7--will--be--sufficient--to--maintain-and-support-the-public~~
26 ~~schools-of-this-State-for-a-period-of-not-less-than-six--months--in~~
27 ~~each--year7--and--it~~] shall be the duty of the State Board of

1 Education to set aside a sufficient amount of available funds [out
2 of-the-said-tax] to provide free text books for the use of children
3 attending the public free schools of this State.

4 (c) Should[7--provided7-however7-that-should] the [limit-of]
5 taxation herein named be insufficient the deficit may be met by
6 appropriation from the general funds of the State. [and-the]

7 (d) The Legislature may [also] provide for the formation of
8 school districts [district] by general laws, [7] and all such school
9 districts may embrace parts of two or more counties.

10 (e) The[7-and-the] Legislature shall be authorized to pass
11 laws for the assessment and collection of taxes in all school
12 [said] districts and for the management and control of the public
13 school or schools of such districts, whether such districts are
14 composed of territory wholly within a county or in parts of two or
15 more counties, and the Legislature may authorize an additional ad
16 valorem tax to be levied and collected within all school districts
17 [heretofore---formed---or---hereafter---formed7] for the further
18 maintenance of public free schools, and for the erection and
19 equipment of school buildings therein; provided that a majority of
20 the qualified [property-taxpaying] voters of the district voting at
21 an election to be held for that purpose, shall approve the [vote
22 such] tax [not-to-exceed-in-any-one-year-one-(\$100)-dollar-on--the
23 one--hundred--dollars-valuation-of-the-property-subject-to-taxation
24 in-such-district7-but-the-limitation--upon--the--amount--of--school
25 district--tax--herein--authorized--shall--not--apply--to--incorporated
26 cities--or--towns--constituting--separate--and--independent--school
27 districts7-not-to-independent-or-common-school-districts-created-by

1 ~~general-or-special-law~~].

2 SECTION 34. Section 1-a, Article VIII, Texas Constitution,
3 is amended to read as follows:

4 Sec. 1-a. No [~~From-and-after-January-17-19517-no~~] State ad
5 valorem tax shall be levied upon any property within this State
6 [~~for--general--revenue--purposes~~]. The [~~From-and-after-January-17~~
7 ~~19517-the~~] several counties of the State are authorized to levy ad
8 valorem taxes upon all property within their respective boundaries
9 for county purposes, except the first Three Thousand Dollars
10 (\$3,000) value of residential homesteads of married or unmarried
11 adults, male or female, including those living alone, not to exceed
12 thirty cents (30¢) on each One Hundred Dollars (\$100) valuation, in
13 addition to all other ad valorem taxes authorized by the
14 Constitution of this State, provided the revenue derived therefrom
15 shall be used for construction and maintenance of Farm to Market
16 Roads or for Flood Control, except as herein otherwise provided.

17 [~~Provided-that-in-those-counties-or-political-subdivisions-or~~
18 ~~areas--of--the--State-from-which-tax-donations-have-heretofore-been~~
19 ~~granted7--the-State-Automatic-Tax-Board-shall-continue-to--levy--the~~
20 ~~full--amount--of--the-State-ad-valorem-tax-for-the-duration-of-such~~
21 ~~donation7--or-until-all-legal-obligations-heretofore--authorized--by~~
22 ~~the--law--granting-such-donation-or-donations-shall-have-been-fully~~
23 ~~discharged7--whichever-shall-first--occur7--provided--that--if--such~~
24 ~~donation--to--any--such-county-or-political-subdivision-is-for-less~~
25 ~~than-the-full-amount-of-State--ad--valorem--taxes--so--levied7--the~~
26 ~~portion--of-such-taxes-remaining-over-and-above-such-donation-shall~~
27 ~~be-retained-by-said-county-or-subdivision7~~]

1 SECTION 35. Subsection (b), Section 1-b, Article VIII, Texas
2 Constitution, is amended to read as follows:

3 (b) The governing body of any county, city, town, school
4 district, or other political subdivision of the State~~[7-ether-than~~
5 ~~a-county-education-district7]~~ may exempt by its own action not less
6 than Three Thousand Dollars (\$3,000) of the market value of
7 residence homesteads of persons, married or unmarried, including
8 those living alone, who are under a disability for purposes of
9 payment of disability insurance benefits under Federal Old-Age,
10 Survivors, and Disability Insurance or its successor or of married
11 or unmarried persons sixty-five (65) years of age or older,
12 including those living alone, from all ad valorem taxes thereafter
13 levied by the political subdivision. As an alternative, upon
14 receipt of a petition signed by twenty percent (20%) of the voters
15 who voted in the last preceding election held by the political
16 subdivision, the governing body of the subdivision shall call an
17 election to determine by majority vote whether an amount not less
18 than Three Thousand Dollars (\$3,000) as provided in the petition,
19 of the market value of residence homesteads of disabled persons or
20 of persons sixty-five (65) years of age or over shall be exempt
21 from ad valorem taxes thereafter levied by the political
22 subdivision. ~~[In-the-manner-provided-by-law7-the-voters-of-a~~
23 ~~county-education-district-at-an-election-held-for-that-purpose-may~~
24 ~~exempt-an-amount-not-less-than-Three-Thousand-Dollars-(\$3,000)7-as~~
25 ~~provided-in-the-petition7-of-the-market-value-of-residence~~
26 ~~homesteads-of-disabled-persons-or-of-persons-sixty-five-(65)-years~~
27 ~~of-age-or-over-from-ad-valorem-taxes-thereafter-levied-by-the~~

1 ~~county--education--district.]~~ An eligible disabled person who is
 2 sixty-five (65) years of age or older may not receive both
 3 exemptions from the same political subdivision in the same year but
 4 may choose either if the subdivision has adopted both. Where any
 5 ad valorem tax has theretofore been pledged for the payment of any
 6 debt, the taxing officers of the political subdivision shall have
 7 authority to continue to levy and collect the tax against the
 8 homestead property at the same rate as the tax so pledged until the
 9 debt is discharged, if the cessation of the levy would impair the
 10 obligation of the contract by which the debt was created. [An
 11 exemption--adopted-under-this-subsection-based-on-assessed-value-is
 12 increased, effective January 1, 1979, to an amount that, when
 13 converted to market value, provides the same reduction in taxes,
 14 except that the market value exemption shall be rounded to the
 15 nearest \$100.]

16 SECTION 36. Subsection (b), Section 1-j, Article VIII, Texas
 17 Constitution, is amended to read as follows:

18 (b) [~~Tangible--personal--property--exempted--from--taxation--in~~
 19 ~~Subsection--(a)--of--this--section--is--subject--to--the--following:~~

20 [~~(1)--A--county, common, or independent school district,~~
 21 ~~junior college district, or municipality, including a home rule~~
 22 ~~city, may tax such property otherwise exempt, if the governing body~~
 23 ~~of the county, common, or independent school district, junior~~
 24 ~~college district, or municipality takes official action as provided~~
 25 ~~in this section and in the manner provided by law to provide for~~
 26 ~~the taxation of such property.~~

27 [~~(2)--Any--official--action--to--tax--such--exempt--property~~

26 valuation in any one (1) year. Once the Court has levied the
 27 annual tax rate, the same shall remain in force and effect during

1 that taxable year.

2 (c) ~~The~~ Legislature may ~~also~~ authorize an
3 additional annual ad valorem tax to be levied and collected for the
4 further maintenance of the public roads; provided, that a majority
5 of the qualified ~~property-taxpaying~~ voters of the county voting
6 at an election to be held for that purpose shall approve the ~~vote~~
7 ~~such~~ tax, not to exceed Fifteen Cents (15¢) on the One Hundred
8 Dollars (\$100) valuation of the property subject to taxation in
9 such county.

10 (d) Any county may put all tax money collected by the county
11 into one general fund, without regard to the purpose or source of
12 each tax.

13 (e) ~~The~~ ~~And--the~~ Legislature may pass local laws for the
14 maintenance of the public roads and highways, without the local
15 notice required for special or local laws.

16 (f) This Section shall not be construed as a limitation of
17 powers delegated to counties, cities or towns by any other Section
18 or Sections of this Constitution.

19 SECTION 39. Section 16a, Article VIII, Texas Constitution,
20 is amended to read as follows:

21 Sec. 16a. In any county having a population of less than ten
22 thousand (10,000) inhabitants, as determined by the last preceding
23 census of the United States, the Commissioners Court may submit to
24 the qualified ~~property-taxpaying~~ voters of such county at an
25 election the question of adding an Assessor-Collector of Taxes to
26 the list of authorized county officials. If a majority of such
27 voters voting in such election shall approve of adding an

1 Assessor-Collector of Taxes to such list, then such official shall
2 be elected at the next General Election for such Constitutional
3 term of office as is provided for other Tax Assessor-Collectors in
4 this State.

5 SECTION 40. Section 20, Article VIII, Texas Constitution, is
6 amended to read as follows:

7 Sec. 20. No property of any kind in this State shall ever be
8 assessed for ad valorem taxes at a greater value than its fair cash
9 market value nor shall any Board of Equalization of any
10 governmental or political subdivision or taxing district within
11 this State fix the value of any property for tax purposes at more
12 than its fair cash market value; provided that in order to
13 encourage the prompt payment of taxes, the Legislature shall have
14 the power to provide that the taxpayer shall be allowed by the
15 State and all governmental and political subdivisions and taxing
16 districts of the State a three per cent (3%) discount on ad valorem
17 taxes due the State or due any governmental or political
18 subdivision or taxing district of the State if such taxes are paid
19 ninety (90) days before the date when they would otherwise become
20 delinquent; and the taxpayer shall be allowed a two per cent (2%)
21 discount on said taxes if paid sixty (60) days before said taxes
22 would become delinquent; and the taxpayer shall be allowed a one
23 per cent (1%) discount if said taxes are paid thirty (30) days
24 before they would otherwise become delinquent. [~~This amendment~~
25 ~~shall be effective January 17, 1939.~~] The Legislature shall pass
26 necessary laws for the proper administration of this Section.

27 SECTION 41. Section 1, Article IX, Texas Constitution, is

1 amended to read as follows:

2 Sec. 1. The Legislature shall have power to create counties
3 for the convenience of the people subject to the following
4 provisions:

5 [First---in-the-territory-of-the-State-exterior-to-all
6 counties-now-existing, no new counties shall be created with a less
7 area than nine hundred square miles, in a square form, unless
8 prevented by pre-existing boundary lines. Should the State lines
9 render this impracticable in border counties, the area may be less.
10 The territory referred to may, at any time, in whole or in part, be
11 divided into counties in advance of population and attached for
12 judicial and land surveying purposes to the most convenient
13 organized county or counties.]

14 (1) [Second.] Within the territory of any county or
15 counties [now-existing], no new county shall be created with a less
16 area than seven hundred square miles, nor shall any such county now
17 existing be reduced to a less area than seven hundred square miles.
18 No new counties shall be created so as to approach nearer than
19 twelve miles of the county seat of any county from which it may in
20 whole or in part be taken. Counties of a less area than nine
21 hundred, but of seven hundred or more square miles, within counties
22 now existing, may be created by a two-thirds vote of each House of
23 the Legislature, taken by yeas and nays and entered on the
24 journals. Any county now existing may be reduced to an area of not
25 less than seven hundred square miles by a like two-thirds vote.
26 When any part of a county is stricken off and attached to, or
27 created into another county, the part stricken off shall be holden

1 for and obliged to pay its proportion of all the liabilities then
2 existing, of the county from which it was taken, in such manner as
3 may be prescribed by law.

4 (2) [~~Third-~~] No part of any existing county shall be
5 detached from it and attached to another existing county until the
6 proposition for such change shall have been submitted, in such
7 manner as may be provided by law, to a vote of the voters
8 [~~electors~~] of both counties, and shall have received a majority of
9 those voting on the question in each.

10 SECTION 42. Section 2, Article IX, Texas Constitution, is
11 amended to read as follows:

12 Sec. 2. The Legislature shall pass laws regulating the
13 manner of removing county seats, but no county seat situated within
14 five miles of the geographical centre of the county shall be
15 removed, except by a vote of two-thirds of all the voters
16 [~~electors~~] voting on the subject. A majority of such voters
17 [~~electors~~], however, voting at such election, may remove a county
18 seat from a point more than five miles from the geographical centre
19 of the county to a point within five miles of such centre, in
20 either case the centre to be determined by a certificate from the
21 Commissioner of the General Land Office.

22 SECTION 43. Section 4, Article IX, Texas Constitution, is
23 amended to read as follows:

24 Sec. 4. The Legislature may by law authorize the creation of
25 county-wide Hospital Districts in counties having a population in
26 excess of 190,000 and in Galveston County, with power to issue
27 bonds for the purchase, acquisition, construction, maintenance and

1 operation of any county owned hospital, or where the hospital
 2 system is jointly operated by a county and city within the county,
 3 and to provide for the transfer to the county-wide Hospital
 4 District of the title to any land, buildings or equipment, jointly
 5 or separately owned, and for the assumption by the district of any
 6 outstanding bonded indebtedness theretofore issued by any county or
 7 city for the establishment of hospitals or hospital facilities; to
 8 levy a tax not to exceed seventy-five (\$.75) cents on the One
 9 Hundred (\$100.00) Dollars valuation of all taxable property within
 10 such district, provided, however, that such district shall be
 11 approved at an election held for that purpose, and that only
 12 qualified [~~7--property-taxpaying~~] voters in such county shall vote
 13 therein; provided further, that such Hospital District shall assume
 14 full responsibility for providing medical and hospital care to
 15 needy inhabitants of the county, and thereafter such county and
 16 cities therein shall not levy any other tax for hospital purposes;
 17 and provided further that should such Hospital District construct,
 18 maintain and support a hospital or hospital system, that the same
 19 shall never become a charge against the State of Texas, nor shall
 20 any direct appropriation ever be made by the Legislature for the
 21 construction, maintenance or improvement of the said hospital or
 22 hospitals. [~~Should--the--legislature--enact--enabling---laws---in
 23 anticipation-of-the-adoption-of-this-amendment, such-Acts-shall-not
 24 be-invalid-because-of-their-anticipatory-character.~~]

25 SECTION 44. Subsections (a), (c), and (e), Section 5,
 26 Article IX, Texas Constitution, are amended to read as follows:

27 (a) The Legislature may by law authorize the creation of two

1 hospital districts, one to be coextensive with and have the same
2 boundaries as the incorporated City of Amarillo, as such boundaries
3 now exist or as they may hereafter be lawfully extended, and the
4 other to be coextensive with Wichita County.

5 If such district or districts are created, they may be
6 authorized to levy a tax not to exceed Seventy-five Cents (75¢) on
7 the One Hundred Dollars (\$100.00) valuation of taxable property
8 within the district; provided, however, no tax may be levied until
9 approved by a majority vote of the participating resident qualified
10 [~~property-taxpaying~~] voters [~~who-have-duly-rendered-their--property~~
11 ~~for--taxation~~]. The maximum rate of tax may be changed at
12 subsequent elections so long as obligations are not impaired, and
13 not to exceed the maximum limit of Seventy-five Cents (75¢) per One
14 Hundred Dollars (\$100.00) valuation, and no election shall be
15 required by subsequent changes in the boundaries of the City of
16 Amarillo.

17 If such tax is authorized, no political subdivision or
18 municipality within or having the same boundaries as the district
19 may levy a tax for medical or hospital care for needy individuals,
20 nor shall they maintain or erect hospital facilities, but the
21 district shall by resolution assume all such responsibilities and
22 shall assume all of the liabilities and obligations (including
23 bonds and warrants) of such subdivisions or municipalities or both.
24 The maximum tax rate submitted shall be sufficient to discharge
25 such obligations, liabilities, and responsibilities, and to
26 maintain and operate the hospital system, and the Legislature may
27 authorize the district to issue tax bonds for the purpose of the

1 purchase, construction, acquisition, repair or renovation of
2 improvements and initially equipping the same, and such bonds shall
3 be payable from said Seventy-five Cents (75¢) tax. The Legislature
4 shall provide for transfer of title to properties to the district.

5 (c) The Legislature may by law authorize the creation of a
6 hospital district within Jefferson County, the boundaries of which
7 shall include only the area comprising the Jefferson County
8 Drainage District No. 7 and the Port Arthur Independent School
9 District, as such boundaries existed on the first day of January,
10 1957, with the power to issue bonds for the sole purpose of
11 purchasing a site for, and the construction and initial equipping
12 of, a hospital system, and with the power to levy a tax of not to
13 exceed Seventy-five Cents (75¢) on the One Hundred Dollars
14 (\$100.00) valuation of property therein for the purpose of paying
15 the principal and interest on such bonds.

16 The [~~creation-of-such-hospital-district-shall--not--be--final~~
17 ~~until--approved--at--an--election--by--a--majority--of--the--resident~~
18 ~~property-taxpaying-voters-voting-at-said--election--who--have--duly~~
19 ~~rendered--their--property--for--taxation--upon--the--tax--rolls--of--either~~
20 ~~said-Drainage-or-said-School-District,--nor--shall--such~~] bonds may
21 not be issued or such tax be levied until [so] approved by such
22 voters.

23 The district shall not have the power to levy any tax for
24 maintenance or operation of the hospital or facilities, but shall
25 contract with other political subdivisions of the state or private
26 individuals, associations, or corporations for such purposes.

27 If the district hereinabove authorized is finally created, no

1 other hospital district may be created embracing any part of the
2 territory within its boundaries, but the Legislature by law may
3 authorize the creation of a hospital district incorporating therein
4 the remainder of Jefferson County, having the powers and duties and
5 with the limitations presently provided by Article IX, Section 4,
6 of the Constitution of Texas [~~7-except-that-such-district--shall--be~~
7 ~~confirmed--at--an--election-wherein-the-resident-qualified-property~~
8 ~~taxpaying-voters-who-have-duly-rendered-their-property-within--such~~
9 ~~proposed--district--for--taxation--on--the--county--rolls,~~ shall be
10 authorized to vote]. A majority of those participating in the
11 election voting in favor of the district shall be necessary for
12 [its confirmation and for] bonds to be issued.

13 (e) The legislature by law may authorize Randall County to
14 render financial assistance to the Amarillo Hospital District by
15 paying part of the district's operating and maintenance expenses
16 and the debts assumed or created by the district and to levy a tax
17 for that purpose in an amount not to exceed seventy-five cents
18 (75¢) on the One Hundred Dollars (\$100.00) valuation on all
19 property in Randall County that is not within the boundaries of the
20 City of Amarillo or the South Randall County Hospital District.
21 This tax is in addition to any other tax authorized by this
22 constitution. If the tax is authorized by the legislature and
23 approved by the voters of the area to be taxed, the Amarillo
24 Hospital District shall, by resolution, assume the
25 responsibilities, obligations, and liabilities of Randall County in
26 accordance with Subsection (a) of this section and, except as
27 provided by this subsection, Randall County may not levy taxes or

1 issue bonds for hospital purposes or for providing hospital care
2 for needy inhabitants of the county. [~~Not later than the end of~~
3 ~~the first tax year during which taxes are levied under this~~
4 ~~subsection, Randall County shall deposit in the State Treasury to~~
5 ~~the credit of the state General Revenue Fund \$457,000 to reimburse~~
6 ~~the state for the cost of publishing the resolution required by~~
7 ~~this subsection.]~~

8 SECTION 45. Subsection (a), Section 8, Article IX, Texas
9 Constitution, is amended to read as follows:

10 (a) The Legislature may by law authorize the creation of a
11 Hospital District to be co-extensive with the limits of County
12 Commissioners Precinct No. 4 of Comanche County, Texas.

13 If such District is created, it may be authorized to levy a
14 tax not to exceed seventy-five cents (75¢) on the One Hundred
15 Dollar (\$100) valuation of taxable property within the District;
16 provided, however, no tax may be levied until approved by a
17 majority vote of the participating resident qualified [property
18 taxpaying] voters [who have duly rendered their property for
19 taxation]. The maximum rate of tax may be changed at subsequent
20 elections so long as obligations are not impaired, and not to
21 exceed the maximum limit of seventy-five cents (75¢) per One
22 Hundred Dollar (\$100) valuation, and no election shall be required
23 by subsequent changes in the boundaries of the Commissioners
24 Precinct No. 4 of Comanche County.

25 If such tax is authorized, no political subdivision or
26 municipality within or having the same boundaries as the District
27 may levy a tax for medical or hospital care for needy individuals,

1 nor shall they maintain or erect hospital facilities, but the
2 District shall by resolution assume all such responsibilities and
3 shall assume all of the liabilities and obligations (including
4 bonds and warrants) of such subdivisions or municipalities or both.
5 The maximum tax rate submitted shall be sufficient to discharge
6 such obligations, liabilities, and responsibilities, and to
7 maintain and operate the hospital system, and the Legislature may
8 authorize the District to issue tax bonds for the purpose of the
9 purchase, construction, acquisition, repair or renovation of
10 improvements and initially equipping the same, and such bonds shall
11 be payable from said seventy-five cent (75¢) tax. The Legislature
12 shall provide for transfer of title to properties to the District.

13 SECTION 46. Section 11, Article IX, Texas Constitution, is
14 amended to read as follows:

15 Sec. 11. (a) The Legislature may by law authorize the
16 creation of hospital districts in Ochiltree, Castro, Hansford and
17 Hopkins Counties, each district to be coextensive with the limits
18 of such county.

19 (b) If any such district is created, it may be authorized to
20 levy a tax not to exceed Seventy-five Cents (75¢) on the One
21 Hundred Dollar (\$100) valuation of taxable property within the
22 district; provided, however, no tax may be levied until approved by
23 a majority vote of the participating resident qualified
24 [~~property-taxpaying~~] voters [~~who-have-duly-rendered-their--property~~
25 ~~for--taxation~~]. The maximum rate of tax may be changed at
26 subsequent elections so long as obligations are not impaired, and
27 not to exceed the maximum limit of Seventy-five Cents (75¢) per One

1 Hundred Dollar (\$100) valuation.

2 (c) If such tax is authorized, no political subdivision or
 3 municipality within or having the same boundaries as the district
 4 may levy a tax for medical or hospital care for needy individuals,
 5 nor shall they maintain or erect hospital facilities, but the
 6 district shall by resolution assume all such responsibilities and
 7 shall assume all of the liabilities and obligations (including
 8 bonds and warrants) of such subdivisions or municipalities or both.
 9 The maximum tax rate submitted shall be sufficient to discharge
 10 obligations, liabilities, and responsibilities, and to maintain and
 11 operate the hospital system, and the Legislature may authorize the
 12 district to issue tax bonds for the purpose of the purchase,
 13 construction, acquisition, repair or renovation of improvements and
 14 initially equipping the same, and such bonds shall be payable from
 15 said Seventy-five Cent (75¢) tax. The Legislature shall provide
 16 for transfer of title to properties to the district.

17 [~~Should the Legislature enact enabling laws in anticipation~~
 18 ~~of the adoption of the amendment, such Acts shall not be invalid~~
 19 ~~because of their anticipatory character.~~]

20 SECTION 47. Section 12, Article IX, Texas Constitution, is
 21 amended to read as follows:

22 Sec. 12. (a) The Legislature may by law provide for the
 23 creation, establishment, maintenance and operation of Airport
 24 Authorities composed of one or more counties, with power to issue
 25 general obligation bonds, revenue bonds, either or both of them,
 26 for the purchase, acquisition by the exercise of the power of
 27 eminent domain or otherwise, construction, reconstruction, repair

1 or renovation of any airport or airports, landing fields and
2 runways, airport buildings, hangars, facilities, equipment,
3 fixtures, and any and all property, real or personal, necessary to
4 operate, equip and maintain an airport.

5 (b) The Legislature~~[7]~~ shall provide for the option by the
6 governing body of the city or cities whose airport facilities are
7 served by certificated airlines and whose facility or some interest
8 therein, is proposed to be or has been acquired by the Authority,
9 to either appoint or elect a Board of Directors of said Authority.
10 If~~[7--if]~~ the Directors are appointed such appointment shall be made
11 by the County Commissioners Court after consultation with and
12 consent of the governing body or bodies of such city or cities.
13 If~~[7--and-if]~~ the Board of Directors is elected they shall be
14 elected by the qualified ~~[taxpaying]~~ voters of the county which
15 chooses to elect the Directors to represent that county.~~[7--such]~~
16 Directors shall serve without compensation for a term fixed by the
17 Legislature not to exceed six (6) years, ~~[and]~~ shall be selected on
18 the basis of the proportionate population of each county based upon
19 the last preceding Federal Census, and shall be ~~[a--resident--or]~~
20 residents of such county. No~~[7--provide-that-no]~~ county shall have
21 less than one (1) member on the Board of Directors.

22 (c) The Legislature shall~~[7]~~ provide for the holding of an
23 election in each county proposing the creation of an Authority to
24 be called by the Commissioners Court or Commissioners Courts, as
25 the case may be, upon petition of five per cent (5%) of the
26 qualified ~~[taxpaying]~~ voters within the county or counties. The~~[7~~
27 ~~said]~~ elections must ~~[to]~~ be held on the same day if more than one

1 county is included. No~~[7-provided-that-no]~~ more than one (1) such
 2 election may be called in a county until after the expiration of
 3 one (1) year~~[7]~~ in the event such an election has failed, and
 4 thereafter only upon a petition of ten per cent (10%) of the
 5 qualified ~~[taxpaying]~~ voters being presented to the Commissioners
 6 Court or Commissioners Courts of the county or counties in which
 7 such an election has failed. In~~[7-and-in]~~ the event that two or
 8 more counties vote on the proposition of the creation of an
 9 Authority therein, the proposition shall not be deemed to carry
 10 unless the majority of the qualified ~~[taxpaying]~~ voters in each
 11 county voting thereon vote in favor thereof. An~~[7--provided7~~
 12 ~~however7-that-an]~~ Airport Authority may be created and be composed
 13 of the county or counties that vote in favor of its creation if
 14 separate propositions are submitted to the voters of each county so
 15 that they may vote for a two or more county Authority or a single
 16 county Authority.

17 (d) The Legislature shall~~[7]~~ provide for the appointment by
 18 the Board of Directors of an Assessor and Collector of Taxes in the
 19 Authority, whether constituted of one or more counties, whose duty
 20 it shall be to assess all taxable property, both real and personal,
 21 and collect the taxes thereon, based upon the tax rolls approved by
 22 the Board of Directors, the tax to be levied not to exceed
 23 Seventy-Five Cents (75¢) per One Hundred Dollars (\$100) assessed
 24 valuation of the property. The~~[7--provided7-however7-that-the]~~
 25 property of state regulated common carriers required by law to pay
 26 a tax upon intangible assets shall not be subject to taxation by
 27 the Authority. The~~[7-said]~~ taxable property shall be assessed on a

1 valuation not to exceed the market value and shall be equal and
2 uniform throughout the Authority as is otherwise provided by the
3 Constitution.

4 (e) The~~[7--the]~~ Legislature shall authorize the purchase or
5 acquisition by the Authority of any existing airport facility
6 publicly owned and financed and served by certificated airlines, in
7 fee or of any interest therein, or to enter into any lease
8 agreement therefor, upon such terms and conditions as may be
9 mutually agreeable to the Authority and the owner of such
10 facilities, or authorize the acquisition of same through the
11 exercise of the power of eminent domain. In~~[7--and--in]~~ the event of
12 such acquisition, if there are any general obligation bonds that
13 the owner of the publicly owned airport facility has outstanding,
14 the same shall be fully assumed by the Authority and sufficient
15 taxes levied by the Authority to discharge said outstanding
16 indebtedness. If~~[7--and--likewise]~~ any city or owner ~~[that]~~ has
17 outstanding revenue bonds where the revenues of the airport have
18 been pledged or said bonds constitute a lien against the airport
19 facilities, the Authority shall assume and discharge all the
20 obligations of the city under the ordinances and bond indentures
21 under which said revenue bonds have been issued and sold.

22 (f) Any city which owns airport facilities not serving
23 certificated airlines which are not purchased or acquired or taken
24 over as herein provided by such Authority~~[7]~~ shall have the power
25 to operate the same under the existing laws or as the same may
26 hereafter be amended.

27 (g) Any such Authority when created may be granted the power

1 and authority to promulgate, adopt and enforce appropriate zoning
2 regulations to protect the airport from hazards and obstructions
3 which would interfere with the use of the airport and its
4 facilities for landing and take-off.

5 (h) An~~[7-an]~~ additional county or counties may be added to
6 an existing Authority if a petition of five per cent (5%) of the
7 qualified ~~[taxpaying]~~ voters is filed with and an election is
8 called by the Commissioners Court of the county or counties seeking
9 admission to an Authority. If ~~[and]~~ the vote is favorable, then
10 admission may be granted to such county or counties by the Board of
11 Directors of the then existing Authority upon such terms and
12 conditions as they may agree upon and evidenced by a resolution
13 approved by two-thirds (2/3rds) of the then existing Board of
14 Directors. The~~[7--provided7-however7-the]~~ county or counties that
15 may be so added to the then existing Authority shall be given
16 representation on the Board of Directors by adding additional
17 directors in proportion to their population according to the last
18 preceding Federal census.

19 SECTION 48. Section 2, Article XI, Texas Constitution, is
20 amended to read as follows:

21 Sec. 2. The construction of jails, court-houses and bridges
22 ~~[and--the--establishment--of--county--poor--houses--and--farms7]~~ and the
23 laying out, construction and repairing of county roads shall be
24 provided for by general laws.

25 SECTION 49. Subsection (b), Section 30, Article XVI, Texas
26 Constitution, is amended to read as follows:

27 (b) The ~~[When-a]~~ Railroad Commission ~~[is-created-by-law--it]~~

1 shall be composed of three Commissioners who shall be elected by
 2 the people at a general election for State officers, and their
 3 terms of office shall be six years. [~~Railroad-Commissioners-first~~
 4 ~~elected-after-this-amendment-goes-into-effect-shall-hold-office-as~~
 5 ~~follows:---One--shall--serve-two-years,-and-one-four-years,-and-one~~
 6 ~~six-years,-their-terms-to-be-decided-by-lot-immediately-after--they~~
 7 ~~shall--have--qualified:] And one Railroad Commissioner shall be
 8 elected every two years [thereafter]. In case of vacancy in said
 9 office the Governor of the State shall fill said vacancy by
 10 appointment until the next general election.~~

11 SECTION 50. Section 44, Article XVI, Texas Constitution, is
 12 amended to read as follows:

13 Sec. 44. (a) Except as otherwise provided by this section,
 14 the Legislature shall prescribe the duties and provide for the
 15 election by the qualified voters of each county in this State, of a
 16 County Treasurer and a County Surveyor, who shall have an office at
 17 the county seat, and hold their office for four years, and until
 18 their successors are qualified; and shall have such compensation as
 19 may be provided by law.

20 (b) The office of County Treasurer or County Surveyor does
 21 not exist in those counties in which the office has been abolished
 22 pursuant to constitutional amendment or pursuant to the authority
 23 of Subsection (c) of this section [~~in-the-counties-of-Tarrant-and~~
 24 ~~Bee-is-abolished-and-all-the-powers,-duties,-and-functions--of--the~~
 25 ~~office--in--each--of--these--counties-are-transferred-to-the-County~~
 26 ~~Auditor-or-to-the-officer-who-succeeds-to-the-auditor's--functions-~~
 27 ~~The--office-of-County-Treasurer-in-the-counties-of-Bexar-and-Collin~~

1 are-abbreviated-and-also-the-powers--duties--and--functions--of--the
 2 office--in--each--of--these--counties--are--transferred--to--the--County
 3 Clerk--However--the--office--of--County--Recorder--shall--be--abbreviated
 4 in--the--counties--covered--by--this--sub-section--and--the--office
 5 shall--be--been--held--in--each--county--and--the--purpose--to
 6 abbreviate--the--office--of--County--Recorder--has--passed--by--a
 7 majority--of--the--persons--voting--in--said--election] .

8 [(c) --The--office--of--County--Recorder--in--the--counties--of
 9 Lincoln--Gregg--and--Abbott--in--Lincoln--County--the--powers
 10 duties--and--functions--of--the--office--are--transferred--to--the--County
 11 Clerk--of--the--County--of--the--office--of--Recorder--who--succeeds--to--the
 12 office--of--Recorder--in--Gregg--County--the--functions--of--the--office
 13 are--transferred--to--an--elector--of--the--County--Clerk--as
 14 designated--by--the--Commissioners--of--the--County--of--the--County
 15 may--from--time--to--time--elect--the--elector--as--to--electors
 16 appointed

17 [(d) --The--office--of--County--Recorder--in--the--counties--of--St.
 18 Paul--Payette--and--Abbott--in--St. Paul--County--the
 19 Commissioners--of--the--may--employ--of--the--writ--a--qualified--person
 20 of--may--designate--another--county--office--to--perform--of--the
 21 functions--of--the--office--have--been--performed--by--the--County--Recorder--if
 22 the--office--had--not--been--abbreviated--in--Payette--County--the
 23 functions--of--the--office--are--transferred--to--the--County
 24 Clerk--of--the--office--of--Recorder--who--succeeds--to--the--office--of
 25 However--the--office--of--County--Recorder--in--St. Paul--County--of--Payette
 26 County--is--abbreviated--under--this--sub-section--and--the--office
 27 shall--be--held--in--the--county--of--the--purpose--to--elect--the

1 abolition-of-the-office-in-that-county-is-submitted-to-the--voters,
2 a--majority--of-the-voters-of-that-county-voting-on-the-question-at
3 that-election-favor-the-amendment.

4 [(e) --The office--of--County--Surveyor--in--the--counties--of
5 Denton,--Randall,--Collin,--Dallas,--El-Paso,--McBennan,--and--Henderson
6 is-abolished-upon-the-approval-of-the-abolition-by--a--majority--of
7 the--qualified--voters--of--the--respective--county--voting--on-the
8 question-at-an-election-that-the-Commissioners-Court-of-the--county
9 may-call.--If-the-election-is-called,--the-Commissioners-Court-shall
10 order--the--ballot--at--the--election--to-be-printed-to-provide-for
11 voting-for-or-against-the-proposition:--"Abolishing-the--office--of
12 county--surveyor."---Each-qualified-voter-of-the-county-is-entitled
13 to-vote-in-the-election.--If--the--office--of--County--Surveyor--is
14 abolished--under--this-subsection,--the-maps,--field-notes,--and-other
15 records-in-the-custody-of-the-County-Surveyor--are--transferred--to
16 the-County-Clerk-of-the-county.--After-abolition,--the-Commissioners
17 Court-may-employ-or-contract-with-a-qualified-person-to-perform-any
18 of--the--functions--that--would--have--been-performed-by-the-County
19 Surveyor-if-the-office-had-not-been-abolished.

20 [(f) --This-subsection-applies-only-to-the-counties--of--Cass,
21 Ector,--Garza,--Smith,--Bexar,--Harris,--and--Webb.--The-office-of-County
22 Surveyor--in--the-county-is-abolished-on-January-1,--1990,--if-at-the
23 statewide-election-at-which-the-addition--to--the--Constitution--of
24 this--subsection--is--submitted--to--the--voters,--a-majority-of-the
25 voters-of-that-county-voting-on-the-question-at-that-election-favor
26 the-addition-of-this-subsection.--If-the-office-of-County--Surveyor
27 is-abolished-in-a-county-under-this-subsection,--the-powers,--duties,

1 and--functions--of--the--office--are--transferred--to--the--county--office
 2 of--employee--designated--by--the--Commissioners--Court--of--the--county--in
 3 which--the--office--is--abolished7--and--the--Commissioners--Court--may--from
 4 time--to--time--change--its--designation--as--it--considers--appropriate.

5 [(g) --The--office--of--County--Treasurer--in--Nueces--County--is
 6 abolished--and--all--powers7--duties7--and--functions--of--this--office--are
 7 transferred--to--the--County--Clerk7--However7--the--office--of--County
 8 Treasurer--in--Nueces--County--is--abolished--under--this--subsection--only
 9 if7--at--the--statewide--election--at--which--this--amendment--is--submitted
 10 to--the--voters7--a--majority--of--the--voters--of--Nueces--County--voting--on
 11 the--question--at--that--election--favor--the--amendment7--The--office--of
 12 County--Treasurer--of--Nueces--County--is--abolished--on--January--17--1987
 13 if--the--conditions--of--this--subsection--are--met7--If--that--office--in
 14 Nueces--County--is--not--abolished7--this--subsection--expires--on--January
 15 17--19887]

16 (c) [(h)] The Commissioners Court of a county may call an
 17 election to abolish the office of County Surveyor in the county.
 18 The office of County Surveyor in the county is abolished if a
 19 majority of the voters of the county voting on the question at that
 20 election approve the abolition. If an election is called under
 21 this subsection, the Commissioners Court shall order the ballot for
 22 the election to be printed to provide for voting for or against the
 23 proposition: "Abolishing the office of county surveyor of this
 24 county." If the office of County Surveyor is abolished under this
 25 subsection, the maps, field notes, and other records in the custody
 26 of the County Surveyor are transferred to the county officer or
 27 employee designated by the Commissioners Court of the county in

1 which the office is abolished, and the Commissioners Court may from
2 time to time change its designation as it considers appropriate.

3 SECTION 51. Subsection (c), Section 59, Article XVI, Texas
4 Constitution, is amended to read as follows:

5 (c) The Legislature shall authorize all such indebtedness as
6 may be necessary to provide all improvements and the maintenance
7 thereof requisite to the achievement of the purposes of this
8 amendment. All~~[7--and-all]~~ such indebtedness may be evidenced by
9 bonds of such conservation and reclamation districts, to be issued
10 under such regulations as may ~~[amy]~~ be prescribed by law. The
11 Legislature ~~[and]~~ shall also~~[7]~~ authorize the levy and collection
12 within such districts of all such taxes, equitably distributed, as
13 may be necessary for the payment of the interest and the creation
14 of a sinking fund for the payment of such bonds~~[7]~~ and ~~[also]~~ for
15 the maintenance of such districts and improvements. Such~~[7--and~~
16 ~~such]~~ indebtedness shall be a lien upon the property assessed for
17 the payment thereof. The~~[7--provided-the]~~ Legislature shall not
18 authorize the issuance of any bonds or provide for any indebtedness
19 against any reclamation district unless such proposition shall
20 first be submitted to the qualified ~~[property-tax-paying]~~ voters of
21 such district and the proposition adopted.

22 SECTION 52. Section 61, Article XVI, Texas Constitution, is
23 amended to read as follows:

24 Sec. 61. (a) All district officers in the State of Texas
25 and all county officers in counties having a population of twenty
26 thousand (20,000) or more, according to the then last preceding
27 Federal Census, shall be compensated on a salary basis.

1 **(b)** In all counties in this State, the Commissioners Courts
2 shall be authorized to determine whether precinct officers shall be
3 compensated on a fee basis or on a salary basis, with the exception
4 that it shall be mandatory upon the Commissioners Courts, to
5 compensate all justices of the peace, constables, deputy constables
6 and precinct law enforcement officers on a salary basis.

7 **(c)** In [~~beginning-January-17-1973,-and-in~~] counties having a
8 population of less than twenty thousand (20,000), according to the
9 then last preceding Federal Census, the Commissioners Courts [~~shall~~
10 ~~also~~] have the authority to determine whether county officers shall
11 be compensated on a fee basis or on a salary basis, with the
12 exception that it shall be mandatory upon the Commissioners Courts
13 to compensate all sheriffs, deputy sheriffs, county law enforcement
14 officers including sheriffs who also perform the duties of assessor
15 and collector of taxes, and their deputies, on a salary basis
16 [~~beginning-January-17-1949~~].

17 **(d)** All fees earned by district, county and precinct
18 officers shall be paid into the county treasury where earned for
19 the account of the proper fund, provided that fees incurred by the
20 State, county and any municipality, or in case where a pauper's
21 oath is filed, shall be paid into the county treasury when
22 collected and provided that where any officer is compensated wholly
23 on a fee basis such fees may be retained by such officer or paid
24 into the treasury of the county as the Commissioners Court may
25 direct.

26 **(e)** All Notaries Public, county surveyors and public
27 weighers shall continue to be compensated on a fee basis.

1 SECTION 53. Section 65, Article XVI, Texas Constitution, is
2 amended to read as follows:

3 Sec. 65. (a) This section applies to the following offices
4 [Staggering--Terms-of-Office--The-following-officers-elected-at-the
5 General-Election-in-November, 1954, and thereafter, shall serve for
6 the full terms provided in this Constitution]:

7 [a] District Clerks; [b] County Clerks;
8 [c] County Judges; [d] Judges of the County Courts at Law,
9 County Criminal Courts, County Probate Courts and County Domestic
10 Relations Courts; [e] County Treasurers; [f] Criminal
11 District Attorneys; [g] County Surveyors; [h] Inspectors of
12 Hides and Animals; [i] County Commissioners [for--Precincts--Two
13 and-Four]; [j] Justices of the Peace; [k]

14 [Notwithstanding other provisions of this Constitution, the
15 following officers elected at the General Election in November,
16 1954, shall serve only for terms of two (2) years:--(a) Sheriffs;
17 [b] Assessors and Collectors of Taxes; [c] District
18 Attorneys; [d] County Attorneys; [e] Public Weighers; and
19 [f]--County--Commissioners--for--Precincts--One--and--Three;
20 [g] Constables. [At subsequent elections, such officers shall be
21 elected for the full terms provided in this Constitution.

22 [In any district, county or precinct where any of the
23 aforementioned offices is of such nature that two (2) or more
24 persons hold such office, with the result that candidates file for
25 "Place--No. 1," "Place--No. 2," etc., the officers elected at the
26 General Election in November, 1954, shall serve for a term of two
27 (2) years if the designation of their office is an uneven number,

1 and-for-a-term-of-four-(4)-years-if-the-designation-of-their-office
2 is-an-even-number--Hereafter--all-such-officers-shall-be-elected
3 for-the-terms-provided-in-this-Constitution.]

4 (b) If [Provided--however--if] any of the officers named
5 herein shall announce their candidacy, or shall in fact become a
6 candidate, in any General, Special or Primary Election, for any
7 office of profit or trust under the laws of this State or the
8 United States other than the office then held, at any time when the
9 unexpired term of the office then held shall exceed one (1) year,
10 such announcement or such candidacy shall constitute an automatic
11 resignation of the office then held, and the vacancy thereby
12 created shall be filled pursuant to law in the same manner as other
13 vacancies for such office are filled.

14 SECTION 54. Section 1, Article XVII, Texas Constitution, is
15 amended to read as follows:

16 Sec. 1. (a) The Legislature, at any regular session, or at
17 any special session when the matter is included within the purposes
18 for which the session is convened, may propose amendments revising
19 the Constitution, to be voted upon by the qualified voters
20 [electors] for statewide offices and propositions, as defined in
21 the Constitution and statutes of this State. The date of the
22 elections shall be specified by the Legislature. The proposal for
23 submission must be approved by a vote of two-thirds of all the
24 members elected to each House, entered by yeas and nays on the
25 journals.

26 (b) A brief explanatory statement of the nature of a
27 proposed amendment, together with the date of the election and the

1 wording of the proposition as it is to appear on the ballot, shall
2 be published twice in each newspaper in the State which meets
3 requirements set by the Legislature for the publication of official
4 notices of officers and departments of the state government. The
5 explanatory statement shall be prepared by the Secretary of State
6 and shall be approved by the Attorney General. The Secretary of
7 State shall send a full and complete copy of the proposed amendment
8 or amendments to each county clerk who shall post the same in a
9 public place in the courthouse at least 30 days prior to the
10 election on said amendment. The first notice shall be published
11 not more than 60 days nor less than 50 days before the date of the
12 election, and the second notice shall be published on the same day
13 in the succeeding week. The Legislature shall fix the standards
14 for the rate of charge for the publication, which may not be higher
15 than the newspaper's published national rate for advertising per
16 column inch.

17 (c) The election shall be held in accordance with procedures
18 prescribed by the Legislature, and the returning officer in each
19 county shall make returns to the Secretary of State of the number
20 of legal votes cast at the election for and against each amendment.
21 If it appears from the returns that a majority of the votes cast
22 have been cast in favor of an amendment, it shall become a part of
23 this Constitution, and proclamation thereof shall be made by the
24 Governor.

25 SECTION 55. The following provisions of the Texas
26 Constitution are repealed:

27 (1) Article III, Sections 26a, 50b, 50b-1, 50b-2,

1 50b-3, and 54;

2 (2) Article VIII, Sections 1-b-1, 1-c, and 5;

3 (3) Article IX, Section 6;

4 (4) Article XI, Section 6;

5 (5) Article XVI, Sections 18, 47, 53, 66, and 70(r);

6 and

7 (6) Article XVII, Section 2.

8 SECTION 56. The following temporary provision is added to
9 the Texas Constitution:

10 TEMPORARY TRANSITION PROVISIONS. (a) This section applies
11 to amendments proposed by H.J.R. No. 62, 76th Legislature, Regular
12 Session, 1999.

13 (b) The amendments do not impair any obligation created by
14 the issuance of bonds or other evidences of indebtedness in
15 accordance with prior law, and all bonds or other evidences of
16 indebtedness validly issued under provisions amended or repealed
17 remain valid, enforceable, and binding according to their terms
18 and shall be paid from the sources pledged. Bonds or other
19 evidences of indebtedness authorized but unissued on the effective
20 date of the amendments may be issued in compliance with and subject
21 to the provisions of the prior law. The amendments do not reduce
22 or expand the authority to provide for, issue, or sell bonds or
23 other evidences of indebtedness previously authorized.

24 (c) As of the date of adoption of H.J.R. No. 62 by the 76th
25 Legislature, Regular Session, 1999, the Veterans' Land Board has
26 authorized but unissued bonds in the aggregate principal amount of
27 \$190,002,225 for the purpose of providing funds for the Veterans'

1 Land Fund, \$1,309,997,775 having previously been issued for that
2 purpose, and \$615,000,000 for the purpose of providing funds for
3 the Veterans' Housing Assistance Fund II, \$385,000,000 having
4 previously been issued for that purpose. The amendments do not in
5 any manner impair the authority of the Veterans' Land Board
6 hereafter to issue bonds or incur other evidences of indebtedness,
7 provided that any bonds or other evidences of indebtedness issued
8 or incurred by the Veterans' Land Board prior to adoption of the
9 amendments shall cause the amount of authorized but unissued bonds
10 described in this subsection to be reduced by the amount of the
11 bonds so issued or other evidences of indebtedness so incurred.

12 (d) As of the date of adoption of H.J.R. No. 62 by the 76th
13 Legislature, Regular Session, 1999, the Texas Water Development
14 Board has authorized but unissued bonds in the aggregate principal
15 amount of \$945,765,000, and as of that date that board has issued
16 \$113,300,000 in bonds for the purpose of providing wholesale and
17 retail water and wastewater facilities to economically distressed
18 areas of the state, as defined by law. The amendments do not in
19 any manner impair the authority of the Texas Water Development
20 Board hereafter to issue bonds or incur other evidences of
21 indebtedness, provided that any bonds or other evidences of
22 indebtedness issued or incurred by the Texas Water Development
23 Board prior to adoption of the amendments shall cause the amount of
24 authorized but unissued bonds described in this subsection to be
25 reduced by the amount of the bonds so issued or other evidences of
26 indebtedness so incurred.

27 (e) As of the date of adoption of H.J.R. No. 62 by the 76th

1 Legislature, Regular Session, 1999, the Texas Higher Education
2 Coordinating Board has authorized but unissued bonds in the
3 aggregate principal amount of \$150,000,000, and as of that date the
4 board has issued \$810,000,000 in bonds for the purpose of
5 educational loans to students. The amendments do not in any manner
6 impair the authority of the Texas Higher Education Coordinating
7 Board hereafter to issue bonds or incur other evidences of
8 indebtedness, provided that any bonds or other evidences of
9 indebtedness issued or incurred by the Texas Higher Education
10 Coordinating Board prior to adoption of the amendments shall cause
11 the amount of authorized but unissued bonds described in this
12 subsection to be reduced by the amount of the bonds so issued or
13 other evidences of indebtedness so incurred.

14 (f) The amendment of Subsection (b), Section 1-b, Article
15 VIII, does not affect the increase in the amount of an exemption
16 effective January 1, 1979, under that subsection, and that increase
17 is preserved and given effect in accordance with the prior law.

18 (g) The amendment of Subsection (b), Section 1-j, Article
19 VIII, does not affect the taxation of personal property in
20 accordance with action taken under that section before April 1,
21 1990, and that authority to tax personal property is preserved and
22 given effect in accordance with the prior law.

23 (h) The amendment of Subsection (c), Section 5, Article IX,
24 does not affect the validity of a confirmation election held in
25 accordance with that section.

26 (i) The repeal of Section 5, Article VIII, does not affect
27 the power of a municipality to impose and collect taxes on the

1 property of railroad companies in accordance with the general
2 authority of municipalities under this constitution to impose and
3 collect those taxes.

4 (j) The repeal of Section 6, Article IX, does not affect the
5 disposition of assets of the Lamar County Hospital District in
6 accordance with that section.

7 (k) The amendment of Section 44, Article XVI, does not
8 affect the power of a county to abolish the office of county
9 treasurer or county surveyor in accordance with previously adopted
10 amendments of that section, and the power is preserved in
11 accordance with the prior law.

12 (l) The repeal of Section 66, Article XVI, does not affect
13 the pensions payable under that section and those pensions shall be
14 paid in accordance with the prior law.

15 (m) The reenactment of any provision for purposes of
16 amendment does not revive a provision that may have been impliedly
17 repealed by the adoption of a later amendment.

18 (n) The amendment of any provision does not affect vested
19 rights.

20 SECTION 57. This proposed constitutional amendment shall be
21 submitted to the voters at an election to be held on November 2,
22 1999. The ballot shall be printed to permit voting for or against
23 the proposition: "The constitutional amendment to eliminate
24 duplicative, executed, obsolete, archaic, and ineffective
25 provisions of the Texas Constitution."

ADOPTED

MAY 24 1999

Butt
Secretary of the Senate

FLOOR AMENDMENT NO. 1

BY *Er*

1 Amend H.J.R. 62 in SECTION 18 (on page 53, line 17, House Engrossment) between
2 "students" and the period "." insert "who have been admitted to attend an institution of higher
3 education within the State of Texas, public or private, which is recognized or accredited under terms
4 and conditions prescribed by the Legislature".

ADOPTED

MAY 24 1999

Atty. General
Secretary of the Senate

FLOOR AMENDMENT NO. 2

BY *Segura*

- 1 Amend H.J.R. No. 62, in SECTION 49 (page 84, line 27, House Engrossment), by striking
- 2 "the [~~When a~~] Railroad Commission [~~is created by law it~~]" and substituting "When a Railroad
- 3 Commission is created by law it".

ADOPTED

MAY 24 1999

Henry King
Secretary of the Senate

FLOOR AMENDMENT NO. 3

BY *[Signature]*

1 Amend H.J.R. 62 as follows:

2 (1) On page 8, line 25, after "creating", delete "a fund to be known as".

3 (2) On page 8, line 26, after "Fund", insert: ", Veterans' Housing Assistance Fund, and
4 Veterans' Housing Assistance Fund II."

5 (3) Strike page 9, lines 22 through 25. Renumber remaining subsections accordingly.

100

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 76th Regular Session

May 11, 1999

TO: Honorable Florence Shapiro, Chair, Senate Committee on State Affairs

FROM: John Keel, Director, Legislative Budget Board

IN RE: HJR62 by Mowery (Proposing a constitutional amendment to eliminate duplicative, executed, obsolete, archaic, and ineffective constitutional provisions.), **As Engrossed**

No fiscal implication to the State is anticipated, other than the cost of publication.

The cost to the state for publication of the resolution is \$76,352.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 302 Office Of The Attorney General, 307 Secretary of State, 701 Texas Education Agency - Administration, 304 Comptroller of Public Accounts, 305 General Land Office and Veterans' Land Board

LBB Staff: JK, SD, RS

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 76th Regular Session

April 22, 1999

TO: Honorable Joe Driver, Chair, House Committee on Constitutional Revision

FROM: John Keel, Director, Legislative Budget Board

IN RE: HJR62 by Mowery (proposing a constitutional amendment to eliminate duplicative, executed, obsolete, archaic, and ineffective constitutional provisions), **Committee Report 1st House, Substituted**

No fiscal implication to the State is anticipated, other than the cost of publication.

The cost to the state for publication of the resolution is \$76,352.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 302 Office Of The Attorney General, 307 Secretary of State, 701 Texas Education Agency - Administration, 304 Comptroller of Public Accounts, 305 General Land Office and Veterans' Land Board

LBB Staff: JK, SD, RS

2

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 76th Regular Session

March 15, 1999

TO: Honorable Joe Driver, Chair, House Committee on Constitutional Revision

FROM: John Keel, Director, Legislative Budget Board

IN RE: HJR62 by Mowery (Proposing a constitutional amendment to eliminate duplicative, executed, obsolete, archaic, and ineffective constitutional provisions.), **As Introduced**

No fiscal implication to the State is anticipated, other than the cost of publication.

The cost to the state for publication of the resolution is \$76,352.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 302 Office Of The Attorney General, 307 Secretary of State, 701 Texas Education Agency - Administration, 304 Comptroller of Public Accounts, 305 General Land Office and Veterans' Land Board

LBB Staff: JK, SD, RS

LEGISLATIVE BUDGET BOARD
Equalized Education Funding Impact Statement

May 11, 1999

TO: Honorable Florence Shapiro, Chair
Committee on State Affairs
Senate
Austin, Texas

IN RE: House Joint Resolution
No. 62, As Engrossed
By: Mowery

FROM: John Keel, Director

In response to your request for a Equalized Education Funding Impact Statement on HJR62 (Proposing a constitutional amendment to eliminate duplicative, executed, obsolete, archaic, and ineffective constitutional provisions.) this office has determined the following:

No impact on equalized funding requirements and policies affecting public education is anticipated from any of the provisions of this bill.

LEGISLATIVE BUDGET BOARD
Equalized Education Funding Impact Statement

April 25, 1999

TO: Honorable Joe Driver, Chair
Committee on Constitutional Revision
House
Austin, Texas

IN RE: House Joint Resolution
No. 62, Committee
Report 1st House, Substituted
By: Mowery

FROM: John Keel, Director

In response to your request for a Equalized Education Funding Impact Statement on HJR62 (proposing a constitutional amendment to eliminate duplicative, executed, obsolete, archaic, and ineffective constitutional provisions) this office has determined the following:

No impact on equalized funding requirements and policies affecting public education is anticipated from any of the provisions of this bill.

5

LEGISLATIVE BUDGET BOARD

Water Development Impact Statement

May 11, 1999

TO: Honorable Florence Shapiro, Chair
Committee on State Affairs
Senate
Austin, Texas

IN RE: House Joint Resolution
No. 62, As Engrossed
By: Mowery

FROM: John Keel, Director

In response to your request for a Water Development Impact Statement on HJR62 (proposing a constitutional amendment to eliminate duplicative, executed, obsolete, archaic, and ineffective constitutional provisions,) this office, in cooperation with the Water Development Board (TWDB), has determined the following:

The bill does not create a water district or amend Article XVI, Section 59 of the Texas Constitution relating to the creation of water districts.

Therefore, the bill is not in conflict with the objectives of the State Water Plan.

LEGISLATIVE BUDGET BOARD

Water Development Impact Statement

April 27, 1999

TO: Honorable Joe Driver, Chair
Committee on Constitutional Revision
House of Representatives
Austin, Texas

IN RE: House Joint Resolution
No. 62, Committee
Report 1st House, Substituted
By: Mowery

FROM: John Keel, Director

In response to your request for a Water Development Impact Statement on HJR62 (proposing a constitutional amendment to eliminate duplicative, executed, obsolete, archaic, and ineffective constitutional provisions,) this office, in cooperation with the Water Development Board (TWDB), has determined the following:

The bill does not create a water district or amend Article XVI, Section 59 of the Texas Constitution relating to the creation of water districts.

Therefore, the bill is not in conflict with the objectives of the State Water Plan.

7

LEGISLATIVE BUDGET BOARD

Tax/Fee Equity Note

May 11, 1999

TO: Honorable Florence Shapiro, Chair
Florence Shapiro, Chair
Senate
Austin, Texas

IN RE: House Joint Resolution
No. 62, As Engrossed
By: Mowery

FROM: John Keel, Director

In response to your request for a Tax/Fee Equity Note on HJR62 (Proposing a constitutional amendment to eliminate duplicative, executed, obsolete, archaic, and ineffective constitutional provisions.) this office has determined the following:

No statistically significant impact on the overall distribution of a state tax or fee burden among individuals and businesses is anticipated from the provisions of this bill.

LEGISLATIVE BUDGET BOARD

Tax/Fee Equity Note

April 23, 1999

TO: Honorable Joe Driver, Chair
Committee on Constitutional Revision
House
Austin, Texas

IN RE: House Joint Resolution
No. 62, Committee
Report 1st House, Substituted
By: Mowery

FROM: John Keel, Director

In response to your request for a Tax/Fee Equity Note on HJR62 (Proposing a constitutional amendment to eliminate duplicative, executed, obsolete, archaic, and ineffective constitutional provisions.) this office has determined the following:

No statistically significant impact on the overall distribution of a state tax or fee burden among individuals and businesses is anticipated from the provisions of this resolution.

9

ENROLLED

H.J.R. No. 62

A JOINT RESOLUTION

1 proposing a constitutional amendment to eliminate duplicative,
2 executed, obsolete, archaic, and ineffective constitutional
3 provisions.

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

5 SECTION 1. Section 2, Article III, Texas Constitution, is
6 amended to read as follows:

7 Sec. 2. The Senate shall consist of thirty-one members [~~7--and~~
8 ~~shall--never--be--increased--above--this--number~~]. The House of
9 Representatives shall consist of 150 [~~ninety-three~~] members [~~until~~
10 ~~the-first-apportionment-after-the-adoption--of--this--Constitution,~~
11 ~~when---or---at---any---apportionment---thereafter,~~ ~~7--the--number--of~~
12 ~~Representatives-may-be-increased-by-the-Legislature,~~ ~~7-upon-the-ratio~~
13 ~~of-not-more-than-one--Representative--for--every--fifteen--thousand~~
14 ~~inhabitants,~~ ~~7--provided,~~ ~~7--the--number-of-Representatives-shall-never~~
15 ~~exceed-one-hundred-and-fifty~~].

16 SECTION 2. Section 3, Article III, Texas Constitution, is
17 amended to read as follows:

18 Sec. 3. The Senators shall be chosen by the qualified voters
19 [~~electors~~] for the term of four years; but a new Senate shall be
20 chosen after every apportionment, and the Senators elected after
21 each apportionment shall be divided by lot into two classes. The
22 seats of the Senators of the first class shall be vacated at the
23 expiration of the first two years, and those of the second class at
24 the expiration of four years, so that one half of the Senators

1 shall be chosen biennially thereafter. Senators shall take office
2 following their election, on the day set by law for the convening
3 of the Regular Session of the Legislature, and shall serve
4 thereafter for the full term of years to which elected [~~and--until~~
5 ~~their-successors-shall-have-been-elected-and-qualified~~].

6 SECTION 3. Section 4, Article III, Texas Constitution, is
7 amended to read as follows:

8 Sec. 4. The Members of the House of Representatives shall be
9 chosen by the qualified voters [~~electors~~] for the term of two
10 years. Representatives shall take office following their election,
11 on the day set by law for the convening of the Regular Session of
12 the Legislature, and shall serve thereafter for the full term of
13 years to which elected [~~and-until-their-successors-shall-have-been~~
14 ~~elected-and-qualified~~].

15 SECTION 4. Section 5, Article III, Texas Constitution, is
16 amended to read as follows:

17 Sec. 5. (a) The Legislature shall meet every two years at
18 such time as may be provided by law and at other times when
19 convened by the Governor.

20 (b) When convened in regular Session, the first thirty days
21 thereof shall be devoted to the introduction of bills and
22 resolutions, acting upon emergency appropriations, passing upon the
23 confirmation of the recess appointees of the Governor and such
24 emergency matters as may be submitted by the Governor in special
25 messages to the Legislature. During [~~provided-that-during~~] the
26 succeeding thirty days of the regular session of the Legislature
27 the various committees of each House shall hold hearings to

1 consider all bills and resolutions and other matters then pending;
2 and such emergency matters as may be submitted by the Governor.
3 During~~[7--provided-further-that-during]~~ the remainder of the session
4 ~~[following-sixty-days]~~ the Legislature shall act upon such bills
5 and resolutions as may be then pending and upon such emergency
6 matters as may be submitted by the Governor in special messages to
7 the Legislature.

8 (c) Notwithstanding Subsection (b), either~~[7--provided,~~
9 ~~however7--either]~~ House may ~~[otherwise]~~ determine its order of
10 business by an affirmative vote of four-fifths of its membership.

11 SECTION 5. Section 6, Article III, Texas Constitution, is
12 amended to read as follows:

13 Sec. 6. No person shall be a Senator, unless he be a citizen
14 of the United States, and, at the time of his election a qualified
15 voter ~~[elector]~~ of this State, and shall have been a resident of
16 this State five years next preceding his election, and the last
17 year thereof a resident of the district for which he shall be
18 chosen, and shall have attained the age of twenty-six years.

19 SECTION 6. Section 7, Article III, Texas Constitution, is
20 amended to read as follows:

21 Sec. 7. No person shall be a Representative, unless he be a
22 citizen of the United States, and, at the time of his election, a
23 qualified voter ~~[elector]~~ of this State, and shall have been a
24 resident of this State two years next preceding his election, the
25 last year thereof a resident of the district for which he shall be
26 chosen, and shall have attained the age of twenty-one years.

27 SECTION 7. Section 14, Article III, Texas Constitution, is

1 amended to read as follows:

2 Sec. 14. Senators and Representatives shall, except in cases
3 of treason, felony, or breach of the peace, be privileged from
4 arrest during the session of the Legislature, and in going to and
5 returning from the same[~~7-allowing-one-day-for-every-twenty-miles~~
6 ~~such-member-may-reside-from-the-place-at-which-the--Legislature--is~~
7 ~~convened~~].

8 SECTION 8. Section 33, Article III, Texas Constitution, is
9 amended to read as follows:

10 Sec. 33. All bills for raising revenue shall originate in
11 the House of Representatives[~~7-but-the-Senate-may-amend-or-reject~~
12 ~~them-as-other-bills~~].

13 SECTION 9. Section 32, Article III, Texas Constitution, is
14 amended to read as follows:

15 Sec. 32. No bill shall have the force of a law, until it has
16 been read on three several days in each House, and free discussion
17 allowed thereon; but [~~in--cases--of--imperative--public--necessity~~
18 ~~{which--necessity--shall--be--stated--in--a--preamble--or--in--the--body--of~~
19 ~~the-bill}~~] four-fifths of the House, in which the bill may be
20 pending, may suspend this rule, the yeas and nays being taken on
21 the question of suspension, and entered upon the journals.

22 SECTION 10. Section 39, Article III, Texas Constitution, is
23 amended to read as follows:

24 Sec. 39. No law passed by the Legislature, except the
25 general appropriation act, shall take effect or go into force until
26 ninety days after the adjournment of the session at which it was
27 enacted, unless [~~in-case-of-an-emergency,7-which-emergency--must--be~~

1 ~~expressed-in-a-preamble-or-in-the-body-of-the-act~~⁷] the Legislature
2 shall, by a vote of two-thirds of all the members elected to each
3 House, otherwise direct; said vote to be taken by yeas and nays,
4 and entered upon the journals.

5 SECTION 11. Section 48-e, Article III, Texas Constitution,
6 is amended to read as follows:

7 Sec. 48-e. Laws may be enacted to provide for the
8 establishment and creation of special districts to provide
9 emergency services and to authorize the commissioners courts of
10 participating counties to levy a tax on the ad valorem property
11 situated in said districts not to exceed Ten Cents (10¢) on the One
12 Hundred Dollars (\$100.00) valuation for the support thereof;
13 provided that no tax shall be levied in support of said districts
14 until approved by a vote of the qualified voters [~~electors~~]
15 residing therein. Such a district may provide emergency medical
16 services, emergency ambulance services, rural fire prevention and
17 control services, or other emergency services authorized by the
18 Legislature.

19 SECTION 12. Section 48-f, Article III, Texas Constitution,
20 is amended to read as follows:

21 Sec. 48-f. The legislature, by law, may provide for the
22 creation, operation, and financing of jail districts and may
23 authorize each district to issue bonds and other obligations and to
24 levy an ad valorem tax on property located in the district to pay
25 principal of and interest on the bonds and to pay for operation of
26 the district. An ad valorem tax may not be levied and bonds secured
27 by a property tax may not be issued until approved by the qualified

1 voters [~~electors~~] of the district voting at an election called and
2 held for that purpose.

3 SECTION 13. Section 49a, Article III, Texas Constitution, is
4 amended to read as follows:

5 Sec. 49a. (a) It shall be the duty of the Comptroller of
6 Public Accounts in advance of each Regular Session of the
7 Legislature to prepare and submit to the Governor and to the
8 Legislature upon its convening a statement under oath showing fully
9 the financial condition of the State Treasury at the close of the
10 last fiscal period and an estimate of the probable receipts and
11 disbursements for the then current fiscal year. There shall also
12 be contained in said statement an itemized estimate of the
13 anticipated revenue based on the laws then in effect that will be
14 received by and for the State from all sources showing the fund
15 accounts to be credited during the succeeding biennium and said
16 statement shall contain such other information as may be required
17 by law. Supplemental statements shall be submitted at any Special
18 Session of the Legislature and at such other times as may be
19 necessary to show probable changes.

20 (b) Except [~~From--and--after--January-17-1945--save~~] in the
21 case of emergency and imperative public necessity and with a
22 four-fifths vote of the total membership of each House, no
23 appropriation in excess of the cash and anticipated revenue of the
24 funds from which such appropriation is to be made shall be valid.
25 No [~~From--and--after--January--17--1945--no~~] bill containing an
26 appropriation shall be considered as passed or be sent to the
27 Governor for consideration until and unless the Comptroller of

1 Public Accounts endorses his certificate thereon showing that the
2 amount appropriated is within the amount estimated to be available
3 in the affected funds. When the Comptroller finds an appropriation
4 bill exceeds the estimated revenue he shall endorse such finding
5 thereon and return to the House in which same originated. Such
6 information shall be immediately made known to both the House of
7 Representatives and the Senate and the necessary steps shall be
8 taken to bring such appropriation to within the revenue, either by
9 providing additional revenue or reducing the appropriation.

10 [~~For--the-purpose-of-financing-the-outstanding-obligations-of~~
11 ~~the-General-Revenue-Fund-of--the--State--and--placing--its--current~~
12 ~~accounts--on--a-cash-basis-the-Legislature-of-the-State-of-Texas-is~~
13 ~~hereby-authorized-to-provide-for-the-issuance, sale, and retirement~~
14 ~~of-serial-bonds, equal--in--principal--to--the--total--outstanding,~~
15 ~~valid,--and-approved-obligations-owing-by-said-fund-on-September-1,~~
16 ~~1943, provided such bonds shall not draw interest in excess of--two~~
17 ~~(2)--per--cent--per-annum-and-shall-mature-within-twenty-(20)-years~~
18 ~~from-date.]~~

19 SECTION 14. Sections 49-b, 49-b-1, 49-b-2, and 49-b-3,
20 Article III, Texas Constitution, are combined, reenacted as Section
21 49-b, and amended to read as follows:

22 Sec. 49-b. (a) The [~~By-virtue-of-prior-Amendments--to--this~~
23 ~~Constitution,--there--has--been--created--a-governmental--agency--of--the~~
24 ~~State-of--Texas--performing--governmental--duties--which--has--been~~
25 ~~designated--the] Veterans' Land Board[~~--Said-Board-shall-continue~~
26 ~~to-function--for--the--purposes--specified--in--all--of--the--prior~~
27 ~~Constitutional--Amendments--except-as-modified-herein,--Said-Board]~~~~

1 shall be composed of the Commissioner of the General Land Office
2 and two (2) citizens of the State of Texas, one (1) of whom shall
3 be well versed in veterans' affairs and one (1) of whom shall be
4 well versed in finances. One (1) such citizen member shall, with
5 the advice and consent of the Senate, be appointed biennially by
6 the Governor to serve for a term of four (4) years. In the event
7 of the resignation or death of any such citizen member, the
8 Governor shall appoint a replacement to serve for the unexpired
9 portion of the term to which the deceased or resigning member had
10 been appointed. The compensation for said citizen members shall be
11 as is now or may hereafter be fixed by the Legislature; and each
12 shall make bond in such amount as is now or may hereafter be
13 prescribed by the Legislature.

14 (b) The Commissioner of the General Land Office shall act as
15 Chairman of said Board and shall be the administrator of the
16 Veterans' Land Program under such terms and restrictions as are now
17 or may hereafter be provided by law. In the absence or illness of
18 said Commissioner, the Chief Clerk of the General Land Office shall
19 be the Acting Chairman of said Board with the same duties and
20 powers that said Commissioner would have if present.

21 (c) The Veterans' Land Board may provide for, issue and sell
22 [~~not-to-exceed-Nine-Hundred-Fifty--Million--Dollars--(\$950,000,000)~~
23 in] bonds or obligations of the State of Texas as authorized by
24 constitutional amendment or by a debt proposition under Section 49
25 of this article for the purpose of creating [~~a-fund-to-be-known-as~~]
26 the Veterans' Land Fund, the Veterans' Housing Assistance Fund, and
27 the Veterans' Housing Assistance Fund II [~~7-Seven-Hundred-Million~~

1 Dollars-(\$700,000,000)-of-which-have--heretofore--been--authorized-
 2 Such-bonds-or-obligations-shall-be-sold-for-not-less-than-par-value
 3 and---accrued---interest;---shall---be---issued---in---such---forms,
 4 denominations,-and-upon-such-terms-as-are-now-or-may--hereafter--be
 5 provided--by--law;-shall-be-issued-and-sold-at-such-times,-at-such
 6 places,-and-in-such-installments--as--may--be--determined--by--said
 7 Board;-and--shall-bear-a-rate-or-rates-of-interest-as-may-be-fixed
 8 by-said-Board-but-the-weighted-average--annual--interest--rate,-as
 9 that--phrase--is-commonly-and-ordinarily-used-and-understood-in-the
 10 municipal-bond-market,-of-all-the-bonds--issued--and--sold--in--any
 11 installment--of--any--bonds--may--not--exceed-the-rate-specified-in
 12 Section-65-of-this-Article;-All-bonds-or--obligations--issued--and
 13 sold-hereunder-shall,-after-execution-by-the-Board,-approval-by-the
 14 Attorney--General--of--Texas,-registration--by--the-Comptroller-of
 15 Public-Accounts--of--the--State--of--Texas,-and--delivery--to--the
 16 purchaser--or--purchasers,-be--incontestable--and-shall-constitute
 17 general-obligations-of-the-State-of-Texas-under-the-Constitution-of
 18 Texas,-and-all-bonds-heretofore-issued-and-sold-by-said--Board--are
 19 hereby--in--all--respects--validated--and--declared--to--be-general
 20 obligations-of-the-State-of-Texas;-In-order-to-prevent-default--in
 21 the--payment--of--principal--or--interest--on--any--such-bonds,-the
 22 Legislature-shall-appropriate-a-sufficient-amount-to-pay-the-same].

23 [In-the-sale-of-any-such-bonds-or-obligations,-a-preferential
 24 right-of-purchase-shall-be--given--to--the--administrators--of--the
 25 various--Teacher--Retirement-Funds,-the-Permanent-University-Funds,
 26 and-the-Permanent-School-Funds.

27 [Said--Veterans'-Land--Fund--shall--consist--of--any--lands

1 heretofore--or--hereafter--purchased--by--said--Board, until the sale
2 price therefor, together with any interest and penalties due, have
3 been--received--by--said--Board--(although--nothing--herein--shall--be
4 construed--to--prevent--said--Board--from--accepting--full--payment--for--a
5 portion--of--any--tract), and of the moneys attributable to any bonds
6 heretofore--or--hereafter--issued--and--sold--by--said--Board--which--moneys
7 so--attributable--shall--include--but--shall--not--be--limited--to--the
8 proceeds--from--the--issuance--and--sale--of--such--bonds, the moneys
9 received--from--the--sale--or--resale--of--any--lands, or rights therein,
10 purchased--with--such--proceeds, the moneys received--from--the--sale--or
11 resale--of--any--lands, or rights therein, purchased--with--other--moneys
12 attributable--to--such--bonds, the interest--and--penalties--received
13 from--the--sale--or--resale--of--such--lands, or rights therein, the
14 bonuses, income, rents, royalties, and any other pecuniary benefit
15 received--by--said--Board--from--any--such--lands, sums received--by--way
16 of--indemnity--or--forfeiture--for--the--failure--of--any--bidder--for--the
17 purchase--of--any--such--bonds--to--comply--with--his--bid--and--accept--and
18 pay--for--such--bonds--or--for--the--failure--of--any--bidder--for--the
19 purchase--of--any--lands--comprising--a--part--of--said--Fund--to--comply--with
20 his--bid--and--accept--and--pay--for--any--such--lands, and interest
21 received--from--investments--of--any--such--moneys. The principal--and
22 interest--on--the--bonds--heretofore--and--hereafter--issued--by--said--Board
23 shall--be--paid--out--of--the--moneys--of--said--Fund--in--conformance--with
24 the--Constitutional--provisions--authorizing--such--bonds, but--the
25 moneys--of--said--Fund--which--are--not--immediately--committed--to--the
26 payment--of--principal--and--interest--on--such--bonds, the purchase--of
27 lands--as--herein--provided, or--the--payment--of--expenses--as--herein

1 provided-may-be-invested-as-authorized-by-law-until-such-moneys-are
2 needed-for-such-purposes-

3 [All-moneys-comprising-a-part-of-said-Fund-and-not-expended
4 for-the-purposes-herein-provided-shall-be-a-part-of-said-Fund-until
5 there-are-sufficient-moneys-therein-to-retire-fully-all-of-the
6 bonds-heretofore-or-hereafter-issued-and-sold-by-said-Board,-at
7 which-time-all-such-moneys-remaining-in-said-Fund,-except-such
8 portion-thereof-as-may-be-necessary-to-retire-all-such-bonds-which
9 portion-shall-be-set-aside-and-retained-in-said-Fund-for-the
10 purpose-of-retiring-all-such-bonds,-shall-be-deposited-to-the
11 credit-of-the-General-Revenue-Fund-to-be-appropriated-to-such
12 purposes-as-may-be-prescribed-by-law.-All-moneys-becoming-a-part
13 of-said-Fund-thereafter-shall-likewise-be-deposited-to-the-credit
14 of-the-General-Revenue-Fund-

15 [When-a-Division-of-said-Fund-(each-Division-consisting-of
16 the-moneys-attributable-to-the-bonds-issued-and-sold-pursuant-to-a
17 single-Constitutional-authorization-and-the-lands-purchased
18 therewith)-contains-sufficient-moneys-to-retire-all-of-the-bonds
19 secured-by-such-Division,-the-moneys-thereof,-except-such-portion
20 as-may-be-needed-to-retire-all-of-the-bonds-secured-by-such
21 Division-which-portion-shall-be-set-aside-and-remain-a-part-of-such
22 Division-for-the-purpose-of-retiring-all-such-bonds,-may-be-used
23 for-the-purpose-of-paying-the-principal-and-the-interest-thereon,
24 together-with-the-expenses-herein-authorized,-of-any-other-bonds
25 heretofore-or-hereafter-issued-and-sold-by-said-Board.-Such-use
26 shall-be-a-matter-for-the-discretion-and-direction-of-said-Board,
27 but-there-may-be-no-such-use-of-any-such-moneys-contrary-to-the

1 rights-of-any-holder-of-any-of-the-bonds-issued-and--sold--by--said
2 Board-or-violative-of-any-contract-to-which-said-Board-is-a-party-

3 [The--Veterans'-Land-Fund-shall-be-used-by-said-Board-for-the
4 purpose-of-purchasing-lands-situated-in-the-State-of-Texas-owned-by
5 the-United-States-or-any-governmental-agency-thereof,--owned-by--the
6 Texas--Prison--System-or-any-other-governmental-agency-of-the-State
7 of-Texas,--or-owned-by-any-person,--firm,--or-corporation.--All--lands
8 thus-purchased-shall-be-acquired-at-the-lowest-price-obtainable,--to
9 be--paid-for-in-cash,--and-shall-be-a-part-of-said-Fund.--Such-lands
10 heretofore-or-hereafter-purchased-and-comprising--a--part--of--said
11 Fund--are--hereby--declared--to-be-held-for-a-governmental-purpose,
12 although-the-individual-purchasers--thereof--shall--be--subject--to
13 taxation--to--the--same--extent--and--in--the--same--manner--as-are
14 purchasers-of-lands-dedicated-to-the-Permanent-Free--Public--School
15 Fund-

16 [The--lands--of-the-Veterans'-Land-Fund-shall-be-sold-by-said
17 Board-in-such-quantities,--on-such-terms,--at-such--prices,--at--such
18 rates--of--interest-and-under-such-rules-and-regulations-as-are-now
19 or-may-hereafter-be-provided-by-law-to-veterans,--as-they-are-now-or
20 may-hereafter-be-defined-by-the-laws-of-the-State--of--Texas,---The
21 foregoing--notwithstanding,--any--lands--in-the-Veterans'-Land-Fund
22 which-have-been-first-offered-for-sale-to-veterans-and--which--have
23 not--been--sold--may--be-sold-or-resold-to-such-purchasers,--in-such
24 quantities,--and-on-such-terms,--and-at--such--prices--and--rates--of
25 interest,--and--under--such-rules-and-regulations-as-are-now-or-may
26 hereafter-be-provided-by-law.]

27 (d) Said Veterans' Land Fund, to the extent of the moneys

1 attributable to any bonds hereafter issued and sold by said Board
 2 may be used by said Board, as is now or may hereafter be provided
 3 by law, for the purpose of paying the expenses of surveying,
 4 monumenting, road construction, legal fees, recordation fees,
 5 advertising and other like costs necessary or incidental to the
 6 purchase and sale, or resale, of any lands purchased with any of
 7 the moneys attributable to such additional bonds, such expenses to
 8 be added to the price of such lands when sold, or resold, by said
 9 Board; for the purpose of paying the expenses of issuing, selling,
 10 and delivering any such additional bonds; and for the purpose of
 11 meeting the expenses of paying the interest or principal due or to
 12 become due on any such additional bonds.

13 ~~[All of the moneys attributable to any series of bonds~~
 14 ~~hereafter issued and sold by said Board (a "series of bonds" being~~
 15 ~~all of the bonds issued and sold in a single transaction as a~~
 16 ~~single installment of bonds) may be used for the purchase of lands~~
 17 ~~as herein provided, to be sold as herein provided, for a period~~
 18 ~~ending eight (8) years after the date of sale of such series of~~
 19 ~~bonds, provided, however, that so much of such moneys as may be~~
 20 ~~necessary to pay interest on bonds hereafter issued and sold shall~~
 21 ~~be set aside for that purpose in accordance with the resolution~~
 22 ~~adopted by said Board authorizing the issuance and sale of such~~
 23 ~~series of bonds. After such eight (8) year period, all of such~~
 24 ~~moneys shall be set aside for the retirement of any bonds hereafter~~
 25 ~~issued and sold and to pay interest thereon, together with any~~
 26 ~~expenses as provided herein, in accordance with the resolution or~~
 27 ~~resolutions authorizing the issuance and sale of such additional~~

1 bonds, until there are sufficient moneys to retire all of the bonds
2 hereafter issued and sold, at which time all such moneys then
3 remaining a part of said Veterans' Land Fund and thereafter
4 becoming a part of said Fund shall be governed as elsewhere
5 provided herein.

6 [This Amendment being intended only to establish a basic
7 framework and not to be a comprehensive treatment of the Veterans'
8 Land Program, there is hereby reposed in the Legislature full power
9 to implement and effectuate the design and objects of this
10 Amendment, including the power to delegate such duties,
11 responsibilities, functions, and authority to the Veterans' Land
12 Board as it believes necessary.

13 [Should the Legislature enact any enabling laws in
14 anticipation of this Amendment, no such law shall be void by reason
15 of its anticipatory nature.

16 [Sec. 49-b-1. (a) In addition to the general obligation
17 bonds authorized to be issued and to be sold by the Veterans' Land
18 Board by Section 49-b of this article, the Veterans' Land Board may
19 provide for, issue, and sell not to exceed \$1.3 billion in bonds of
20 the State of Texas, \$800 million of which have heretofore been
21 authorized to provide financing to veterans of the state in
22 recognition of their service to their state and country.]

23 (e) [(b)] For purposes of this section, "veteran" means a
24 person who satisfies the definition of "veteran" as [is now or may
25 hereafter be] set forth by the laws of the State of Texas.

26 [(c) The bonds shall be sold for not less than par value and
27 accrued interest, shall be issued in such forms and denominations,

1 upon such terms, at such times and places, and in such installments
2 as may be determined by the board, and, notwithstanding the rate of
3 interest specified by any other provision of this constitution,
4 shall bear a rate or rates of interest fixed by the board. All
5 bonds issued and sold pursuant to Subsections (a) through (f) of
6 this section shall, after execution by the board, approval by the
7 Attorney General of Texas, registration by the Comptroller of
8 Public Accounts of the State of Texas, and delivery to the
9 purchaser or purchasers, be incontestable and shall constitute
10 general obligations of the state under the Constitution of Texas.

11 [(d) Three hundred million dollars of the state bonds
12 authorized by this section shall be used to augment the Veterans'
13 Land Fund. The Veterans' Land Fund shall be used by the board for
14 the purpose of purchasing lands situated in the State of Texas
15 owned by the United States government or any agency thereof, the
16 State of Texas or any subdivision or agency thereof, or any person,
17 firm, or corporation. The lands shall be sold to veterans in such
18 quantities, on such terms, at such prices, at such rates of
19 interest, and under such rules and regulations as may be authorized
20 by law. The expenses of the board in connection with the issuance
21 of the bonds and the purchase and sale of the lands may be paid
22 from money in the fund. The Veterans' Land Fund shall continue to
23 consist of any lands purchased by the board until the sale price
24 therefor, together with any interest and penalties due, have been
25 received by the board (although nothing herein shall prevent the
26 board from accepting full payment for a portion of any tract) and
27 of the money attributable to any bonds issued and sold by the board

1 for--the--Veterans'--Land--Fund,--which--money--so--attributable--shall
2 include--but--shall--not--be--limited--to--the--proceeds--from--the--issuance
3 and--sale--of--such--bonds,--the--money--received--from--the--sale--or--resale
4 of--any--lands,--or--rights--therein,--purchased--from--such--proceeds,--the
5 money--received--from--the--sale--or--resale--of--any--lands,--or--rights
6 therein,--purchased--with--other--money--attributable--to--such--bonds,--the
7 interest--and--penalties--received--from--the--sale--or--resale--of--such
8 lands,--or--rights--therein,--the--bonuses,--income,--rents,--royalties,
9 and--any--other--pecuniary--benefit--received--by--the--board--from--any--such
10 lands,--sums--received--by--way--of--indemnity--or--forfeiture--for--the
11 failure--of--any--bidder--for--the--purchase--of--any--such--bonds--to--comply
12 with--his--bid--and--accept--and--pay--for--such--bonds--or--for--the--failure
13 of--any--bidder--for--the--purchase--of--any--lands--comprising--a--part--of
14 the--fund--to--comply--with--his--bid--and--accept--and--pay--for--any--such
15 lands,--and--interest--received--from--investments--of--any--such--money.
16 The--principal--of--and--interest--on--the--general--obligation--bonds
17 previously--authorized--by--Section--49--b--of--this--constitution--shall--be
18 paid--out--of--the--money--of--the--fund--in--conformance--with--the
19 constitutional--provisions--authorizing--such--bonds.--The--principal--of
20 and--interest--on--the--general--obligation--bonds--authorized--by--this
21 section--for--the--benefit--of--the--Veterans'--Land--Fund--shall--be--paid
22 out--of--the--money--of--the--fund,--but--the--money--of--the--fund--which--is
23 not--immediately--committed--to--the--payment--of--principal--and--interest
24 on--such--bonds,--the--purchase--of--lands--as--herein--provided,--or--the
25 payment--of--expenses--as--herein--provided--may--be--invested--as
26 authorized--by--law--until--the--money--is--needed--for--such--purposes.]

27 (f) [(e)] The Veterans' Housing Assistance Fund [is created,

1 and \$1 billion of the state bonds authorized by this section shall
2 be used for the Veterans' Housing Assistance Fund, \$500 million of
3 which have heretofore been authorized. Money in the Veterans'
4 Housing Assistance Fund] shall be administered by the Veterans'
5 Land Board and shall be used for the purpose of making home
6 mortgage loans to veterans for housing within the State of Texas in
7 such quantities, on such terms, at such rates of interest, and
8 under such rules and regulations as may be authorized by law. The
9 expenses of the board in connection with the issuance of the bonds
10 for the benefit of the Veterans' Housing Assistance Fund and the
11 making of the loans may be paid from money in the fund. [The
12 Veterans' Housing Assistance Fund shall consist of any interest of
13 the board in all home mortgage loans made to veterans by the board
14 pursuant to a Veterans' Housing Assistance Program which the
15 legislature may establish by appropriate legislation until, with
16 respect to any such home mortgage loan, the principal amount,
17 together with any interest and penalties due, have been received by
18 the board, the money attributable to any bonds issued and sold by
19 the board to provide money for the fund, which money so
20 attributable shall include but shall not be limited to the proceeds
21 from the issuance and sale of such bonds, income, rents, and any
22 other pecuniary benefit received by the board as a result of making
23 such loans, sums received by way of indemnity or forfeiture for the
24 failure of any bidder for the purchase of any such bonds to comply
25 with his bid and accept and pay for such bonds, and interest
26 received from investments of any such money.] The principal of and
27 interest on the general obligation bonds authorized by this section

1 for the benefit of the Veterans' Housing Assistance Fund shall be
2 paid out of the money of the fund, but the money of the fund which
3 is not immediately committed to the payment of principal and
4 interest on such bonds, the making of home mortgage loans as herein
5 provided, or the payment of expenses as herein provided may be
6 invested as authorized by law until the money is needed for such
7 purposes.

8 [~~(f)~~ -- To the extent there is not money in either the
9 Veterans' Land Fund or the Veterans' Housing Assistance Fund as the
10 case may be, available for payment of principal of and interest on
11 the general obligation bonds authorized by this section to provide
12 money for either of the funds, there is hereby appropriated out of
13 the first money coming into the treasury in each fiscal year, not
14 otherwise appropriated by this constitution, an amount which is
15 sufficient to pay the principal of and interest on such general
16 obligation bonds that mature or become due during that fiscal year.

17 [~~(g)~~ -- Receipt of all kinds of the funds determined by the
18 board not to be required for the payment of principal of and
19 interest on the general obligation bonds herein authorized,
20 heretofore authorized, or hereafter authorized by this constitution
21 to be issued by the board to provide money for either of the funds
22 may be used by the board, to the extent not inconsistent with the
23 proceedings authorizing such bonds, to pay the principal of and
24 interest on general obligation bonds issued to provide money for
25 the other fund, or to pay the principal of and interest on revenue
26 bonds of the board issued for the purposes of providing funds for
27 the purchasing of lands and making the sale thereof to veterans or

1 making-home-mortgage-loans-to-veterans-as-provided-by-this-section.
2 The--revenue--bonds--shall--be--special--obligations--and--payable--only
3 from--the--receipt--of--the--funds--and--shall--not--constitute--indebtedness
4 of--the--state--or--the--Veterans'-Land-Board. The-board-is--authorized
5 to--issue--such--revenue--bonds--from--time--to--time--which--shall--not
6 exceed--an--aggregate--principal--amount--that--can--be--fully--retired--from
7 the--receipts--of--the--funds--and--other--revenues--pledged--to--the
8 retirement--of--the--revenue--bonds. The-revenue-bonds-shall-be-issued
9 in-such-forms-and-denominations, upon-such-terms, at-such-times-and
10 places, and-in-such-installments-as-may-be-determined-by-the-board,
11 and, notwithstanding--the--rate--of--interest--specified--by--any--other
12 provision--of--the--constitution, shall--bear--a--rate--or--rates--of
13 interest--fixed--by--the--board.

14 [(h) --This Amendment being intended only to establish a basic
15 framework--and--not--to--be--a--comprehensive--treatment--of--the--Veterans'-
16 Housing--Assistance--Program--and--the--Veterans'-Land-Program, there is
17 hereby--reposed--in--the--Legislature--full--power--to--implement--and
18 effectuate--the--design--and--objects--of--this--Amendment, including--the
19 power--to--delegate--such--duties, responsibilities, functions, and
20 authority--to--the--Veterans'-Land-Board--as--it--believes--necessary.

21 [Sec. 49-b-2. (a) --In--addition--to--the--general--obligation
22 bonds--authorized--to--be--issued--and--to--be--sold--by--the--Veterans'-Land
23 Board--by--Sections--49-b--and--49-b-1--of--this--article, the--Veterans'-
24 Land-Board--may--provide--for, issue, and--sell--general--obligation
25 bonds--of--the--state--in--an--amount--not--to--exceed--\$750--million, to
26 provide--financing--to--veterans--of--the--state--in--recognition--of--their
27 service--to--their--state--and--the--United--States--of--America.]

1 (g) ~~The [Two--hundred--fifty--million--dollars--of-the~~
2 ~~general-obligation-bonds-authorized-by-this-section-shall--be--used~~
3 ~~to--augment-the-Veterans'-Land-Fund.--Notwithstanding-any-provision~~
4 ~~of-Section-49-b-or-49-b-1-of-this-article--to--the--contrary,--the]~~
5 Veterans' Land Fund shall be used by the Veterans' Land Board to
6 purchase lands situated in the state owned by the United States
7 government, an agency of the United States government, this state,
8 a political subdivision or agency of this state, or a person, firm,
9 or corporation.

10 (h) Lands purchased and comprising a part of the Veterans'
11 Land Fund are declared to be held for a governmental purpose, but
12 the individual purchasers of those lands shall be subject to
13 taxation to the same extent and in the same manner as are
14 purchasers of lands dedicated to the Permanent Free Public School
15 Fund. The lands shall be sold to veterans in quantities, on terms,
16 at prices, and at fixed, variable, floating, or other rates of
17 interest, determined by the Board and in accordance with rules of
18 the Board. Notwithstanding any provisions of this section to the
19 contrary, lands in the Veterans' Land Fund that are offered for
20 sale to veterans and that are not sold may be sold or resold to the
21 purchasers in quantities, on terms, at prices, and at rates of
22 interest determined by the Board and in accordance with rules of
23 the Board.

24 (i) The expenses of the Board in connection with the
25 issuance of the bonds for the benefit of the Veterans' Land Fund
26 and the purchase and sale of the lands may be paid from money in
27 the Veterans' Land Fund.

1 (j) [~~(e)~~] The Veterans' Land Fund shall consist of:

2 (1) lands heretofore or hereafter purchased by the
3 Board;

4 (2) money attributable to bonds heretofore or
5 hereafter issued and sold by the Board for the fund, including
6 proceeds from the issuance and sale of the bonds;

7 (3) money received from the sale or resale of lands or
8 rights in lands purchased from those proceeds;

9 (4) money received from the sale or resale of lands or
10 rights in lands purchased with other money attributable to the
11 bonds;

12 (5) proceeds derived from the sale or other
13 disposition of the Board's interest in contracts for the sale or
14 resale of lands or rights in lands;

15 (6) interest and penalties received from the sale or
16 resale of lands or rights in lands;

17 (7) bonuses, income, rents, royalties, and other
18 pecuniary benefits received by the Board from lands;

19 (8) money received by way of indemnity or forfeiture
20 for the failure of a bidder for the purchase of bonds to comply
21 with the bid and accept and pay for the bonds or for the failure of
22 a bidder for the purchase of lands comprising a part of the
23 Veterans' Land Fund to comply with the bid and accept and pay for
24 the lands;

25 (9) payments received by the Board under a bond
26 enhancement agreement with respect to the bonds; and

27 (10) interest received from investments of money in

1 the fund.

2 (k) [(d)] The principal of and interest on the general
3 obligation bonds [~~authorized--by--this--section~~] for the benefit of
4 the Veterans' Land Fund, including payments by the Board under a
5 bond enhancement agreement with respect to principal of or interest
6 on the bonds, shall be paid out of the money of the Veterans' Land
7 Fund, but the money in the fund that is not immediately committed
8 to the payment of principal and interest on the bonds, the purchase
9 of lands, or the payment of expenses may be invested as authorized
10 by law until the money is needed for those purposes.

11 (l) [(e)] The Veterans' Housing Assistance Fund II [~~is~~
12 ~~created,--and--\$500--million--of--the--general---obligation---bonds~~
13 ~~authorized--by--this--section--shall--be--used--for--the--Veterans'-Housing~~
14 ~~Assistance-Fund-II.---The-Veterans'-Housing-Assistance-Fund-II~~] is a
15 separate and distinct fund from the Veterans' Housing Assistance
16 Fund [~~established under Section 49-b-1 of this article~~]. Money in
17 the Veterans' Housing Assistance Fund II shall be administered by
18 the Veterans' Land Board and shall be used to make home mortgage
19 loans to veterans for housing within this state in quantities, on
20 terms, and at fixed, variable, floating, or other rates of
21 interest, determined by the Board and in accordance with rules of
22 the Board. The expenses of the Board in connection with the
23 issuance of the bonds for the benefit of the Veterans' Housing
24 Assistance Fund II and the making of the loans may be paid from
25 money in the Veterans' Housing Assistance Fund II.

26 (m) [(f)] The Veterans' Housing Assistance Fund II shall
27 consist of:

1 (1) the Board's interest in home mortgage loans the
2 Board makes to veterans from money in the fund under the Veterans'
3 Housing Assistance Program established by law;

4 (2) proceeds derived from the sale or other
5 disposition of the Board's interest in home mortgage loans;

6 (3) money attributable to bonds issued and sold by the
7 Board to provide money for the fund, including the proceeds from
8 the issuance and sale of bonds;

9 (4) income, rents, and other pecuniary benefits
10 received by the Board as a result of making loans;

11 (5) money received by way of indemnity or forfeiture
12 for the failure of a bidder for the purchase of bonds to comply
13 with the bid and accept and pay for the bonds;

14 (6) payments received by the Board under a bond
15 enhancement agreement with respect to the bonds; and

16 (7) interest received from investments of money.

17 (n) ~~{g}~~ The principal of and interest on the general
18 obligation bonds ~~[authorized-by-this-section]~~ for the benefit of
19 the Veterans' Housing Assistance Fund II, including payments by the
20 Board under a bond enhancement agreement with respect to principal
21 of or interest on the bonds, shall be paid out of the money of the
22 Veterans' Housing Assistance Fund II, but the money in the fund
23 that is not immediately committed to the payment of principal and
24 interest on the bonds, the making of home mortgage loans, or the
25 payment of expenses may be invested as authorized by law until the
26 money is needed for those purposes.

27 (o) The ~~{h}~~ ~~---Notwithstanding---the---provisions---of---Section~~

1 ~~49-b-1-of-this-article-to--the--contrary,--the~~ Veterans' Housing
2 Assistance Fund shall consist of:

3 (1) the Board's interest in home mortgage loans the
4 Board makes to veterans from money in the fund under the Veterans'
5 Housing Assistance Program established by law;

6 (2) proceeds derived from the sale or other
7 disposition of the Board's interest in home mortgage loans;

8 (3) money attributable to bonds issued and sold by the
9 Board to provide money for the fund, including proceeds from the
10 issuance and sale of bonds;

11 (4) income, rents, and other pecuniary benefits
12 received by the Board as a result of making loans;

13 (5) money received by way of indemnity or forfeiture
14 for the failure of a bidder for the purchase of bonds to comply
15 with the bid and accept and pay for the bonds;

16 (6) payments received by the Board under a bond
17 enhancement agreement with respect to the bonds; and

18 (7) interest received from investments of money.

19 (p) [~~+~~] The principal of and interest on the general
20 obligation bonds [~~authorized-by-Section-49-b-1-of-this-article~~] for
21 the benefit of the Veterans' Housing Assistance Fund, including
22 payments by the Board under a bond enhancement agreement with
23 respect to principal of or interest on the bonds, shall be paid out
24 of money in the Veterans' Housing Assistance Fund.

25 (q) [~~+~~] If there is not enough money in the Veterans' Land
26 Fund, the Veterans' Housing Assistance Fund, or the Veterans'
27 Housing Assistance Fund II, as the case may be, available to pay

1 the principal of and interest on the general obligation bonds
2 benefiting those funds [~~authorized by this section or by Section~~
3 ~~49-b or 49-b-1 of this article~~], including money to make payments
4 by the Board under a bond enhancement agreement with respect to
5 principal of or interest on the bonds, there is appropriated out of
6 the first money coming into the treasury in each fiscal year, not
7 otherwise appropriated by this constitution, an amount that is
8 sufficient to pay the principal of and interest on the general
9 obligation bonds that mature or become due during that fiscal year
10 or to make bond enhancement payments with respect to those bonds.

11 (r) Receipts [~~(k) Notwithstanding any provisions of Section~~
12 ~~49-b or 49-b-1 of this article to the contrary, receipts~~] of all
13 kinds of the Veterans' Land Fund, the Veterans' Housing Assistance
14 Fund, or the Veterans' Housing Assistance Fund II that the Board
15 determines are not required for the payment of principal of and
16 interest on the general obligation bonds benefiting those funds,
17 including payments by the Board under a bond enhancement agreement
18 with respect to principal of or interest on the bonds, [~~authorized~~
19 ~~by this section or by Section 49-b or 49-b-1 of this article or~~
20 ~~otherwise authorized by this constitution to be issued by the Board~~
21 ~~to provide money for the fund,~~] may be used by the Board, to the
22 extent not inconsistent with the proceedings authorizing the bonds
23 to:

24 (1) make temporary transfers to another of those funds
25 to avoid a temporary cash deficiency in that fund or make a
26 transfer to another of those funds for the purposes of that fund;

27 (2) pay the principal of and interest on general

1 obligation bonds issued to provide money for another of those funds
2 or make bond enhancement payments with respect to the bonds; or

3 (3) pay the principal of and interest on revenue bonds
4 of the Board or make bond enhancement payments with respect to the
5 bonds if the bonds are issued to provide funds to purchase lands
6 and sell lands to veterans or make home mortgage loans to veterans.

7 (s) [(t)] If the Board determines that assets from the
8 Veterans' Land Fund, the Veterans' Housing Assistance Fund, or the
9 Veterans' Housing Assistance Fund II are not required for the
10 purposes of the fund, the Board may transfer the assets to another
11 of those funds or use the assets to secure revenue bonds issued by
12 the Board under this section.

13 (t) [(m)] The revenue bonds shall be special obligations of
14 the Board and payable only from and secured only by receipts of the
15 funds, assets transferred from the funds, and other revenues and
16 assets as determined by the Board and shall not constitute
17 indebtedness of the state or the Veterans' Land Board. The Board
18 may issue revenue bonds from time to time, which bonds may not
19 exceed an aggregate principal amount that the Board determines can
20 be fully retired from the receipts of the funds, the assets
21 transferred from the funds, and the other revenues and assets
22 pledged to the retirement of the revenue bonds. [~~The-revenue-bonds
23 shall-be-issued-and-sold-in-forms-and-denominations,-in-the-manner,
24 on--terms,-at--times--and--places,-and--in--installments-the-Board
25 determines.-~~] Notwithstanding the rate of interest specified by any
26 other provision of this constitution, [the] revenue bonds shall
27 bear a rate or rates of interest the Board determines. A

1 determination made by the Board under this subsection shall be
2 binding and conclusive as to the matter determined.

3 (u) ~~The [(n) -- Notwithstanding any provisions of Section 49-b~~
4 ~~or 49-b-1 of this article to the contrary, the]~~ bonds authorized to
5 be issued and sold by the Veterans' Land Board ~~[by this section -- or~~
6 ~~by Sections -- 49-b -- and 49-b-1 of this article]~~ shall be issued and
7 sold in forms and denominations, on terms, at times, in the manner,
8 at places, and in installments the Board determines. The bonds
9 shall bear a rate or rates of interest the Board determines. The
10 bonds shall be incontestable after execution by the Board, approval
11 by the Attorney General of Texas, and delivery to the purchaser or
12 purchasers of the bonds.

13 (v) ~~[(e)]~~ This Amendment being intended only to establish a
14 basic framework and not to be a comprehensive treatment of the
15 Veterans' Housing Assistance Program and the Veterans' Land
16 Program, there is hereby reposed in the Legislature full power to
17 implement and effectuate the design and objects of this Amendment,
18 including the power to delegate such duties, responsibilities,
19 functions, and authority to the Veterans' Land Board as it believes
20 necessary.

21 ~~[(p) -- In -- this -- section, -- "veteran" -- has -- the -- meaning -- assigned -- by~~
22 ~~Section 49-b-1 of this article.~~

23 ~~[Sec. 49-b-3. -- (a) -- In -- addition -- to -- the -- general -- obligation~~
24 ~~bonds -- authorized -- to -- be -- issued -- and -- to -- be -- sold -- by -- the -- Veterans' -- Land~~
25 ~~Board -- by -- Sections -- 49-b, -- 49-b-1, -- and -- 49-b-2 -- of -- this -- article, -- the~~
26 ~~Veterans' -- Land -- Board -- may -- provide -- for, -- issue, -- and -- sell -- general~~
27 ~~obligation bonds of the state in an amount not to exceed \$500~~

1 million--to--provide--housing-financing-to-veterans-of-the-state-in
2 recognition-of-their-service-to-this-state-and-the--United--States.
3 The-Veterans'-Land-Board-may-enter-into-bond-enhancement-agreements
4 with-respect-to-the-bonds.--The-proceeds-from-the-issuance-and-sale
5 of--the--bonds--authorized-by-this-section-shall-be-used-to-augment
6 the-Veterans'-Housing-Assistance-Fund-II--to--be--administered--and
7 invested-as-provided-by-law.

8 [(b)--The-principal-of-and-interest-on-the-general-obligation
9 bonds--authorized--by--this--section,--including-payments-under-bond
10 enhancement-agreements-with-respect-to-principal-of-or-interest--on
11 the--bonds,--shall--be--payable--from-the-sources-and-in-the-manner
12 provided-by-Section-49-b-2-of-this-article-for--general--obligation
13 bonds--issued--under--that-section-to-augment-the-Veterans'-Housing
14 Assistance-Fund-II.]

15 [(c)--The-general-obligation-bonds-authorized-by-this-section
16 shall-be-issued-and-sold-in-forms-and-denominations,--on--terms,--at
17 times,--in-the-manner,--at-places,--and-in-installments-the-Veterans'-
18 Land-Board-determines.--The-bonds-shall-bear-a--rate--or--rates--of
19 interest-the-Veterans'-Land-Board-determines.--The-bonds-authorized
20 by--this--section--shall--be--incontestable--after-execution-by-the
21 Veterans'-Land-Board,--approval--by--the--attorney--general,--and
22 delivery-to-the-purchaser-or-purchasers-of-the-bonds.]

23 SECTION 15. Sections 49-c, 49-d, 49-d-1, 49-d-2, 49-d-5,
24 49-d-6, 49-d-7, and 49-d-8, Article III, Texas Constitution, are
25 amended to read as follows:

26 Sec. 49-c. (a) The Texas Water Development Board, [There-is
27 hereby-created-as] an agency of the State of Texas, shall [the

1 ~~Texas-Water-Development-Board-to~~] exercise such powers as necessary
2 under this provision together with such other duties and
3 restrictions as may be prescribed by law. The qualifications,
4 compensation, and number of members of said Board shall be
5 determined by law. They shall be appointed by the Governor with
6 the advice and consent of the Senate in the manner and for such
7 terms as may be prescribed by law.

8 (b) The Texas Water Development Board shall have the
9 authority to provide for, issue and sell general obligation bonds
10 of the State of Texas as authorized by constitutional amendment or
11 by a debt proposition under Section 49 of this article [~~in--an~~
12 ~~amount--not--to-exceed-One-Hundred-Million-Dollars-(\$100,000,000)~~].
13 [~~The-Legislature-of--Texas,--upon--two-thirds--(2/3)--vote--of--the~~
14 ~~elected--Members--of--each--House,--may-authorize-the-Board-to-issue~~
15 ~~additional-bonds-in-an-amount-not--exceeding--One--Hundred--Million~~
16 ~~Dollars-(\$100,000,000)-.~~] The bonds [authorized herein or permitted
17 to--be--authorized-by-the-Legislature] shall be called "Texas Water
18 Development Bonds," shall be executed in such form, denominations
19 and upon such terms as may be prescribed by law, and [provided,
20 however,~~that-the-bonds-shall-not-bear-more-than-four-per-cent-(4%)~~
21 ~~interest-per-annum,--they~~] may be issued in such installments as the
22 Board finds feasible and practical in accomplishing the purpose set
23 forth herein.

24 (c) All moneys received from the sale of the [State] bonds
25 shall be deposited in a fund hereby created in the State Treasury
26 to be known as the Texas Water Development Fund to be administered
27 (without further appropriation) by the Texas Water Development

1 Board in such manner as prescribed by law.

2 (d) Such fund shall be used only for the purpose of aiding
3 or making funds available upon such terms and conditions as the
4 Legislature may prescribe, to the various political subdivisions or
5 bodies politic and corporate of the State of Texas including river
6 authorities, conservation and reclamation districts and districts
7 created or organized or authorized to be created or organized under
8 Article XVI, Section 59 or Article III, Section 52, of this
9 Constitution, interstate compact commissions to which the State of
10 Texas is a party and municipal corporations, in the conservation
11 and development of the water resources of this State, including the
12 control, storing and preservation of its storm and flood waters and
13 the waters of its rivers and streams, for all useful and lawful
14 purposes by the acquisition, improvement, extension, or
15 construction of dams, reservoirs and other water storage projects,
16 including any system necessary for the transportation of water from
17 storage to points of treatment and/or distribution, including
18 facilities for transporting water therefrom to wholesale
19 purchasers, or for any one or more of such purposes or methods.

20 (e) Any or all financial assistance as provided herein shall
21 be repaid with interest upon such terms, conditions and manner of
22 repayment as may be provided by law.

23 (f) While any of the Texas Water Development Bonds [bonds
24 ~~authorized--by--this--provision--or--while--any--of--the--bonds--that--may--be~~
25 ~~authorized--by--the--Legislature--under--this--provision~~], or any
26 interest on any of such bonds, is outstanding and unpaid, there is
27 hereby appropriated out of the first moneys coming into the

1 Treasury in each fiscal year, not otherwise appropriated by this
2 Constitution, an amount which is sufficient to pay the principal
3 and interest on such bonds that mature or become due during such
4 fiscal year, less the amount in the sinking fund at the close of
5 the prior fiscal year.

6 (g) The Legislature may provide for the investment of moneys
7 available in the Texas Water Development Fund, and the interest and
8 sinking funds established for the payment of bonds issued by the
9 Texas Water Development Board. Income from such investment shall
10 be used for the purposes prescribed by the Legislature. The
11 Legislature may also make appropriations from the General Revenue
12 Fund for paying administrative expenses of the Board.

13 (h) From the moneys received by the Texas Water Development
14 Board as repayment of principal for financial assistance or as
15 interest thereon, there shall be deposited in the interest and
16 sinking fund for the bonds [~~authorized-by-this-Section~~] sufficient
17 moneys to pay the interest and principal to become due during the
18 ensuing year and sufficient to establish and maintain a reserve in
19 said fund equal to the average annual principal and interest
20 requirements on all outstanding bonds [~~issued-under-this-Section~~].
21 If any year [~~prior-to-December-31,-1982~~] moneys are received in
22 excess of the foregoing requirements then such excess shall be
23 deposited to the Texas Water Development Fund, and may be used for
24 administrative expenses of the Board and for the same purposes and
25 upon the same terms and conditions prescribed for the proceeds
26 derived from the sale of such State bonds. [~~No-grant-of-financial~~
27 ~~assistance-shall-be-made-under-the-provisions-of-this-Section-after~~

1 ~~December 31, 1982, and all moneys thereafter received as repayment~~
2 ~~of principal for financial assistance or as interest thereon shall~~
3 ~~be deposited in the interest and sinking fund for the State bonds,~~
4 ~~except that such amount as may be required to meet the~~
5 ~~administrative expenses of the Board may be annually set aside, and~~
6 ~~provided that after all State bonds have been fully paid with~~
7 ~~interest or after there are on deposit in the interest and sinking~~
8 ~~fund sufficient moneys to pay all future maturities of principal~~
9 ~~and interest, additional moneys so received shall be deposited to~~
10 ~~the General Revenue Fund.]~~

11 (i) All Texas Water Development Bonds [bonds issued
12 hereunder] shall after approval by the Attorney General,
13 registration by the Comptroller of Public Accounts of the State of
14 Texas, and delivery to the purchasers, be incontestable and shall
15 constitute general obligations of the State of Texas under the
16 Constitution of Texas.

17 [Should the Legislature enact enabling laws in anticipation
18 of the adoption of this amendment, such acts shall not be void by
19 reason of their anticipatory nature.]

20 Sec. 49-d. (a) It is hereby declared to be the policy of
21 the State of Texas to encourage the optimum development of the
22 limited number of feasible sites available for the construction or
23 enlargement of dams and reservoirs for conservation of the public
24 waters of the state, which waters are held in trust for the use and
25 benefit of the public, and to encourage the optimum regional
26 development of systems built for the filtration, treatment, and
27 transmission of water and wastewater. The proceeds from the sale

1 of [~~the--additional~~] bonds [~~authorized--hereunder~~] deposited in the
2 Texas Water Development Fund [~~and--the--proceeds--of--bonds--previously~~
3 ~~authorized--by--Article--III--Section--49--c--of--this--Constitution~~7] may
4 be used by the Texas Water Development Board, under such provisions
5 as the Legislature may prescribe by General Law, including the
6 requirement of a permit for storage or beneficial use, for the
7 additional purposes of acquiring and developing storage facilities,
8 and any system or works necessary for the filtration, treatment and
9 transportation of water or wastewater, or for any one or more of
10 such purposes or methods, whether or not such a system or works is
11 connected with a reservoir in which the state has a financial
12 interest; provided, however, the Texas Water Development Fund or
13 any other state fund provided for water development, transmission,
14 transfer or filtration shall not be used to finance any project
15 which contemplates or results in the removal from the basin of
16 origin of any surface water necessary to supply the reasonably
17 foreseeable future water requirements for the next ensuing
18 fifty-year period within the river basin of origin, except on a
19 temporary, interim basis.

20 (b) Under such provisions as the Legislature may prescribe
21 by General Law the Texas Water Development Fund may be used for the
22 conservation and development of water for useful purposes by
23 construction or reconstruction or enlargement of reservoirs
24 constructed or to be constructed or enlarged within the State of
25 Texas or on any stream constituting a boundary of the State of
26 Texas, together with any system or works necessary for the
27 filtration, treatment and/or transportation of water, by any one or

1 more of the following governmental agencies: by the United States
2 of America or any agency, department or instrumentality thereof; by
3 the State of Texas or any agency, department or instrumentality
4 thereof; by political subdivisions or bodies politic and corporate
5 of the state; by interstate compact commissions to which the State
6 of Texas is a party; and by municipal corporations. The
7 Legislature shall provide terms and conditions under which the
8 Texas Water Development Board may sell, transfer or lease, in whole
9 or in part, any reservoir and associated system or works which the
10 Texas Water Development Board has financed in whole or in part.

11 (c) Under such provisions as the Legislature may prescribe
12 by General Law, the Texas Water Development Board may also execute
13 long-term contracts with the United States or any of its agencies
14 for the acquisition and development of storage facilities in
15 reservoirs constructed or to be constructed by the Federal
16 Government. Such contracts when executed shall constitute general
17 obligations of the State of Texas in the same manner and with the
18 same effect as state bonds issued under the authority of [the
19 preceding] Section 49-c of this article [Constitution], and the
20 provisions of [~~in-said~~] Section 49-c of this article with respect
21 to payment of principal and interest on state bonds issued shall
22 likewise apply with respect to payment of principal and interest
23 required to be paid by such contracts. If storage facilities are
24 required for a term of years, such contracts shall contain
25 provisions for renewal that will protect the state's investment.

26 [~~The aggregate of the bonds authorized hereunder shall not~~
27 ~~exceed \$200,000,000 and shall be in addition to the aggregate of~~

1 ~~the bonds previously authorized by said Section 49-c of Article III~~
2 ~~of this Constitution. The Legislature upon two-thirds (2/3) vote~~
3 ~~of the elected members of each House, may authorize the Board to~~
4 ~~issue all or any portion of such \$200,000,000 in additional bonds~~
5 ~~herein authorized.]~~

6 (d) The Legislature shall provide terms and conditions for
7 the Texas Water Development Board to sell, transfer or lease, in
8 whole or in part, any acquired facilities or the right to use such
9 facilities at a price not less than the direct cost of the Board in
10 acquiring same; and the Legislature may provide terms and
11 conditions for the Board to sell any unappropriated public waters
12 of the state that might be stored in such facilities. As a
13 prerequisite to the purchase of such storage or water, the
14 applicant therefor shall have secured a valid permit from the state
15 [~~Texas Water Commission or its successor~~] authorizing the
16 acquisition of such storage facilities or the water impounded
17 therein. The money received from any sale, transfer or lease of
18 facilities shall be used to pay principal and interest on state
19 bonds issued or contractual obligations incurred by the Texas Water
20 Development Board, provided that when moneys are sufficient to pay
21 the full amount of indebtedness then outstanding and the full
22 amount of interest to accrue thereon, any further sums received
23 from the sale, transfer or lease of such facilities shall be
24 deposited and used as provided by law. Money received from the
25 sale of water, which shall include standby service, may be used for
26 the operation and maintenance of acquired facilities, and for the
27 payment of principal and interest on debt incurred.

1 ~~[Should--the--Legislature-enact-enabling-laws-in-anticipation~~
2 ~~of-the-adoption-of-this-Amendment,--such-Acts-shall-not-be--void--by~~
3 ~~reason-of-their-anticipatory-character.]~~

4 Sec. 49-d-1. (a) The Texas Water Development Board may
5 ~~[shall-upon-direction-of-the-Texas--Water--Quality--Board,--or--any~~
6 ~~successor-agency-designated-by-the-Legislature]~~ issue [additional]
7 Texas Water Development Bonds as authorized by constitutional
8 amendment or by a debt proposition under Section 49 of this article
9 ~~[up-to-an-additional-aggregate-principal-amount-of-\$200,000,000]~~ to
10 provide grants, loans, or any combination of grants and loans for
11 water quality enhancement purposes as established by the
12 Legislature~~[,--The-Texas--Water--Quality--Board--or--any--successor~~
13 ~~agency--designated--by--the--Legislature--may--make-such-grants-and~~
14 ~~loans]~~ to political subdivisions or bodies politic and corporate of
15 the State of Texas, including municipal corporations, river
16 authorities, conservation and reclamation districts, and districts
17 created or organized or authorized to be created or organized under
18 Article XVI, Section 59, or Article III, Section 52, of this
19 Constitution, State agencies, and interstate agencies and compact
20 commissions to which the State of Texas is a party, and upon such
21 terms and conditions as the Legislature may authorize by general
22 law. The bonds shall be issued for such terms, in such
23 denominations, form and installments, and upon such conditions as
24 the Legislature may authorize.

25 ~~[(b)--The-proceeds-from-the--sale--of--such--bonds--shall--be~~
26 ~~deposited--in--the--Texas-Water-Development-Fund-to-be-invested-and~~
27 ~~administered-as-prescribed-by-law.]~~

1 [~~(c)~~--The bonds authorized in this Section 49-d-1 and all
2 bonds authorized by Sections 49-c and 49-d of Article III shall
3 bear interest at not more than 6% per annum and mature as the Texas
4 Water Development Board shall prescribe, subject to the limitations
5 as may be imposed by the Legislature.]

6 (b) [~~(d)~~] The Texas Water Development Fund shall be used for
7 the purposes heretofore permitted by, and subject to the
8 limitations in this Section and Sections 49-c and[7] 49-d [and
9 49-d-1]; provided, however, that the financial assistance may be
10 made [pursuant to the provisions of Sections 49-c, 49-d and 49-d-1]
11 subject only to the availability of funds [and without regard to
12 the provisions in Section 49-c that such financial assistance
13 shall terminate after December 31, 1982].

14 [~~(e)~~--Texas Water Development Bonds are secured by the
15 general credit of the State and shall after approval by the
16 Attorney General, registration by the Comptroller of Public
17 Accounts of the State of Texas, and delivery to the purchasers, be
18 incontestable and shall constitute general obligations of the State
19 of Texas under the Constitution of Texas.]

20 [~~(f)~~--Should the Legislature enact enabling laws in
21 anticipation of the adoption of this amendment, such Acts shall not
22 be void by reason of their anticipatory character.]

23 Sec. 49-d-2. [(a)] The Texas Water Development Board may
24 issue [additional] Texas Water Development Bonds [up to an
25 additional aggregate principal amount of \$980 million. Of the
26 additional bonds authorized to be issued, \$590 million of those
27 bonds are dedicated for use for the purposes provided by Sections

1 49-c-and-49-d-of-this-article-with-\$400-million-of-these--bonds--to
2 be--used-for-state-participation-in-the-acquisition-and-development
3 of-facilities-for-the-storage,--transmission,--transportation,--and
4 treatment--of-water-and-wastewater-as-authorized-by-Section-49-d-of
5 this-article.--The-legislature-may-set--limits--on--the--extent--of
6 state--participation--in--projects--in--each-fiscal-year-through-the
7 General-Appropriations-Act-or-other-law,--and-state-participation-is
8 limited-to-50-percent-of-the-funding-for-any--single--project.--Of
9 the-additional-bonds-authorized,--\$190-million-are-dedicated-for-use
10 for--the--purposes--provided--by-Section-49-d-1-of-this-article-and
11 \$200-million-are-dedicated-exclusively] for flood control projects
12 and [may--be--made--available] for any acquisition or construction
13 necessary to achieve structural and nonstructural flood control
14 purposes.

15 [(b)--The--Texas--Water--Development--Board--shall--issue-the
16 additional-bonds-authorized-by-this-section-for-the-terms,--in--the
17 denominations,--form,--and--installments,--on--the--conditions,--and
18 subject-to-the-limitations-provided-by--Sections--49-c,--49-d,--and
19 49-d-1--of--this--article--and--by--laws-adopted-by-the-legislature
20 implementing-these-sections.

21 [(c)--Proceeds-from-the-sale-of-the-bonds-authorized-by--this
22 section--shall--be-deposited-in-the-Texas-water-development-fund-to
23 be-administered-and-invested-as-provided-by-law.

24 [(d)--Financial-assistance-made-available--for--the--purposes
25 provided--by-this-section-is-subject-only-to-availability-of-funds.
26 The-requirement-of-Section-49-c--of--this--article--that--financial
27 assistance--terminate--on--December--31,--1982,--does--not-apply-to

1 ~~financial assistance made available under this section.~~

2 [~~e~~]~~--Bonds issued under this section shall bear interest as~~
3 ~~provided by Section 65 of this article.]~~

4 Sec. 49-d-5. For the purpose of any program established or
5 authorized by [~~Section 49-c, 49-d, 49-d-1, 49-d-2, or 49-d-4 of~~]
6 this article and administered by the Texas Water Development Board,
7 the legislature by law may extend any benefits to nonprofit water
8 supply corporations that it may extend to a district created or
9 organized under Article XVI, Section 59, of this constitution.

10 Sec. 49-d-6. [~~a~~]~~---The Texas Water Development Board may~~
11 ~~issue additional Texas Water Development Bonds up to an additional~~
12 ~~aggregate principal amount of \$400 million. Of the additional~~
13 ~~bonds authorized to be issued, \$200 million of those bonds shall be~~
14 ~~used for purposes provided by Section 49-c of this article, \$150~~
15 ~~million of those bonds shall be used for purposes provided by~~
16 ~~Section 49-d-1 of this article, and \$50 million of those bonds~~
17 ~~shall be used for flood control as provided by law.~~

18 [~~b~~] The legislature may require review and approval of the
19 issuance of Texas Water Development Bonds [the bonds], of the use
20 of the bond proceeds, or of the rules adopted by an agency to
21 govern use of the bond proceeds. Notwithstanding any other
22 provision of this constitution, any entity created or directed to
23 conduct this review and approval may include members or appointees
24 of members of the executive, legislative, and judicial departments
25 of state government.

26 [~~e~~]~~--The Texas Water Development Board shall issue the~~
27 ~~additional bonds authorized by this section for the terms, in the~~

1 denominations, form, and installments, on the conditions, and
2 subject to the limitations provided by Sections 49-c and 49-d-1 of
3 this article and by laws adopted by the legislature implementing
4 this section.

5 [~~d~~] Subsections ~~(c)~~ through ~~(e)~~ of Section 49-d-2 of this
6 article apply to the bonds authorized by this section.]

7 Sec. 49-d-7. (a) [The Texas Water Development Board may
8 issue additional Texas water development bonds up to an additional
9 aggregate principal amount of \$500 million. Of the additional
10 bonds authorized to be issued, \$250 million of those bonds shall be
11 used for purposes provided by Section 49-c of this article, \$200
12 million of those bonds shall be used for purposes provided by
13 Section 49-d-1 of this article, and \$50 million of those bonds
14 shall be used for flood control as provided by law.

15 [~~b~~] The Texas Water Development Board may use the proceeds
16 of Texas water development bonds issued for the purposes provided
17 by Section 49-c of this article for the additional purpose of
18 providing financial assistance, on terms and conditions provided by
19 law, to various political subdivisions and bodies politic and
20 corporate of the state and to nonprofit water supply corporations
21 to provide for acquisition, improvement, extension, or construction
22 of water supply projects that involve the distribution of water to
23 points of delivery to wholesale or retail customers.

24 [~~c~~] The legislature may require review and approval of the
25 issuance of the bonds, the use of the bond proceeds, or the rules
26 adopted by an agency to govern use of the bond proceeds.
27 Notwithstanding any other provision of this constitution, any

1 entity--created-or-directed-to-conduct-this-review-and-approval-may
2 include--members--or--appointees--of--members--of--the---executive,
3 legislative, and judicial departments of state government.

4 [~~(d)~~--Except--as--specifically--provided-by-Subsection-(e)-of
5 this-section, the Texas Water Development Board shall issue the
6 additional bonds authorized by this section for the terms, in the
7 denominations, form, and installments, on the conditions, and
8 subject to the limitations provided by Sections 49-c and 49-d-1 of
9 this article and by laws adopted by the legislature implementing
10 this section.]

11 (b) [~~(e)~~] The legislature may provide by law for subsidized
12 loans and grants from the proceeds of Texas water development bonds
13 [~~authorized by this section~~] to provide wholesale and retail water
14 and wastewater facilities to economically distressed areas of the
15 state as defined by law, provided, the principal amount of bonds
16 that may be issued for the purposes under this subsection may not
17 exceed \$250 million [~~50 percent of the total amount of bonds~~
18 ~~authorized by this section~~]. Separate accounts shall be
19 established in the water development fund for administering the
20 proceedings of bonds issued for purposes under this subsection, and
21 an interest and sinking fund separate from and not subject to the
22 limitations of the interest and sinking fund created [~~pursuant to~~
23 ~~Section 49-c~~] for other Texas water development bonds is
24 established in the State Treasury to be used for paying the
25 principal of and interest on bonds for the purposes of the
26 subsection. While any of the bonds authorized for the purposes of
27 this subsection or any of the interest on those bonds is

1 outstanding and unpaid, there is appropriated out of the first
2 money coming into the State Treasury in each fiscal year, not
3 otherwise appropriated by this constitution, an amount that is
4 sufficient to pay the principal of and interest on those bonds
5 issued for the purposes under this subsection that mature or become
6 due during that fiscal year.

7 [~~f~~--Subsections (c) through (e) of Section 49-d-2--of--this
8 article apply to the bonds authorized by this section.]

9 Sec. 49-d-8. (a) The Texas Water Development Fund II is
10 [created] in the state treasury as a fund separate and distinct
11 from the Texas Water Development Fund established under Section
12 49-c of this article. Money in the Texas Water Development Fund II
13 shall be administered without further appropriation by the Texas
14 Water Development Board and shall be used for any one or more of
15 the purposes currently or formerly authorized by Sections 49-c,
16 49-d, 49-d-1, 49-d-2, 49-d-5, 49-d-6, and 49-d-7 of this article,
17 as determined by the Texas Water Development Board. Separate
18 accounts shall be established in the Texas Water Development Fund
19 II for administering proceedings related to the purposes described
20 in Section 49-d of this article, the purposes described in
21 Subsection (b) [~~e~~] of Section 49-d-7 of this article, and all
22 other authorized purposes. The Texas Water Development Board is
23 hereby authorized, at its determination, to issue general
24 obligation bonds for one or more accounts of the Texas Water
25 Development Fund II in an aggregate principal amount equal to the
26 amount of bonds previously authorized pursuant to former Section
27 49-d-6 and Sections 49-d-2[7-49-d-67] and 49-d-7 of this article

1 less the amount of bonds issued pursuant to those sections to
2 augment the Texas Water Development Fund and the amount of bonds
3 issued to augment the Texas Water Development Fund II. Nothing in
4 this section, however, shall grant to the Texas Water Development
5 Board the authority to issue bonds [~~under this section and under~~
6 ~~Sections 49-d-2, 49-d-6, and 49-d-7 of this article~~] in excess of
7 the total amount of those previously authorized bonds [~~described in~~
8 ~~Sections 49-d-2, 49-d-6, and 49-d-7 of this article~~] or to issue
9 bonds for purposes described in Subsection (b) [~~(e)~~] of Section
10 49-d-7 of this article in excess of \$250 million. The expenses of
11 the Texas Water Development Board in connection with the issuance
12 of bonds for an account of the Texas Water Development Fund II and
13 administration of such account may be paid from money in such
14 account.

15 (b) The Texas Water Development Board is hereby authorized,
16 at its determination, to issue general obligation bonds for one or
17 more accounts of the Texas Water Development Fund II in order to
18 refund outstanding bonds previously issued to augment the Texas
19 Water Development Fund, as long as the principal amount of the
20 refunding bonds does not exceed the outstanding principal amount of
21 the refunded bonds, and to refund the general obligation of the
22 State of Texas under long-term contracts entered into by the Texas
23 Water Development Board with the United States or any of its
24 agencies under authority granted by Section 49-d of this article,
25 as long as the principal amount of the refunding bonds does not
26 exceed the principal amount of the contractual obligation of the
27 Texas Water Development Board. Money and assets in the Texas Water

1 Development Fund attributable to such refunding bonds shall be
2 transferred to the appropriate account of the Texas Water
3 Development Fund II, as determined by the Texas Water Development
4 Board, to the extent not inconsistent with the proceedings
5 authorizing any outstanding bonds issued to augment the Texas Water
6 Development Fund and the terms of any long-term contracts entered
7 into by the Texas Water Development Board with the United States or
8 any of its agencies. In addition, the Texas Water Development
9 Board may transfer other moneys and assets in the Texas Water
10 Development Fund to the appropriate account of the Texas Water
11 Development Fund II, as determined by the Texas Water Development
12 Board, without the necessity of issuing refunding bonds to effect
13 the transfer, to the extent not inconsistent with the proceedings
14 authorizing any outstanding bonds issued to augment the Texas Water
15 Development Fund. Further, at such time as all bonds issued to
16 augment the Texas Water Development Fund and all such contractual
17 obligations have been paid or otherwise discharged, all money and
18 assets in the Texas Water Development Fund shall be transferred to
19 the credit of the Texas Water Development Fund II and deposited to
20 the accounts therein, as determined by the Texas Water Development
21 Board.

22 (c) Subject to the limitations set forth in Section 49-d of
23 this article, the legislature shall provide terms and conditions
24 under which the Texas Water Development Board may sell, transfer,
25 or lease, in whole or in part, facilities held for the account
26 established within the Texas Water Development Fund II for
27 administering proceedings related to the purposes described in

1 Section 49-d of this article, and the legislature may provide terms
2 and conditions under which the Texas Water Development Board may
3 sell any unappropriated public waters of the state that may be
4 stored in such facilities. Money received from any sale, transfer,
5 or lease of such facilities or water shall be credited to the
6 account established within the Texas Water Development Fund II for
7 the purpose of administering proceedings related to the purposes
8 described in Section 49-d of this article.

9 (d) Each account of the Texas Water Development Fund II
10 shall consist of:

11 (1) the Texas Water Development Board's rights to
12 receive repayment of financial assistance provided from such
13 account, together with any evidence of such rights;

14 (2) money received from the sale or other disposition
15 of the Texas Water Development Board's rights to receive repayment
16 of such financial assistance;

17 (3) money received as repayment of such financial
18 assistance;

19 (4) money and assets attributable to bonds issued and
20 sold by the Texas Water Development Board for such account,
21 including money and assets transferred from the Texas Water
22 Development Fund pursuant to this section;

23 (5) money deposited in such account pursuant to
24 Subsection (c) of this section;

25 (6) payments received by the Texas Water Development
26 Board under a bond enhancement agreement as authorized by law with
27 respect to bonds issued for such account; and

1 (7) interest and other income received from investment
2 of money in such account.

3 (e) Notwithstanding the other provisions of [Sections
4 ~~49-d-27-49-d-67-and-49-d-7-of~~] this article, the principal of and
5 interest on the general obligation bonds issued for an account of
6 the Texas Water Development Fund II, including payments by the
7 Texas Water Development Board under a bond enhancement agreement as
8 authorized by law with respect to principal of or interest on such
9 bonds, shall be paid out of such account, but the money in such
10 account that is not immediately committed to the purposes of such
11 account or the payment of expenses may be invested as authorized by
12 law until the money is needed for those purposes. If there is not
13 enough money in any account available to pay the principal of and
14 interest on the general obligation bonds issued for such account,
15 including money to make payments by the Texas Water Development
16 Board under a bond enhancement agreement as authorized by law with
17 respect to principal of or interest on such bonds, there is
18 appropriated out of the first money coming into the state treasury
19 in each fiscal year not otherwise appropriated by this constitution
20 an amount that is sufficient to pay the principal of and interest
21 on such general obligation bonds that mature or become due during
22 that fiscal year or to make bond enhancement payments with respect
23 to those bonds.

24 (f) The general obligation bonds authorized by this section
25 may be issued as bonds, notes, or other obligations as permitted by
26 law and shall be sold in forms and denominations, on terms, at
27 times, in the manner, at places, and in installments, all as

1 determined by the Texas Water Development Board. The bonds shall
2 bear a rate or rates of interest the Texas Water Development Board
3 determines. The bonds authorized by this section shall be
4 incontestable after execution by the Texas Water Development Board,
5 approval by the attorney general, and delivery to the purchaser or
6 purchasers of the bonds.

7 (g) This section being intended only to establish a basic
8 framework and not to be a comprehensive treatment of the Texas
9 Water Development Fund II, there is hereby reposed in the
10 legislature full power to implement and effectuate the design and
11 objects of this section, including the power to delegate such
12 duties, responsibilities, functions, and authority to the Texas
13 Water Development Board as it believes necessary.

14 (h) The Texas Water Development Fund II, including any
15 account in that fund, may not be used to finance or aid any project
16 that contemplates or results in the removal from the basin of
17 origin of any surface water necessary to supply the reasonably
18 foreseeable future water requirements for the next ensuing 50-year
19 period within the river basin of origin, except on a temporary,
20 interim basis.

21 SECTION 16. Section 49-e, Article III, Texas Constitution,
22 is amended to read as follows:

23 Sec. 49-e. (a) The Parks and Wildlife Department, or its
24 successor vested with the powers, duties, and authority which deals
25 with the operation, maintenance, and improvement of State Parks,
26 shall have the authority to provide for, issue and sell general
27 obligation bonds of the State of Texas in an amount authorized by

1 constitutional amendment or by a debt proposition under Section 49
2 of this article [~~not--to--exceed--Seventy-Five--Million--Dollars~~
3 ~~(\$75,000,000)~~]. The bonds [~~authorized--herein~~] shall be called
4 "Texas Park Development Bonds," shall be executed in such form,
5 denominations, and upon such terms as may be prescribed by law,
6 [~~provided,--however,--that--the--bonds~~] shall bear a rate or rates of
7 interest as may be fixed by the Parks and Wildlife Department or
8 its successor, not to exceed the maximum prescribed by Section 65
9 of this article, and [~~but--the--weighted--average--annual--interest~~
10 ~~rate,--as--that--phrase--is--commonly--and--ordinarily--used--and--understood~~
11 ~~in--the--municipal--bond--market,--of--all--the--bonds--issued--and--sold--in~~
12 ~~any--installment--of--any--bonds,--shall--not--exceed--four--and--one--half~~
13 ~~percent--(4-1/2%)--interest--per--annum,--they~~] may be issued in such
14 installments as said Parks and Wildlife Department, or its said
15 successor, finds feasible and practical in accomplishing the
16 purpose set forth herein.

17 (b) All moneys received from the sale of said bonds shall be
18 deposited in a fund hereby created with the Comptroller of Public
19 Accounts of the State of Texas to be known as the Texas Park
20 Development Fund to be administered (without further appropriation)
21 by the said Parks and Wildlife Department, or its said successor,
22 in such manner as prescribed by law.

23 (c) Such fund shall be used by said Parks and Wildlife
24 Department, or its said successor, under such provisions as the
25 Legislature may prescribe by general law, for the purposes of
26 acquiring lands from the United States, or any governmental agency
27 thereof, from any governmental agency of the State of Texas, or

1 from any person, firm, or corporation, for State Park Sites and for
2 developing said sites as State Parks.

3 (d) While any of the bonds [~~authorized-by--this--provision~~],
4 or any interest on any such bonds, is outstanding and unpaid, there
5 is hereby appropriated out of the first moneys coming into the
6 Treasury in each fiscal year, not otherwise appropriated by this
7 Constitution, an amount which is sufficient to pay the principal
8 and interest on such bonds that mature or become due during such
9 fiscal year, less the amount in the interest and sinking fund at
10 the close of the prior fiscal year, which includes any receipts
11 derived during the prior fiscal year by said Parks and Wildlife
12 Department, or its said successor, from admission charges to State
13 Parks, as the Legislature may prescribe by general law.

14 (e) The Legislature may provide for the investment of moneys
15 available in the Texas Park Development Fund and the interest and
16 sinking fund established for the payment of bonds issued by said
17 Parks and Wildlife Department, or its said successor. Income from
18 such investment shall be used for the purposes prescribed by the
19 Legislature.

20 (f) From the moneys received by said Parks and Wildlife
21 Department, or its said successor, from the sale of the bonds
22 issued hereunder, there shall be deposited in the interest and
23 sinking fund for the bonds authorized by this section sufficient
24 moneys to pay the interest to become due during the State fiscal
25 year in which the bonds were issued. After all bonds have been
26 fully paid with interest, or after there are on deposit in the
27 interest and sinking fund sufficient moneys to pay all future

1 maturities of principal and interest, additional moneys received
2 from admission charges to State Parks shall be deposited to the
3 State Parks Fund, or any successor fund which may be established by
4 the Legislature as a depository for Park revenue earned by said
5 Parks and Wildlife Department, or its said successor.

6 (g) All bonds issued hereunder shall after approval by the
7 Attorney General, registration by the Comptroller of Public
8 Accounts of the State of Texas, and delivery to the purchasers, be
9 incontestable and shall constitute general obligations of the State
10 of Texas under the Constitution of Texas.

11 [~~Should--the--Legislature-enact-enabling-laws-in-anticipation~~
12 ~~of-the-adoption-of-this-amendment,--such-Acts-shall-not-be--void--by~~
13 ~~reason-of-their-anticipatory-nature.~~]

14 SECTION 17. Section 49-h, Article III, Texas Constitution,
15 is amended to read as follows:

16 Sec. 49-h. (a) In amounts authorized by constitutional
17 amendment or by a debt proposition under Section 49 of this
18 article, the [The] legislature may provide for [authorize] the
19 issuance of [~~up--to--\$500-million-in~~] general obligation bonds and
20 the use of the bond proceeds for acquiring, constructing, or
21 equipping new facilities or for major repair or renovation of
22 existing facilities of corrections institutions, including youth
23 corrections institutions, and mental health and mental retardation
24 institutions. The legislature may require the review and approval
25 of the issuance of the bonds and the projects to be financed by the
26 bond proceeds. Notwithstanding any other provision of this
27 constitution, the issuer of the bonds or any entity created or

1 directed to review and approve projects may include members or
 2 appointees of members of the executive, legislative, and judicial
 3 departments of state government.

4 (b) Bonds issued under this section constitute a general
 5 obligation of the state. While any of the bonds or interest on the
 6 bonds is outstanding and unpaid, there is appropriated out of the
 7 first money coming into the treasury in each fiscal year, not
 8 otherwise appropriated by this constitution, the amount sufficient
 9 to pay the principal of and interest on the bonds that mature or
 10 become due during the fiscal year, less any amount in any sinking
 11 fund at the end of the preceding fiscal year that is pledged to
 12 payment of the bonds or interest.

13 (c) In addition to the purposes authorized under Subsection
 14 (a), the [~~(1) The~~] legislature may authorize the issuance of the
 15 [up-to-\$400-million-in] general obligation bonds [~~7-in--addition--to~~
 16 ~~the--amount--authorized--by-Subsection-(a)-of-this-section,7-and-use~~
 17 ~~the--proceeds--of--the--bonds] for acquiring, constructing, or
 18 equipping:~~

19 (1) new [~~corrections--institutions,7-mental-health-and~~
 20 ~~mental-retardation-institutions,7--youth--corrections--institutions,7~~
 21 ~~and]~~ statewide law enforcement facilities and for major repair or
 22 renovation of existing facilities; and [~~of-these-institutions-~~

23 [~~(2) The-provisions-of-Subsection-(a)-of-this--section~~
 24 ~~relating--to-the-review-and-approval-of-bonds-and-the-provisions-of~~
 25 ~~Subsection-(b)-of-this-section-relating-to-the-status-of-the--bonds~~
 26 ~~as-a-general-obligation-of-the-state-and-to-the-manner-in-which-the~~
 27 ~~principal--and--interest--on--the--bonds--are--paid--apply-to-bonds~~

1 authorized under this subsection.

2 [~~(d)(1)~~--The legislature may authorize the issuance of up to
3 \$1.1 billion in general obligation bonds, in addition to the amount
4 authorized by Subsections (a) and (c) of this section, and may use
5 the proceeds of the bonds for acquiring, constructing, or
6 equipping]

7 (2) new prisons and substance abuse felony punishment
8 facilities to confine criminals [~~mental health and mental~~
9 ~~retardation institutions~~] and [youth corrections institutions,
10 for] major repair or renovation of existing facilities of those
11 institutions, and for the acquisition of, major repair to, or
12 renovation of other facilities for use as state prisons or
13 substance abuse felony punishment facilities. [~~Proceeds of general~~
14 ~~obligation bonds issued under this subdivision may not be~~
15 ~~appropriated by any session of the legislature other than the 2nd~~
16 ~~Called Session of the 72nd legislature or any subsequent session of~~
17 ~~the legislature.~~

18 [(2)--The provisions of Subsection (a) of this section
19 relating to the review and approval of bonds and the provisions of
20 Subsection (b) of this section relating to the status of the bonds
21 as a general obligation of the state and to the manner in which the
22 principal and interest on the bonds are paid apply to bonds
23 authorized under this subsection.

24 [(e)(1)--The legislature may authorize the issuance of up to
25 \$1 billion in general obligation bonds, in addition to the amounts
26 authorized by Subsections (a), (c), and (d) of this section, and
27 use the proceeds of the bonds for acquiring, constructing, or

1 equipping new corrections institutions, including youth corrections
2 institutions, and mental health and mental retardation institutions
3 and for major repair or renovation of existing facilities of those
4 corrections and mental health and mental retardation institutions.

5 [~~2~~ The provisions of Subsection (a) of this section
6 relating to the review and approval of bonds and the provisions of
7 Subsection (b) of this section relating to the status of the bonds
8 as a general obligation of the state and to the manner in which the
9 principal and interest on the bonds are paid apply to bonds
10 authorized under this subsection.]

11 SECTION 18. Subsection (a), Section 50b-4, Article III,
12 Texas Constitution, is amended to read as follows:

13 (a) The legislature by general law may authorize the Texas
14 Higher Education Coordinating Board or its successor or successors
15 to issue and sell general obligation bonds of the State of Texas in
16 an amount authorized by constitutional amendment or by a debt
17 proposition under Section 49 of this article [not to exceed \$300
18 million] to finance educational loans to students who have been
19 admitted to attend an institution of higher education within the
20 State of Texas, public or private, which is recognized or
21 accredited under terms and conditions prescribed by the
22 Legislature. [~~The bonds are in addition to those bonds issued~~
23 ~~under Sections 50b-1, 50b-2, and 50b-3, Article III, Texas~~
24 ~~Constitution.~~]

25 SECTION 19. Section 51, Article III, Texas Constitution, is
26 amended to read as follows:

27 Sec. 51. The Legislature shall have no power to make any

1 grant or authorize the making of any grant of public moneys to any
 2 individual, association of individuals, municipal or other
 3 corporations whatsoever; [~~provided, however, the Legislature may~~
 4 ~~grant aid to indigent and disabled Confederate soldiers and sailors~~
 5 ~~under such regulations and limitations as may be deemed by the~~
 6 ~~Legislature as expedient, and to their widows in indigent~~
 7 ~~circumstances under such regulations and limitations as may be~~
 8 ~~deemed by the Legislature as expedient;~~] provided that the
 9 provisions of this Section shall not be construed so as to prevent
 10 the grant of aid in cases of public calamity.

11 SECTION 20. Section 51-a, Article III, Texas Constitution,
 12 is amended to read as follows:

13 Sec. 51-a. (a) The Legislature shall have the power, by
 14 General Laws, to provide, subject to limitations herein contained,
 15 and such other limitations, restrictions and regulations as may by
 16 the Legislature be deemed expedient, for assistance grants to needy
 17 dependent children and the caretakers of such children, needy
 18 persons who are totally and permanently disabled because of a
 19 mental or physical handicap, needy aged persons and needy blind
 20 persons.

21 (b) The Legislature may provide by General Law for medical
 22 care, rehabilitation and other similar services for needy persons.
 23 The Legislature may prescribe such other eligibility requirements
 24 for participation in these programs as it deems appropriate and may
 25 make appropriations out of state funds for such purposes. The
 26 maximum amount paid out of state funds for assistance grants, to or
 27 on behalf of needy dependent children and their caretakers shall

1 not exceed [~~the--amount--of--Eighty-Million-Dollars--(\$80,000,000)~~
2 ~~during-any-fiscal-year,--except-that-the-limit-shall-be-One--Hundred~~
3 ~~Sixty--Million--Dollars--(\$160,000,000)--for--the--two-years-of-the~~
4 ~~1982-1983-biennium.---For-the-two-years-of-each-subsequent-biennium,~~
5 ~~the-maximum-amount-shall-not--exceed]~~ one percent of the state
6 budget. The Legislature by general statute shall provide for the
7 means for determining the state budget amounts, including state and
8 other funds appropriated by the Legislature, to be used in
9 establishing the biennial limit.

10 (c) Provided further, that if the limitations and
11 restrictions herein contained are found to be in conflict with the
12 provisions of appropriate federal statutes, as they now are or as
13 they may be amended to the extent that federal matching money is
14 not available to the state for these purposes, then and in that
15 event the Legislature is specifically authorized and empowered to
16 prescribe such limitations and restrictions and enact such laws as
17 may be necessary in order that such federal matching money will be
18 available for assistance and/or medical care for or on behalf of
19 needy persons.

20 (d) Nothing in this Section shall be construed to amend,
21 modify or repeal Section 31 of Article XVI of this Constitution;
22 provided further, however, that such medical care, services or
23 assistance shall also include the employment of objective or
24 subjective means, without the use of drugs, for the purpose of
25 ascertaining and measuring the powers of vision of the human eye,
26 and fitting lenses or prisms to correct or remedy any defect or
27 abnormal condition of vision. Nothing herein shall be construed to

1 permit optometrists to treat the eyes for any defect whatsoever in
2 any manner nor to administer nor to prescribe any drug or physical
3 treatment whatsoever, unless such optometrist is a regularly
4 licensed physician or surgeon under the laws of this state.

5 SECTION 21. Subsections (b) and (c), Section 52, Article
6 III, Texas Constitution, are amended to read as follows:

7 (b) Under Legislative provision, any county, [any] political
8 subdivision of a county, [any] number of adjoining counties, [or
9 any] political subdivision of the State, or [any] defined district
10 now or hereafter to be described and defined within the State of
11 Texas, and which may or may not include, towns, villages or
12 municipal corporations, upon a vote of two-thirds majority of the
13 [~~resident-property-taxpayers~~] voting [~~thereon--who--are~~] qualified
14 voters [~~electors~~] of such district or territory to be affected
15 thereby, [~~in-addition-to-all--other--debts,~~] may issue bonds or
16 otherwise lend its credit in any amount not to exceed one-fourth of
17 the assessed valuation of the real property of such district or
18 territory, except that the total bonded indebtedness of any city or
19 town shall never exceed the limits imposed by other provisions of
20 this Constitution, and levy and collect taxes to pay the interest
21 thereon and provide a sinking fund for the redemption thereof, as
22 the Legislature may authorize, and in such manner as it may
23 authorize the same, for the following purposes to wit:

24 (1) The improvement of rivers, creeks, and streams to
25 prevent overflows, and to permit of navigation thereof, or
26 irrigation thereof, or in aid of such purposes.

27 (2) The construction and maintenance of pools, lakes,

1 reservoirs, dams, canals and waterways for the purposes of
2 irrigation, drainage or navigation, or in aid thereof.

3 (3) The construction, maintenance and operation of
4 macadamized, graveled or paved roads and turnpikes, or in aid
5 thereof.

6 (c) Notwithstanding the provisions of Subsection (b) of this
7 Section, bonds may be issued by any county in an amount not to
8 exceed one-fourth of the assessed valuation of the real property in
9 the county, for the construction, maintenance, and operation of
10 macadamized, graveled, or paved roads and turnpikes, or in aid
11 thereof, upon a vote of a majority of the [~~resident-property~~
12 ~~taxpayers~~] voting [~~thereon-who-are~~] qualified voters [~~electors~~] of
13 the county, and without the necessity of further or amendatory
14 legislation. The county may levy and collect taxes to pay the
15 interest on the bonds as it becomes due and to provide a sinking
16 fund for redemption of the bonds.

17 SECTION 22. Section 52d, Article III, Texas Constitution, is
18 amended to read as follows:

19 Sec. 52d. (a) Upon the vote of a majority of the [~~resident~~]
20 qualified voters [~~electors--owning--rendered---taxable---property~~
21 ~~therein~~] so authorizing, a county or road district may collect an
22 annual tax for a period not exceeding five (5) years to create a
23 fund for constructing lasting and permanent roads and bridges or
24 both. No contract involving the expenditure of any of such fund
25 shall be valid unless, when it is made, money shall be on hand in
26 such fund.

27 (b) At such election, the Commissioners' Court shall submit

1 for adoption a road plan and designate the amount of special tax to
2 be levied; the number of years said tax is to be levied; the
3 location, description, and character of the roads and bridges; and
4 the estimated cost thereof. The funds raised by such taxes shall
5 not be used for purposes other than those specified in the plan
6 submitted to the voters. Elections may be held from time to time
7 to extend or discontinue said plan or to increase or diminish said
8 tax. The Legislature shall enact laws prescribing the procedure
9 hereunder.

10 (c) The provisions of this section shall apply only to
11 Harris County and road districts therein.

12 SECTION 23. Section 52g, Article III, Texas Constitution, is
13 amended to read as follows:

14 Sec. 52g. Bonds to be issued by Dallas County under Section
15 52(b)(3) [52] of Article III of this Constitution [~~for--the~~
16 ~~construction, maintenance and operation of macadamized, graveled or~~
17 ~~paved--roads--and--turnpikes,--or--in--aid--thereof,~~] may, without the
18 necessity of further or amendatory legislation, be issued upon a
19 vote of a majority of the [residents] voting [thereon-who-are]
20 qualified voters [~~electors~~] of said county, and bonds heretofore or
21 hereafter issued under Subsections (a) and (b) of said Section 52
22 shall not be included in determining the debt limit prescribed in
23 said Section.

24 SECTION 24. Section 7, Article IV, Texas Constitution, is
25 amended to read as follows:

26 Sec. 7. He shall be Commander-in-Chief of the military
27 forces of the State, except when they are called into actual

1 service of the United States. He shall have power to call forth
2 the militia to execute the laws of the State, to suppress
3 insurrections, and to repel invasions [~~and protect the frontier~~
4 ~~from hostile incursions by Indians or other predatory bands~~].

5 SECTION 25. Section 16, Article IV, Texas Constitution, is
6 amended to read as follows:

7 Sec. 16. There shall also be a Lieutenant Governor, who
8 shall be chosen at every election for Governor by the same voters
9 ~~[electors]~~, in the same manner, continue in office for the same
10 time, and possess the same qualifications. The voters ~~[electors]~~
11 shall distinguish for whom they vote as Governor and for whom as
12 Lieutenant Governor. The Lieutenant Governor, shall by virtue of
13 his office, be President of the Senate, and shall have, when in
14 Committee of the Whole, a right to debate and vote on all
15 questions; and when the Senate is equally divided to give the
16 casting vote. In case of the death, resignation, removal from
17 office, inability or refusal of the Governor to serve, or of his
18 impeachment or absence from the State, the Lieutenant Governor
19 shall exercise the powers and authority appertaining to the office
20 of Governor until another be chosen at the periodical election, and
21 be duly qualified; or until the Governor impeached, absent or
22 disabled, shall be acquitted, return, or his disability be removed.

23 SECTION 26. Section 22, Article IV, Texas Constitution, is
24 amended to read as follows:

25 Sec. 22. The Attorney General ~~[elected at the general~~
26 ~~election in 1974, and thereafter, shall hold office for four years~~
27 ~~and until his successor is duly qualified. He]~~ shall represent the

1 State in all suits and pleas in the Supreme Court of the State in
2 which the State may be a party, and shall especially inquire into
3 the charter rights of all private corporations, and from time to
4 time, in the name of the State, take such action in the courts as
5 may be proper and necessary to prevent any private corporation from
6 exercising any power or demanding or collecting any species of
7 taxes, tolls, freight or wharfage not authorized by law. He shall,
8 whenever sufficient cause exists, seek a judicial forfeiture of
9 such charters, unless otherwise expressly directed by law, and give
10 legal advice in writing to the Governor and other executive
11 officers, when requested by them, and perform such other duties as
12 may be required by law. [~~He shall reside at the seat of government~~
13 ~~during his continuance in office. He shall receive for his~~
14 ~~services an annual salary in an amount to be fixed by the~~
15 ~~Legislature.~~]

16 SECTION 27. Section 23, Article IV, Texas Constitution, is
17 amended to read as follows:

18 Sec. 23. The Comptroller of Public Accounts, the
19 Commissioner of the General Land Office, the Attorney General, and
20 any statutory State officer who is elected by the electorate of
21 Texas at large, unless a term of office is otherwise specifically
22 provided in this Constitution, shall each hold office for the term
23 of four years [~~and until his successor is qualified. The four-year~~
24 ~~term applies to these officers who are elected at the general~~
25 ~~election in 1974 or thereafter]. Each shall receive an annual~~
26 salary in an amount to be fixed by the Legislature; reside at the
27 Capital of the State during his continuance in office, and perform

1 such duties as are or may be required by law. They and the
2 Secretary of State shall not receive to their own use any fees,
3 costs or perquisites of office. All fees that may be payable by
4 law for any service performed by any officer specified in this
5 section or in his office, shall be paid, when received, into the
6 State Treasury.

7 SECTION 28. Section 9, Article V, Texas Constitution, is
8 amended to read as follows:

9 Sec. 9. There shall be a Clerk for the District Court of
10 each county, who shall be elected by the qualified voters [~~for~~
11 ~~State--and-county-officers,~~7] and who shall hold his office for four
12 years, subject to removal by information, or by indictment of a
13 grand jury, and conviction of a petit jury. In case of vacancy,
14 the Judge of the District Court shall have the power to appoint a
15 Clerk, who shall hold until the office can be filled by election.

16 SECTION 29. Section 2, Article VI, Texas Constitution, is
17 amended to read as follows:

18 Sec. 2. Every person subject to none of the foregoing
19 disqualifications [~~who shall have attained the age of 18 years and~~
20 who shall be a citizen of the United States and who is a resident
21 of this state shall be deemed a qualified voter [~~elector~~];
22 provided, however, that before offering to vote at an election a
23 voter shall have registered, but such requirement for registration
24 shall not be considered a qualification of a voter [~~an--elector~~]
25 within the meaning of the term "qualified voter [~~elector~~]" as used
26 in any other Article of this Constitution in respect to any matter
27 except qualification and eligibility to vote at an election. The

1 Legislature may authorize absentee voting.

2 SECTION 30. Subsections (a) and (b), Section 2a, Article VI,
3 Texas Constitution, are amended to read as follows:

4 (a) Notwithstanding any other provision of this
5 Constitution, the Legislature may enact laws and provide a method
6 of registration, including the time of such registration,
7 permitting any person who is qualified to vote in this State except
8 for the residence requirements within a county or district, as set
9 forth in Section 2 of this Article, to vote for (1) electors for
10 President and Vice President of the United States and (2) all
11 offices, questions or propositions to be voted on by all voters
12 [~~electors~~] throughout this State.

13 (b) Notwithstanding any other provision of this
14 Constitution, the Legislature may enact laws and provide for a
15 method of registration, including the time for such registration,
16 permitting any person (1) who is qualified to vote in this State
17 except for the residence requirements of Section 2 of this Article,
18 and (2) who shall have resided anywhere within this State at least
19 thirty (30) days next preceding a General Election in a
20 presidential election year, and (3) who shall have been a qualified
21 voter [~~elector~~] in another state immediately prior to his removal
22 to this State or would have been eligible to vote in such other
23 state had he remained there until such election, to vote for
24 electors for President and Vice President of the United States in
25 that election.

26 SECTION 31. Section 3, Article VI, Texas Constitution, is
27 amended to read as follows:

1 Sec. 3. All qualified voters [~~electors~~] of the State, as
2 herein described, who reside within the limits of any city or
3 corporate town, shall have the right to vote for Mayor and all
4 other elective officers.

5 SECTION 32. Section 3a, Article VI, Texas Constitution, is
6 amended to read as follows:

7 Sec. 3a. When an election is held by any county, or any
8 number of counties, or any political sub-division of the State, or
9 any political sub-division of a county, or any defined district now
10 or hereafter to be described and defined within the State and which
11 may or may not include towns, villages or municipal corporations,
12 or any city, town or village, for the purpose of issuing bonds or
13 otherwise lending credit, or expending money or assuming any debt,
14 only qualified voters of [~~electors-who-own-taxable-property-in~~] the
15 State, county, political sub-division, district, city, town or
16 village where such election is held[~~7-and-who--have--duly--rendered~~
17 ~~the--same--for--taxation7~~] shall be qualified to vote [~~and-all~~
18 ~~electors-shall-vote-in-the-election-precinct-of-their-residence~~].

19 SECTION 33. Section 3, Article VII, Texas Constitution, is
20 amended to read as follows:

21 Sec. 3. (a) One-fourth of the revenue derived from the
22 State occupation taxes [~~and--poll--tax--of--one--dollar--on--every~~
23 ~~inhabitant--of--the-State7-between-the-ages-of-twenty-one-and-sixty~~
24 ~~years7~~] shall be set apart annually for the benefit of the public
25 free schools.

26 (b) It[~~7--and-in-addition-thereto7--there-shall-be-levied-and~~
27 ~~collected-an-annual-ad-valorem-State-tax-of-such-an-amount--not--to~~

1 exceed--thirty-five--cents--on--the--one--hundred--(~~\$100.00~~)--dollars
 2 valuation, as with the available school fund arising from all other
 3 sources, will be sufficient to maintain and support the public
 4 schools of this State for a period of not less than six months in
 5 each year, and it] shall be the duty of the State Board of
 6 Education to set aside a sufficient amount of available funds [out
 7 of the said tax] to provide free text books for the use of children
 8 attending the public free schools of this State.

9 (c) ~~Should~~[, provided, however, that should] the [limit of]
 10 taxation herein named be insufficient the deficit may be met by
 11 appropriation from the general funds of the State. [and the]

12 (d) The Legislature may [also] provide for the formation of
 13 school districts [district] by general laws, [and] and all such school
 14 districts may embrace parts of two or more counties.

15 (e) ~~The~~[, and the] Legislature shall be authorized to pass
 16 laws for the assessment and collection of taxes in all school
 17 [said] districts and for the management and control of the public
 18 school or schools of such districts, whether such districts are
 19 composed of territory wholly within a county or in parts of two or
 20 more counties, and the Legislature may authorize an additional ad
 21 valorem tax to be levied and collected within all school districts
 22 [heretofore formed or hereafter formed,] for the further
 23 maintenance of public free schools, and for the erection and
 24 equipment of school buildings therein; provided that a majority of
 25 the qualified [property-taxpaying] voters of the district voting at
 26 an election to be held for that purpose, shall approve the [vote
 27 such] tax [not to exceed in any one year one (~~\$1.00~~) dollar on the

1 ~~one-hundred-dollars-valuation-of-the-property-subject--to--taxation~~
2 ~~in--such--district,--but--the--limitation-upon-the-amount-of-school~~
3 ~~district-tax-herein-authorized--shall--not--apply--to--incorporated~~
4 ~~cities--or--towns--constituting--separate--and--independent--school~~
5 ~~districts,--nor-to-independent-or-common-school-districts-created-by~~
6 ~~general-or-special-law].~~

7 SECTION 34. Section 1-a, Article VIII, Texas Constitution,
8 is amended to read as follows:

9 Sec. 1-a. No ~~[From-and-after-January-1,--1951,--no]~~ State ad
10 valorem tax shall be levied upon any property within this State
11 ~~[for-general-revenue-purposes].~~ The ~~[From--and--after--January--1,--~~
12 ~~1951,--the]~~ several counties of the State are authorized to levy ad
13 valorem taxes upon all property within their respective boundaries
14 for county purposes, except the first Three Thousand Dollars
15 (\$3,000) value of residential homesteads of married or unmarried
16 adults, male or female, including those living alone, not to exceed
17 thirty cents (30¢) on each One Hundred Dollars (\$100) valuation, in
18 addition to all other ad valorem taxes authorized by the
19 Constitution of this State, provided the revenue derived therefrom
20 shall be used for construction and maintenance of Farm to Market
21 Roads or for Flood Control, except as herein otherwise provided.

22 ~~[Provided-that-in-those-counties-or-political-subdivisions-or~~
23 ~~areas-of-the-State-from-which-tax-donations--have--heretofore--been~~
24 ~~granted,--the--State-Automatic-Tax-Board-shall-continue-to-levy-the~~
25 ~~full-amount-of-the-State-ad-valorem-tax-for-the--duration--of--such~~
26 ~~donation,--or--until-all-legal-obligations-heretofore-authorized-by~~
27 ~~the-law-granting-such-donation-or-donations-shall-have--been--fully~~

1 discharged,--whichever--shall--first--occur,--provided--that--if--such
2 donation--to--any--such--county--or--political--subdivision--is--for--less
3 than--the--full--amount--of--State--ad--valorem--taxes--so--levied,--the
4 portion--of--such--taxes--remaining--over--and--above--such--donation--shall
5 be--retained--by--said--county--or--subdivision.]

6 SECTION 35. Subsection (b), Section 1-b, Article VIII, Texas
7 Constitution, is amended to read as follows:

8 (b) The governing body of any county, city, town, school
9 district, or other political subdivision of the State[~~7--other--than~~
10 ~~a--county--education--district,~~] may exempt by its own action not less
11 than Three Thousand Dollars (\$3,000) of the market value of
12 residence homesteads of persons, married or unmarried, including
13 those living alone, who are under a disability for purposes of
14 payment of disability insurance benefits under Federal Old-Age,
15 Survivors, and Disability Insurance or its successor or of married
16 or unmarried persons sixty-five (65) years of age or older,
17 including those living alone, from all ad valorem taxes thereafter
18 levied by the political subdivision. As an alternative, upon
19 receipt of a petition signed by twenty percent (20%) of the voters
20 who voted in the last preceding election held by the political
21 subdivision, the governing body of the subdivision shall call an
22 election to determine by majority vote whether an amount not less
23 than Three Thousand Dollars (\$3,000) as provided in the petition,
24 of the market value of residence homesteads of disabled persons or
25 of persons sixty-five (65) years of age or over shall be exempt
26 from ad valorem taxes thereafter levied by the political
27 subdivision. [In--the--manner--provided--by--law,--the--voters--of--a

1 county-education-district-at-an-election-held-for-that-purpose--may
 2 exempt--an-amount-not-less-than-Three-Thousand-Dollars-(\$3,000)-,as
 3 provided--in--the--petition-,--of--the--market--value--of--residence
 4 homesteads-of-disabled-persons-or-of-persons-sixty-five-(65)--years
 5 of--age--or--over--from--ad--valorem-taxes-thereafter-levied-by-the
 6 county-education-district-]. An eligible disabled person who is
 7 sixty-five (65) years of age or older may not receive both
 8 exemptions from the same political subdivision in the same year but
 9 may choose either if the subdivision has adopted both. Where any
 10 ad valorem tax has theretofore been pledged for the payment of any
 11 debt, the taxing officers of the political subdivision shall have
 12 authority to continue to levy and collect the tax against the
 13 homestead property at the same rate as the tax so pledged until the
 14 debt is discharged, if the cessation of the levy would impair the
 15 obligation of the contract by which the debt was created. [An
 16 exemption-adopted-under-this-subsection-based-on-assessed-value--is
 17 increased-,--effective--January--1-,--1979-,--to--an-amount-that-,--when
 18 converted-to-market-value-,--provides-the-same--reduction--in--taxes-,
 19 except--that--the--market--value--exemption-shall-be-rounded-to-the
 20 nearest-\$100-.]

21 SECTION 36. Subsection (b), Section 1-j, Article VIII, Texas
 22 Constitution, is amended to read as follows:

23 (b) [~~Tangible-personal-property-exempted--from--taxation--in~~
 24 ~~Subsection-(a)-of-this-section-is-subject-to-the-following:~~

25 [(1)--A-county-,--common-,--or-independent-school-district-,
 26 junior--college--district-,--or--municipality-,--including-a-home-rule
 27 city-,--may-tax-such-property-otherwise-exempt-,--if-the-governing-body

1 of-the-county,--common,--or--independent--school--district,--junior
2 college-district,--or-municipality-takes-official-action-as-provided
3 in--this--section--and-in-the-manner-provided-by-law-to-provide-for
4 the-taxation-of-such-property.

5 [~~(2)~~--Any-official-action-to-tax-such--exempt--property
6 must-be-taken-before-April-17-1990.--If-official-action-is-taken-to
7 tax--such--exempt-property-before-January-17-1990,--such-property-is
8 taxable-effective-for-the-tax-year-1990.--However,--if-such-official
9 action-to-tax-such-exempt-property-is-taken-prior-to-April-17-1990,
10 but-after-January-17-1990,--the-official--action--shall--not--become
11 effective-to-tax-such-property-until-the-1991-tax-year.

12 [~~(3)~~--Any--of--the--above-named--political-subdivisions
13 shall-have-the-authority-to-exempt-from-payment--of--taxation--such
14 property-located-in-such-above-named-political-subdivisions-for-the
15 taxing--year--1989.---If-a-governing-body-exempts-the-property-from
16 1989-taxes,--the-governing--body--shall--waive--1989--taxes--already
17 imposed--and--refund--1989--taxes-already-paid-on-such-property-for
18 that-year.

19 [~~(4)~~] The governing body of a county, common, or
20 independent school district, junior college district, or
21 municipality that, acting under previous constitutional authority,
22 taxes [~~acts under Subdivision (2) of Subsection (b) of this section~~
23 ~~to tax the~~] property otherwise exempt by Subsection (a) of this
24 section may subsequently exempt the property from taxation by
25 rescinding its action to tax the property. The exemption applies
26 to each tax year that begins after the date the action is taken and
27 applies to the tax year in which the action is taken if the

1 governing body so provides. A governing body that rescinds its
2 action to tax the property may not take action to tax such property
3 after the rescission.

4 SECTION 37. Section 6, Article VIII, Texas Constitution, is
5 amended to read as follows:

6 Sec. 6. No money shall be drawn from the Treasury but in
7 pursuance of specific appropriations made by law; nor shall any
8 appropriation of money be made for a longer term than two years[
9 ~~except--by--the--first---Legislature---to---assemble---under---this~~
10 ~~Constitution,--which--may--make--the--necessary--appropriations--to--carry~~
11 ~~on--the--government--until--the---assemblage---of---the---sixteenth~~
12 ~~Legislature].~~

13 SECTION 38. Section 9, Article VIII, Texas Constitution, is
14 amended to read as follows:

15 Sec. 9. (a) No [~~The State tax on property, exclusive of the~~
16 ~~tax necessary to pay the public debt, and of the taxes provided for~~
17 ~~the benefit of the public free schools, shall never exceed~~
18 ~~Thirty-five Cents--(35¢)--on--the--One--Hundred---Dollars---(\$100)~~
19 ~~valuation, and no] county, city or town shall levy a tax rate in
20 excess of Eighty Cents (80¢) on the One Hundred Dollars (\$100)
21 valuation in any one (1) year for general fund, permanent
22 improvement fund, road and bridge fund and jury fund purposes.~~

23 (b) At[~~---provided--further---that---at~~] the time the
24 Commissioners Court meets to levy the annual tax rate for each
25 county it shall levy whatever tax rate may be needed for the four
26 (4) constitutional purposes; namely, general fund, permanent
27 improvement fund, road and bridge fund and jury fund so long as the

1 Court does not impair any outstanding bonds or other obligations
2 and so long as the total of the foregoing tax levies does not
3 exceed Eighty Cents (80¢) on the One Hundred Dollars (\$100)
4 valuation in any one (1) year. Once the Court has levied the
5 annual tax rate, the same shall remain in force and effect during
6 that taxable year.

7 (c) The [~~and~~ ~~the~~] Legislature may [~~also~~] authorize an
8 additional annual ad valorem tax to be levied and collected for the
9 further maintenance of the public roads; provided, that a majority
10 of the qualified [~~property-taxpaying~~] voters of the county voting
11 at an election to be held for that purpose shall approve the [~~vote~~
12 ~~such~~] tax, not to exceed Fifteen Cents (15¢) on the One Hundred
13 Dollars (\$100) valuation of the property subject to taxation in
14 such county.

15 (d) Any county may put all tax money collected by the county
16 into one general fund, without regard to the purpose or source of
17 each tax.

18 (e) The [~~And~~ ~~the~~] Legislature may pass local laws for the
19 maintenance of the public roads and highways, without the local
20 notice required for special or local laws.

21 (f) This Section shall not be construed as a limitation of
22 powers delegated to counties, cities or towns by any other Section
23 or Sections of this Constitution.

24 SECTION 39. Section 16a, Article VIII, Texas Constitution,
25 is amended to read as follows:

26 Sec. 16a. In any county having a population of less than ten
27 thousand (10,000) inhabitants, as determined by the last preceding

1 census of the United States, the Commissioners Court may submit to
2 the qualified [~~property--taxpaying~~] voters of such county at an
3 election the question of adding an Assessor-Collector of Taxes to
4 the list of authorized county officials. If a majority of such
5 voters voting in such election shall approve of adding an
6 Assessor-Collector of Taxes to such list, then such official shall
7 be elected at the next General Election for such Constitutional
8 term of office as is provided for other Tax Assessor-Collectors in
9 this State.

10 SECTION 40. Section 20, Article VIII, Texas Constitution, is
11 amended to read as follows:

12 Sec. 20. No property of any kind in this State shall ever be
13 assessed for ad valorem taxes at a greater value than its fair cash
14 market value nor shall any Board of Equalization of any
15 governmental or political subdivision or taxing district within
16 this State fix the value of any property for tax purposes at more
17 than its fair cash market value; provided that in order to
18 encourage the prompt payment of taxes, the Legislature shall have
19 the power to provide that the taxpayer shall be allowed by the
20 State and all governmental and political subdivisions and taxing
21 districts of the State a three per cent (3%) discount on ad valorem
22 taxes due the State or due any governmental or political
23 subdivision or taxing district of the State if such taxes are paid
24 ninety (90) days before the date when they would otherwise become
25 delinquent; and the taxpayer shall be allowed a two per cent (2%)
26 discount on said taxes if paid sixty (60) days before said taxes
27 would become delinquent; and the taxpayer shall be allowed a one

1 per cent (1%) discount if said taxes are paid thirty (30) days
2 before they would otherwise become delinquent. [~~This amendment~~
3 ~~shall be effective January 17, 1939.~~] The Legislature shall pass
4 necessary laws for the proper administration of this Section.

5 SECTION 41. Section 1, Article IX, Texas Constitution, is
6 amended to read as follows:

7 Sec. 1. The Legislature shall have power to create counties
8 for the convenience of the people subject to the following
9 provisions:

10 [~~First,--In the territory of the State exterior to all~~
11 ~~counties now existing, no new counties shall be created with a less~~
12 ~~area than nine hundred square miles, in a square form, unless~~
13 ~~prevented by pre-existing boundary lines. Should the State lines~~
14 ~~render this impracticable in border counties, the area may be less.~~
15 ~~The territory referred to may, at any time, in whole or in part, be~~
16 ~~divided into counties in advance of population and attached, for~~
17 ~~judicial and land surveying purposes, to the most convenient~~
18 ~~organized county or counties.]~~

19 (1) [~~Second.~~] Within the territory of any county or
20 counties [~~now existing~~], no new county shall be created with a less
21 area than seven hundred square miles, nor shall any such county now
22 existing be reduced to a less area than seven hundred square miles.
23 No new counties shall be created so as to approach nearer than
24 twelve miles of the county seat of any county from which it may in
25 whole or in part be taken. Counties of a less area than nine
26 hundred, but of seven hundred or more square miles, within counties
27 now existing, may be created by a two-thirds vote of each House of

1 the Legislature, taken by yeas and nays and entered on the
2 journals. Any county now existing may be reduced to an area of not
3 less than seven hundred square miles by a like two-thirds vote.
4 When any part of a county is stricken off and attached to, or
5 created into another county, the part stricken off shall be holden
6 for and obliged to pay its proportion of all the liabilities then
7 existing, of the county from which it was taken, in such manner as
8 may be prescribed by law.

9 (2) [~~Third~~] No part of any existing county shall be
10 detached from it and attached to another existing county until the
11 proposition for such change shall have been submitted, in such
12 manner as may be provided by law, to a vote of the voters
13 [~~electors~~] of both counties, and shall have received a majority of
14 those voting on the question in each.

15 SECTION 42. Section 2, Article IX, Texas Constitution, is
16 amended to read as follows:

17 Sec. 2. The Legislature shall pass laws regulating the
18 manner of removing county seats, but no county seat situated within
19 five miles of the geographical centre of the county shall be
20 removed, except by a vote of two-thirds of all the voters
21 [~~electors~~] voting on the subject. A majority of such voters
22 [~~electors~~], however, voting at such election, may remove a county
23 seat from a point more than five miles from the geographical centre
24 of the county to a point within five miles of such centre, in
25 either case the centre to be determined by a certificate from the
26 Commissioner of the General Land Office.

27 SECTION 43. Section 4, Article IX, Texas Constitution, is

1 amended to read as follows:

2 Sec. 4. The Legislature may by law authorize the creation of
3 county-wide Hospital Districts in counties having a population in
4 excess of 190,000 and in Galveston County, with power to issue
5 bonds for the purchase, acquisition, construction, maintenance and
6 operation of any county owned hospital, or where the hospital
7 system is jointly operated by a county and city within the county,
8 and to provide for the transfer to the county-wide Hospital
9 District of the title to any land, buildings or equipment, jointly
10 or separately owned, and for the assumption by the district of any
11 outstanding bonded indebtedness theretofore issued by any county or
12 city for the establishment of hospitals or hospital facilities; to
13 levy a tax not to exceed seventy-five (\$.75) cents on the One
14 Hundred (\$100.00) Dollars valuation of all taxable property within
15 such district, provided, however, that such district shall be
16 approved at an election held for that purpose, and that only
17 qualified [~~7-property-taxpaying~~] voters in such county shall vote
18 therein; provided further, that such Hospital District shall assume
19 full responsibility for providing medical and hospital care to
20 needy inhabitants of the county, and thereafter such county and
21 cities therein shall not levy any other tax for hospital purposes;
22 and provided further that should such Hospital District construct,
23 maintain and support a hospital or hospital system, that the same
24 shall never become a charge against the State of Texas, nor shall
25 any direct appropriation ever be made by the Legislature for the
26 construction, maintenance or improvement of the said hospital or
27 hospitals. [Should---the--legislature--enact--enabling--laws--in

1 ~~anticipation-of-the-adoption-of-this-amendment, such Acts shall not~~
2 ~~be invalid because of their anticipatory character.]~~

3 SECTION 44. Subsections (a), (c), and (e), Section 5,
4 Article IX, Texas Constitution, are amended to read as follows:

5 (a) The Legislature may by law authorize the creation of two
6 hospital districts, one to be coextensive with and have the same
7 boundaries as the incorporated City of Amarillo, as such boundaries
8 now exist or as they may hereafter be lawfully extended, and the
9 other to be coextensive with Wichita County.

10 If such district or districts are created, they may be
11 authorized to levy a tax not to exceed Seventy-five Cents (75¢) on
12 the One Hundred Dollars (\$100.00) valuation of taxable property
13 within the district; provided, however, no tax may be levied until
14 approved by a majority vote of the participating resident qualified
15 ~~[property--taxpaying]~~ voters ~~[who have duly rendered their property~~
16 ~~for--taxation]~~. The maximum rate of tax may be changed at
17 subsequent elections so long as obligations are not impaired, and
18 not to exceed the maximum limit of Seventy-five Cents (75¢) per One
19 Hundred Dollars (\$100.00) valuation, and no election shall be
20 required by subsequent changes in the boundaries of the City of
21 Amarillo.

22 If such tax is authorized, no political subdivision or
23 municipality within or having the same boundaries as the district
24 may levy a tax for medical or hospital care for needy individuals,
25 nor shall they maintain or erect hospital facilities, but the
26 district shall by resolution assume all such responsibilities and
27 shall assume all of the liabilities and obligations (including

1 bonds and warrants) of such subdivisions or municipalities or both.
2 The maximum tax rate submitted shall be sufficient to discharge
3 such obligations, liabilities, and responsibilities, and to
4 maintain and operate the hospital system, and the Legislature may
5 authorize the district to issue tax bonds for the purpose of the
6 purchase, construction, acquisition, repair or renovation of
7 improvements and initially equipping the same, and such bonds shall
8 be payable from said Seventy-five Cents (75¢) tax. The Legislature
9 shall provide for transfer of title to properties to the district.

10 (c) The Legislature may by law authorize the creation of a
11 hospital district within Jefferson County, the boundaries of which
12 shall include only the area comprising the Jefferson County
13 Drainage District No. 7 and the Port Arthur Independent School
14 District, as such boundaries existed on the first day of January,
15 1957, with the power to issue bonds for the sole purpose of
16 purchasing a site for, and the construction and initial equipping
17 of, a hospital system, and with the power to levy a tax of not to
18 exceed Seventy-five Cents (75¢) on the One Hundred Dollars
19 (\$100.00) valuation of property therein for the purpose of paying
20 the principal and interest on such bonds.

21 The [~~creation--of--such-hospital-district-shall-not-be-final~~
22 ~~until-approved-at--an--election--by--a--majority--of--the--resident~~
23 ~~property--taxpaying--voters--voting--at--said-election-who-have-duly~~
24 ~~rendered-their-property-for-taxation-upon-the-tax-rolls--of--either~~
25 ~~said--Drainage--or--said-School-District, nor shall such] bonds may
26 not be issued or such tax be levied until [so] approved by such
27 voters.~~

1 The district shall not have the power to levy any tax for
2 maintenance or operation of the hospital or facilities, but shall
3 contract with other political subdivisions of the state or private
4 individuals, associations, or corporations for such purposes.

5 If the district hereinabove authorized is finally created, no
6 other hospital district may be created embracing any part of the
7 territory within its boundaries, but the Legislature by law may
8 authorize the creation of a hospital district incorporating therein
9 the remainder of Jefferson County, having the powers and duties and
10 with the limitations presently provided by Article IX, Section 4,
11 of the Constitution of Texas~~[7-except-that-such-district-shall-be~~
12 ~~confirmed-at-an-election-wherein-the--resident--qualified--property~~
13 ~~taxpaying--voters-who-have-duly-rendered-their-property-within-such~~
14 ~~proposed-district-for--taxation--on--the--county--rolls,--shall--be~~
15 ~~authorized--to--vote]~~. A majority of those participating in the
16 election voting in favor of the district shall be necessary for
17 ~~[its-confirmation-and-for]~~ bonds to be issued.

18 (e) The legislature by law may authorize Randall County to
19 render financial assistance to the Amarillo Hospital District by
20 paying part of the district's operating and maintenance expenses
21 and the debts assumed or created by the district and to levy a tax
22 for that purpose in an amount not to exceed seventy-five cents
23 (75¢) on the One Hundred Dollars (\$100.00) valuation on all
24 property in Randall County that is not within the boundaries of the
25 City of Amarillo or the South Randall County Hospital District.
26 This tax is in addition to any other tax authorized by this
27 constitution. If the tax is authorized by the legislature and

1 approved by the voters of the area to be taxed, the Amarillo
2 Hospital District shall, by resolution, assume the
3 responsibilities, obligations, and liabilities of Randall County in
4 accordance with Subsection (a) of this section and, except as
5 provided by this subsection, Randall County may not levy taxes or
6 issue bonds for hospital purposes or for providing hospital care
7 for needy inhabitants of the county. [~~Not later than the end of~~
8 ~~the first tax year during which taxes are levied under this~~
9 ~~subsection, Randall County shall deposit in the State Treasury to~~
10 ~~the credit of the state General Revenue Fund \$45,000 to reimburse~~
11 ~~the state for the cost of publishing the resolution required by~~
12 ~~this subsection.]~~

13 SECTION 45. Subsection (a), Section 8, Article IX, Texas
14 Constitution, is amended to read as follows:

15 (a) The Legislature may by law authorize the creation of a
16 Hospital District to be co-extensive with the limits of County
17 Commissioners Precinct No. 4 of Comanche County, Texas.

18 If such District is created, it may be authorized to levy a
19 tax not to exceed seventy-five cents (75¢) on the One Hundred
20 Dollar (\$100) valuation of taxable property within the District;
21 provided, however, no tax may be levied until approved by a
22 majority vote of the participating resident qualified [property
23 taxpaying] voters [~~who have duly rendered their property for~~
24 ~~taxation]. The maximum rate of tax may be changed at subsequent~~
25 elections so long as obligations are not impaired, and not to
26 exceed the maximum limit of seventy-five cents (75¢) per One
27 Hundred Dollar (\$100) valuation, and no election shall be required

1 by subsequent changes in the boundaries of the Commissioners
2 Precinct No. 4 of Comanche County.

3 If such tax is authorized, no political subdivision or
4 municipality within or having the same boundaries as the District
5 may levy a tax for medical or hospital care for needy individuals,
6 nor shall they maintain or erect hospital facilities, but the
7 District shall by resolution assume all such responsibilities and
8 shall assume all of the liabilities and obligations (including
9 bonds and warrants) of such subdivisions or municipalities or both.
10 The maximum tax rate submitted shall be sufficient to discharge
11 such obligations, liabilities, and responsibilities, and to
12 maintain and operate the hospital system, and the Legislature may
13 authorize the District to issue tax bonds for the purpose of the
14 purchase, construction, acquisition, repair or renovation of
15 improvements and initially equipping the same, and such bonds shall
16 be payable from said seventy-five cent (75¢) tax. The Legislature
17 shall provide for transfer of title to properties to the District.

18 SECTION 46. Section 11, Article IX, Texas Constitution, is
19 amended to read as follows:

20 Sec. 11. (a) The Legislature may by law authorize the
21 creation of hospital districts in Ochiltree, Castro, Hansford and
22 Hopkins Counties, each district to be coextensive with the limits
23 of such county.

24 (b) If any such district is created, it may be authorized to
25 levy a tax not to exceed Seventy-five Cents (75¢) on the One
26 Hundred Dollar (\$100) valuation of taxable property within the
27 district; provided, however, no tax may be levied until approved by

1 a majority vote of the participating resident qualified
2 [~~property-taxpaying~~] voters [~~who-have-duly-rendered-their-property~~
3 ~~for--taxation~~]. The maximum rate of tax may be changed at
4 subsequent elections so long as obligations are not impaired, and
5 not to exceed the maximum limit of Seventy-five Cents (75¢) per One
6 Hundred Dollar (\$100) valuation.

7 (c) If such tax is authorized, no political subdivision or
8 municipality within or having the same boundaries as the district
9 may levy a tax for medical or hospital care for needy individuals,
10 nor shall they maintain or erect hospital facilities, but the
11 district shall by resolution assume all such responsibilities and
12 shall assume all of the liabilities and obligations (including
13 bonds and warrants) of such subdivisions or municipalities or both.
14 The maximum tax rate submitted shall be sufficient to discharge
15 obligations, liabilities, and responsibilities, and to maintain and
16 operate the hospital system, and the Legislature may authorize the
17 district to issue tax bonds for the purpose of the purchase,
18 construction, acquisition, repair or renovation of improvements and
19 initially equipping the same, and such bonds shall be payable from
20 said Seventy-five Cent (75¢) tax. The Legislature shall provide
21 for transfer of title to properties to the district.

22 [~~Should-the-Legislature-enact-enabling-laws--in--anticipation~~
23 ~~of--the--adoption--of--the--amendment--such-Acts-shall-not-be-invalid~~
24 ~~because-of-their-anticipatory-character-~~]

25 SECTION 47. Section 12, Article IX, Texas Constitution, is
26 amended to read as follows:

27 Sec. 12. (a) The Legislature may by law provide for the

1 creation, establishment, maintenance and operation of Airport
2 Authorities composed of one or more counties, with power to issue
3 general obligation bonds, revenue bonds, either or both of them,
4 for the purchase, acquisition by the exercise of the power of
5 eminent domain or otherwise, construction, reconstruction, repair
6 or renovation of any airport or airports, landing fields and
7 runways, airport buildings, hangars, facilities, equipment,
8 fixtures, and any and all property, real or personal, necessary to
9 operate, equip and maintain an airport.

10 (b) The Legislature~~[7]~~ shall provide for the option by the
11 governing body of the city or cities whose airport facilities are
12 served by certificated airlines and whose facility or some interest
13 therein, is proposed to be or has been acquired by the Authority,
14 to either appoint or elect a Board of Directors of said Authority.
15 If~~[7--if]~~ the Directors are appointed such appointment shall be made
16 by the County Commissioners Court after consultation with and
17 consent of the governing body or bodies of such city or cities.
18 If~~[7--and--if]~~ the Board of Directors is elected they shall be
19 elected by the qualified ~~[taxpaying]~~ voters of the county which
20 chooses to elect the Directors to represent that county.~~[7--such]~~
21 Directors shall serve without compensation for a term fixed by the
22 Legislature not to exceed six (6) years, ~~[and]~~ shall be selected on
23 the basis of the proportionate population of each county based upon
24 the last preceding Federal Census, and shall be ~~[a-resident-or]~~
25 residents of such county. No~~[7--provide-that-no]~~ county shall have
26 less than one (1) member on the Board of Directors.

27 (c) The Legislature shall~~[7]~~ provide for the holding of an

1 election in each county proposing the creation of an Authority to
2 be called by the Commissioners Court or Commissioners Courts, as
3 the case may be, upon petition of five per cent (5%) of the
4 qualified [~~taxpaying~~] voters within the county or counties. The[7
5 ~~said~~] elections must [~~to~~] be held on the same day if more than one
6 county is included. No[7-provided-that-no] more than one (1) such
7 election may be called in a county until after the expiration of
8 one (1) year[7] in the event such an election has failed, and
9 thereafter only upon a petition of ten per cent (10%) of the
10 qualified [~~taxpaying~~] voters being presented to the Commissioners
11 Court or Commissioners Courts of the county or counties in which
12 such an election has failed. In[7-and-in] the event that two or
13 more counties vote on the proposition of the creation of an
14 Authority therein, the proposition shall not be deemed to carry
15 unless the majority of the qualified [~~taxpaying~~] voters in each
16 county voting thereon vote in favor thereof. An[7--provided7
17 ~~however7--that-an]~~ Airport Authority may be created and be composed
18 of the county or counties that vote in favor of its creation if
19 separate propositions are submitted to the voters of each county so
20 that they may vote for a two or more county Authority or a single
21 county Authority.

22 (d) The Legislature shall[7] provide for the appointment by
23 the Board of Directors of an Assessor and Collector of Taxes in the
24 Authority, whether constituted of one or more counties, whose duty
25 it shall be to assess all taxable property, both real and personal,
26 and collect the taxes thereon, based upon the tax rolls approved by
27 the Board of Directors, the tax to be levied not to exceed

1 Seventy-Five Cents (75¢) per One Hundred Dollars (\$100) assessed
2 valuation of the property. The[~~7--provided7--however7--that--the~~]
3 property of state regulated common carriers required by law to pay
4 a tax upon intangible assets shall not be subject to taxation by
5 the Authority. The[~~7--said~~] taxable property shall be assessed on a
6 valuation not to exceed the market value and shall be equal and
7 uniform throughout the Authority as is otherwise provided by the
8 Constitution.

9 (e) The[~~7--the~~] Legislature shall authorize the purchase or
10 acquisition by the Authority of any existing airport facility
11 publicly owned and financed and served by certificated airlines, in
12 fee or of any interest therein, or to enter into any lease
13 agreement therefor, upon such terms and conditions as may be
14 mutually agreeable to the Authority and the owner of such
15 facilities, or authorize the acquisition of same through the
16 exercise of the power of eminent domain. In[~~7--and--in~~] the event of
17 such acquisition, if there are any general obligation bonds that
18 the owner of the publicly owned airport facility has outstanding,
19 the same shall be fully assumed by the Authority and sufficient
20 taxes levied by the Authority to discharge said outstanding
21 indebtedness. If[~~7--and--likewise~~] any city or owner [that] has
22 outstanding revenue bonds where the revenues of the airport have
23 been pledged or said bonds constitute a lien against the airport
24 facilities, the Authority shall assume and discharge all the
25 obligations of the city under the ordinances and bond indentures
26 under which said revenue bonds have been issued and sold.

27 (f) Any city which owns airport facilities not serving

1 certificated airlines which are not purchased or acquired or taken
2 over as herein provided by such Authority[7] shall have the power
3 to operate the same under the existing laws or as the same may
4 hereafter be amended.

5 (g) Any such Authority when created may be granted the power
6 and authority to promulgate, adopt and enforce appropriate zoning
7 regulations to protect the airport from hazards and obstructions
8 which would interfere with the use of the airport and its
9 facilities for landing and take-off.

10 (h) An[7-an] additional county or counties may be added to
11 an existing Authority if a petition of five per cent (5%) of the
12 qualified [taxpaying] voters is filed with and an election is
13 called by the Commissioners Court of the county or counties seeking
14 admission to an Authority. If [and] the vote is favorable, then
15 admission may be granted to such county or counties by the Board of
16 Directors of the then existing Authority upon such terms and
17 conditions as they may agree upon and evidenced by a resolution
18 approved by two-thirds (2/3rds) of the then existing Board of
19 Directors. The[7-provided7-however7-the] county or counties that
20 may be so added to the then existing Authority shall be given
21 representation on the Board of Directors by adding additional
22 directors in proportion to their population according to the last
23 preceding Federal census.

24 SECTION 48. Section 2, Article XI, Texas Constitution, is
25 amended to read as follows:

26 Sec. 2. The construction of jails, court-houses and bridges
27 [~~and-the-establishment-of-county-poor-houses-and--farms7~~] and the

1 laying out, construction and repairing of county roads shall be
2 provided for by general laws.

3 SECTION 49. Subsection (b), Section 30, Article XVI, Texas
4 Constitution, is amended to read as follows:

5 (b) When a Railroad Commission is created by law it shall be
6 composed of three Commissioners who shall be elected by the people
7 at a general election for State officers, and their terms of office
8 shall be six years. [~~Railroad-Commissioners--first--elected--after
9 this--amendment--goes--into--effect--shall--hold--office--as--follows:--One
10 shall--serve--two--years,--and--one--four--years,--and--one--six--years,--their
11 terms--to--be--decided--by--lot--immediately--after--they--shall--have
12 qualified.~~] And one Railroad Commissioner shall be elected every
13 two years [thereafter]. In case of vacancy in said office the
14 Governor of the State shall fill said vacancy by appointment until
15 the next general election.

16 SECTION 50. Section 44, Article XVI, Texas Constitution, is
17 amended to read as follows:

18 Sec. 44. (a) Except as otherwise provided by this section,
19 the Legislature shall prescribe the duties and provide for the
20 election by the qualified voters of each county in this State, of a
21 County Treasurer and a County Surveyor, who shall have an office at
22 the county seat, and hold their office for four years, and until
23 their successors are qualified; and shall have such compensation as
24 may be provided by law.

25 (b) The office of County Treasurer or County Surveyor does
26 not exist in those counties in which the office has been abolished
27 pursuant to constitutional amendment or pursuant to the authority

1 of Subsection (c) of this section [in-the-counties-of-Farrant-and
 2 Bee-is-abolished-and-all-the-powers, duties, and-functions--of--the
 3 office--in--each--of--these--counties-are-transferred-to-the-County
 4 Auditor-or-to-the-officer-who-succeeds-to-the-auditor's--functions.
 5 The--office-of-County-Treasurer-in-the-counties-of-Bexar-and-Collin
 6 are-abolished-and-all-the-powers, duties, and--functions--of--the
 7 office--in--each--of--these--counties-are-transferred-to-the-County
 8 Clerk.--However, the-office-of-County-Treasurer-shall-be--abolished
 9 in--the--counties--covered--by--this--subsection-only-after-a-local
 10 election-has-been-held-in--each--county--and--the--proposition--"to
 11 abolish--the--elective--office-of-county-treasurer"--has-passed-by-a
 12 majority-of-those-persons-voting-in-said-election].

13 [(c)--The-office-of--County--Treasurer--in--the--counties--of
 14 Andrews--and--Gregg--is--abolished.--In-Andrews-County, the-powers,
 15 duties, and-functions-of-the-office-are-transferred-to--the--County
 16 Auditor--of--the--county--or--to--the--officer--who-succeeds-to-the
 17 auditor's-functions.--In-Gregg-County, the-functions-of-the--office
 18 are--transferred--to--an--elected-official-or-the-County-Auditor-as
 19 designated-by-the-Commissioners-Court, and-the-Commissioners--Court
 20 may--from--time--to--time--change--its--designation-as-it-considers
 21 appropriate.

22 [(d)--The-office-of-County-Treasurer-in-the--counties--of--El
 23 Paso--and--Fayette--is--abolished.--In--El--Paso--County, the
 24 Commissioners-Court-may-employ-or-contract-with-a-qualified--person
 25 or--may--designate--another--county--officer--to-perform-any-of-the
 26 functions-that-would-have-been-performed-by-the-County-Treasurer-if
 27 the--office--had--not--been--abolished.--In--Fayette--County, the

1 functions-of-the-abolished-office-are--transferred--to--the--County
 2 Auditor--or-to-the-officer-who-succeeds-to-the-auditor's-functions.
 3 However, the office of County Treasurer in El Paso or Fayette
 4 County is abolished under this subsection only if, at the statewide
 5 election at which the constitutional amendment providing for the
 6 abolition of the office in that county is submitted to the voters,
 7 a majority of the voters of that county voting on the question at
 8 that election favor the amendment.

9 [(e) --The office of County Surveyor in the counties of
 10 Denton, Randall, Collin, Dallas, El Paso, McHennan, and Henderson
 11 is abolished upon the approval of the abolition by a majority of
 12 the qualified voters of the respective county voting on the
 13 question at an election that the Commissioners Court of the county
 14 may call. If the election is called, the Commissioners Court shall
 15 order the ballot at the election to be printed to provide for
 16 voting for or against the proposition: "Abolishing the office of
 17 county surveyor." Each qualified voter of the county is entitled
 18 to vote in the election. If the office of County Surveyor is
 19 abolished under this subsection, the maps, field notes, and other
 20 records in the custody of the County Surveyor are transferred to
 21 the County Clerk of the county. After abolition, the Commissioners
 22 Court may employ or contract with a qualified person to perform any
 23 of the functions that would have been performed by the County
 24 Surveyor if the office had not been abolished.

25 [(f) --This subsection applies only to the counties of Cass,
 26 Ector, Garza, Smith, Bexar, Harris, and Webb. The office of County
 27 Surveyor in the county is abolished on January 1, 1990, if at the

1 statewide-election-at-which-the-addition--to--the--Constitution--of
 2 this--subsection--is--submitted--to--the--voters, a-majority-of-the
 3 voters-of-that-county-voting-on-the-question-at-that-election-favor
 4 the-addition-of-this-subsection,--If-the-office-of-County--Surveyor
 5 is-abolished-in-a-county-under-this-subsection, the-powers, duties,
 6 and--functions--of-the-office-are-transferred-to-the-county-officer
 7 or-employee-designated-by-the-Commissioners-Court-of-the-county--in
 8 which-the-office-is-abolished, and-the-Commissioners-Court-may-from
 9 time-to-time-change-its-designation-as-it-considers-appropriate.

10 [(g)--The--office--of--County--Treasurer--in-Nueces-County-is
 11 abolished-and-all-powers, duties, and-functions-of-this-office--are
 12 transferred--to--the--County--Clerk,--However, the-office-of-County
 13 Treasurer-in-Nueces-County-is-abolished-under-this-subsection--only
 14 if,--at-the-statewide-election-at-which-this-amendment-is-submitted
 15 to-the-voters, a-majority-of-the-voters-of-Nueces-County-voting--on
 16 the--question--at-that-election-favor-the-amendment,--The-office-of
 17 County-Treasurer-of-Nueces-County-is-abolished-on-January-1,--1988,
 18 if--the--conditions--of-this-subsection-are-met,--If-that-office-in
 19 Nueces-County-is-not-abolished, this-subsection-expires-on--January
 20 1,--1988.]

21 (c) [(h)] The Commissioners Court of a county may call an
 22 election to abolish the office of County Surveyor in the county.
 23 The office of County Surveyor in the county is abolished if a
 24 majority of the voters of the county voting on the question at that
 25 election approve the abolition. If an election is called under
 26 this subsection, the Commissioners Court shall order the ballot for
 27 the election to be printed to provide for voting for or against the

1 proposition: "Abolishing the office of county surveyor of this
2 county." If the office of County Surveyor is abolished under this
3 subsection, the maps, field notes, and other records in the custody
4 of the County Surveyor are transferred to the county officer or
5 employee designated by the Commissioners Court of the county in
6 which the office is abolished, and the Commissioners Court may from
7 time to time change its designation as it considers appropriate.

8 SECTION 51. Subsection (c), Section 59, Article XVI, Texas
9 Constitution, is amended to read as follows:

10 (c) The Legislature shall authorize all such indebtedness as
11 may be necessary to provide all improvements and the maintenance
12 thereof requisite to the achievement of the purposes of this
13 amendment. All~~[7-and-all]~~ such indebtedness may be evidenced by
14 bonds of such conservation and reclamation districts, to be issued
15 under such regulations as may ~~[amy]~~ be prescribed by law. The
16 Legislature ~~[and]~~ shall also~~[7]~~ authorize the levy and collection
17 within such districts of all such taxes, equitably distributed, as
18 may be necessary for the payment of the interest and the creation
19 of a sinking fund for the payment of such bonds~~[7]~~ and ~~[also]~~ for
20 the maintenance of such districts and improvements. Such~~[7-and~~
21 ~~such]~~ indebtedness shall be a lien upon the property assessed for
22 the payment thereof. The~~[7--provided-the]~~ Legislature shall not
23 authorize the issuance of any bonds or provide for any indebtedness
24 against any reclamation district unless such proposition shall
25 first be submitted to the qualified ~~[property-tax-paying]~~ voters of
26 such district and the proposition adopted.

27 SECTION 52. Section 61, Article XVI, Texas Constitution, is

1 amended to read as follows:

2 Sec. 61. (a) All district officers in the State of Texas
3 and all county officers in counties having a population of twenty
4 thousand (20,000) or more, according to the then last preceding
5 Federal Census, shall be compensated on a salary basis.

6 (b) In all counties in this State, the Commissioners Courts
7 shall be authorized to determine whether precinct officers shall be
8 compensated on a fee basis or on a salary basis, with the exception
9 that it shall be mandatory upon the Commissioners Courts, to
10 compensate all justices of the peace, constables, deputy constables
11 and precinct law enforcement officers on a salary basis.

12 (c) In [~~beginning-January-17-1973-and-in~~] counties having a
13 population of less than twenty thousand (20,000), according to the
14 then last preceding Federal Census, the Commissioners Courts [~~shall~~
15 ~~also~~] have the authority to determine whether county officers shall
16 be compensated on a fee basis or on a salary basis, with the
17 exception that it shall be mandatory upon the Commissioners Courts
18 to compensate all sheriffs, deputy sheriffs, county law enforcement
19 officers including sheriffs who also perform the duties of assessor
20 and collector of taxes, and their deputies, on a salary basis
21 [~~beginning-January-17-1949~~].

22 (d) All fees earned by district, county and precinct
23 officers shall be paid into the county treasury where earned for
24 the account of the proper fund, provided that fees incurred by the
25 State, county and any municipality, or in case where a pauper's
26 oath is filed, shall be paid into the county treasury when
27 collected and provided that where any officer is compensated wholly

1 on a fee basis such fees may be retained by such officer or paid
2 into the treasury of the county as the Commissioners Court may
3 direct.

4 (e) All Notaries Public, county surveyors and public
5 weighers shall continue to be compensated on a fee basis.

6 SECTION 53. Section 65, Article XVI, Texas Constitution, is
7 amended to read as follows:

8 Sec. 65. (a) This section applies to the following offices
9 [Staggering--Terms-of-Office--The-following-officers-elected-at-the
10 General-Election-in-November, 1954, and thereafter, shall serve for
11 the full terms provided in this Constitution]:

12 [(a)] District Clerks; [(b)] County Clerks;
13 [(c)] County Judges; [(d)] Judges of the County Courts at Law,
14 County Criminal Courts, County Probate Courts and County Domestic
15 Relations Courts; [(e)] County Treasurers; [(f)] Criminal
16 District Attorneys; [(g)] County Surveyors; [(h)] Inspectors of
17 Hides and Animals; [(i)] County Commissioners [for--Precincts--Two
18 and-Four]; [(j)] Justices of the Peace; [

19 [Notwithstanding--other--provisions-of-this-Constitution, the
20 following officers elected at the--General--Election--in--November,
21 1954, shall serve only for terms of two (2) years:--(a)] Sheriffs;
22 [(b)] Assessors and Collectors of Taxes; [(c)] District
23 Attorneys; [(d)] County Attorneys; [(e)] Public Weighers; and
24 [(f)--County--Commissioners--for--Precincts--One--and--Three;
25 (g)] Constables. [At subsequent elections, such officers shall be
26 elected for the full terms provided in this Constitution.

27 [In any--district, county--or--precinct--where--any--of--the

1 ~~aforementioned--offices--is--of--such--nature--that--two--(2)--or--more~~
 2 ~~persons--hold--such--office,--with--the--result--that--candidates--file--for~~
 3 ~~"Place--No.--1,"--"Place--No.--2,"--etc.,--the--officers--elected--at--the~~
 4 ~~General--Election--in--November,--1954,--shall--serve--for--a--term--of--two~~
 5 ~~(2)--years--if--the--designation--of--their--office--is--an--uneven--number,~~
 6 ~~and--for--a--term--of--four--(4)--years--if--the--designation--of--their--office~~
 7 ~~is--an--even--number.--Thereafter,--all--such--officers--shall--be--elected~~
 8 ~~for--the--terms--provided--in--this--Constitution.]~~

9 **(b)** If [Provided,--however,--if] any of the officers named
 10 herein shall announce their candidacy, or shall in fact become a
 11 candidate, in any General, Special or Primary Election, for any
 12 office of profit or trust under the laws of this State or the
 13 United States other than the office then held, at any time when the
 14 unexpired term of the office then held shall exceed one (1) year,
 15 such announcement or such candidacy shall constitute an automatic
 16 resignation of the office then held, and the vacancy thereby
 17 created shall be filled pursuant to law in the same manner as other
 18 vacancies for such office are filled.

19 SECTION 54. Section 1, Article XVII, Texas Constitution, is
 20 amended to read as follows:

21 Sec. 1. (a) The Legislature, at any regular session, or at
 22 any special session when the matter is included within the purposes
 23 for which the session is convened, may propose amendments revising
 24 the Constitution, to be voted upon by the qualified voters
 25 [electors] for statewide offices and propositions, as defined in
 26 the Constitution and statutes of this State. The date of the
 27 elections shall be specified by the Legislature. The proposal for

1 submission must be approved by a vote of two-thirds of all the
2 members elected to each House, entered by yeas and nays on the
3 journals.

4 (b) A brief explanatory statement of the nature of a
5 proposed amendment, together with the date of the election and the
6 wording of the proposition as it is to appear on the ballot, shall
7 be published twice in each newspaper in the State which meets
8 requirements set by the Legislature for the publication of official
9 notices of officers and departments of the state government. The
10 explanatory statement shall be prepared by the Secretary of State
11 and shall be approved by the Attorney General. The Secretary of
12 State shall send a full and complete copy of the proposed amendment
13 or amendments to each county clerk who shall post the same in a
14 public place in the courthouse at least 30 days prior to the
15 election on said amendment. The first notice shall be published
16 not more than 60 days nor less than 50 days before the date of the
17 election, and the second notice shall be published on the same day
18 in the succeeding week. The Legislature shall fix the standards
19 for the rate of charge for the publication, which may not be higher
20 than the newspaper's published national rate for advertising per
21 column inch.

22 (c) The election shall be held in accordance with procedures
23 prescribed by the Legislature, and the returning officer in each
24 county shall make returns to the Secretary of State of the number
25 of legal votes cast at the election for and against each amendment.
26 If it appears from the returns that a majority of the votes cast
27 have been cast in favor of an amendment, it shall become a part of

1 this Constitution, and proclamation thereof shall be made by the
2 Governor.

3 SECTION 55. The following provisions of the Texas
4 Constitution are repealed:

5 (1) Article III, Sections 26a, 50b, 50b-1, 50b-2,
6 50b-3, and 54;

7 (2) Article VIII, Sections 1-b-1, 1-c, and 5;

8 (3) Article IX, Section 6;

9 (4) Article XI, Section 6;

10 (5) Article XVI, Sections 18, 47, 53, 66, and 70(r);

11 and

12 (6) Article XVII, Section 2.

13 SECTION 56. The following temporary provision is added to
14 the Texas Constitution:

15 TEMPORARY TRANSITION PROVISIONS. (a) This section applies
16 to amendments proposed by H.J.R. No. 62, 76th Legislature, Regular
17 Session, 1999.

18 (b) The amendments do not impair any obligation created by
19 the issuance of bonds or other evidences of indebtedness in
20 accordance with prior law, and all bonds or other evidences of
21 indebtedness validly issued under provisions amended or repealed
22 remain valid, enforceable, and binding according to their terms
23 and shall be paid from the sources pledged. Bonds or other
24 evidences of indebtedness authorized but unissued on the effective
25 date of the amendments may be issued in compliance with and subject
26 to the provisions of the prior law. The amendments do not reduce
27 or expand the authority to provide for, issue, or sell bonds or

1 other evidences of indebtedness previously authorized.

2 (c) As of the date of adoption of H.J.R. No. 62 by the 76th
3 Legislature, Regular Session, 1999, the Veterans' Land Board has
4 authorized but unissued bonds in the aggregate principal amount of
5 \$190,002,225 for the purpose of providing funds for the Veterans'
6 Land Fund, \$1,309,997,775 having previously been issued for that
7 purpose, and \$615,000,000 for the purpose of providing funds for
8 the Veterans' Housing Assistance Fund II, \$385,000,000 having
9 previously been issued for that purpose. The amendments do not in
10 any manner impair the authority of the Veterans' Land Board
11 hereafter to issue bonds or incur other evidences of indebtedness,
12 provided that any bonds or other evidences of indebtedness issued
13 or incurred by the Veterans' Land Board prior to adoption of the
14 amendments shall cause the amount of authorized but unissued bonds
15 described in this subsection to be reduced by the amount of the
16 bonds so issued or other evidences of indebtedness so incurred.

17 (d) As of the date of adoption of H.J.R. No. 62 by the 76th
18 Legislature, Regular Session, 1999, the Texas Water Development
19 Board has authorized but unissued bonds in the aggregate principal
20 amount of \$945,765,000, and as of that date that board has issued
21 \$113,300,000 in bonds for the purpose of providing wholesale and
22 retail water and wastewater facilities to economically distressed
23 areas of the state, as defined by law. The amendments do not in
24 any manner impair the authority of the Texas Water Development
25 Board hereafter to issue bonds or incur other evidences of
26 indebtedness, provided that any bonds or other evidences of
27 indebtedness issued or incurred by the Texas Water Development

1 Board prior to adoption of the amendments shall cause the amount of
2 authorized but unissued bonds described in this subsection to be
3 reduced by the amount of the bonds so issued or other evidences of
4 indebtedness so incurred.

5 (e) As of the date of adoption of H.J.R. No. 62 by the 76th
6 Legislature, Regular Session, 1999, the Texas Higher Education
7 Coordinating Board has authorized but unissued bonds in the
8 aggregate principal amount of \$150,000,000, and as of that date the
9 board has issued \$810,000,000 in bonds for the purpose of
10 educational loans to students. The amendments do not in any manner
11 impair the authority of the Texas Higher Education Coordinating
12 Board hereafter to issue bonds or incur other evidences of
13 indebtedness, provided that any bonds or other evidences of
14 indebtedness issued or incurred by the Texas Higher Education
15 Coordinating Board prior to adoption of the amendments shall cause
16 the amount of authorized but unissued bonds described in this
17 subsection to be reduced by the amount of the bonds so issued or
18 other evidences of indebtedness so incurred.

19 (f) The amendment of Subsection (b), Section 1-b, Article
20 VIII, does not affect the increase in the amount of an exemption
21 effective January 1, 1979, under that subsection, and that increase
22 is preserved and given effect in accordance with the prior law.

23 (g) The amendment of Subsection (b), Section 1-j, Article
24 VIII, does not affect the taxation of personal property in
25 accordance with action taken under that section before April 1,
26 1990, and that authority to tax personal property is preserved and
27 given effect in accordance with the prior law.

1 (h) The amendment of Subsection (c), Section 5, Article IX,
2 does not affect the validity of a confirmation election held in
3 accordance with that section.

4 (i) The repeal of Section 5, Article VIII, does not affect
5 the power of a municipality to impose and collect taxes on the
6 property of railroad companies in accordance with the general
7 authority of municipalities under this constitution to impose and
8 collect those taxes.

9 (j) The repeal of Section 6, Article IX, does not affect the
10 disposition of assets of the Lamar County Hospital District in
11 accordance with that section.

12 (k) The amendment of Section 44, Article XVI, does not
13 affect the power of a county to abolish the office of county
14 treasurer or county surveyor in accordance with previously adopted
15 amendments of that section, and the power is preserved in
16 accordance with the prior law.

17 (l) The repeal of Section 66, Article XVI, does not affect
18 the pensions payable under that section and those pensions shall be
19 paid in accordance with the prior law.

20 (m) The reenactment of any provision for purposes of
21 amendment does not revive a provision that may have been impliedly
22 repealed by the adoption of a later amendment.

23 (n) The amendment of any provision does not affect vested
24 rights.

25 SECTION 57. This proposed constitutional amendment shall be
26 submitted to the voters at an election to be held on November 2,
27 1999. The ballot shall be printed to permit voting for or against

H.J.R. No. 62

1 the proposition: "The constitutional amendment to eliminate
2 duplicative, executed, obsolete, archaic, and ineffective
3 provisions of the Texas Constitution."

President of the Senate

Speaker of the House

I certify that H.J.R. No. 62 was passed by the House on May 6, 1999, by the following vote: Yeas 148, Nays 0, 1 present, not voting; and that the House concurred in Senate amendments to H.J.R. No. 62 on May 27, 1999, by the following vote: Yeas 142, Nays 0, 2 present, not voting.

Chief Clerk of the House

I certify that H.J.R. No. 62 was passed by the Senate, with amendments, on May 24, 1999, by the following vote: Yeas 29, Nays 1.

Secretary of the Senate

RECEIVED: _____

Date

Secretary of State

President of the Senate

Speaker of the House

I certify that H.J.R. No. 62⁽¹⁾ was passed by the House
on May 6⁽²⁾, 1999, by the following vote:
Yeas 148⁽³⁾, Nays 0, 1 present, not voting⁽⁴⁾;
and that the House concurred in Senate amendments to H.J.R. No. 62
on May 27⁽⁵⁾, 1999, by the following
vote: Yeas 142⁽⁶⁾, Nays 0, 2 present, not voting⁽⁷⁾.

Chief Clerk of the House

**** Preparation: CT19;

I certify that H.J.R. No. 62⁽¹⁾ was passed by the Senate, with
amendments, on May 24⁽²⁾, 1999, by the following
vote: Yeas 29⁽³⁾, Nays 1⁽⁴⁾.

Secretary of the Senate

RECEIVED:

Date

Secretary of State

**** Preparation: CT20;

76TH LEGISLATURE

COAUTHOR AUTHORIZATION

(please request your coauthors to sign this form in lieu of the front or the back of the original bill)

For chief clerk use only

Bill or Resolution Number:

HR 62

Anna Mowery
signature of primary author

Anna Mowery
printed name of primary author

Feb. 24 '99
Date

PERMISSION TO SIGN HR 62 HAS BEEN GIVEN TO (check only one of the following):
(bill or resolution #)

ALL REPRESENTATIVES

THE FOLLOWING REPRESENTATIVE(S): _____

I authorize the Chief Clerk to include my name as a coauthor of the legislation indicated above:

<u>A2120 Alexander</u>	<u>Date</u>	<u>A2600 Counts</u>	<u>Date</u>	<u>A2795 Farabee</u>	<u>Date</u>
<u>A2115 Allen</u>	<u>Date</u>	<u>A2605 Crabb</u>	<u>Date</u>	<u>A2810 Farrar</u>	<u>Date</u>
<u>A2105 Alvarado</u>	<u>Date</u>	<u>A2610 Craddick</u>	<u>Date</u>	<u>A2840 Flores</u>	<u>Date</u>
<u>A2135 Averitt</u>	<u>Date</u>	<u>A2615 Crownover</u>	<u>Date</u>	<u>A2920 Gallego</u>	<u>Date</u>
<u>A2160 Bailey</u>	<u>Date</u>	<u>A2645 Cuellar</u>	<u>Date</u>	<u>A2930 Garcia</u>	<u>Date</u>
<u>A2205 Berman</u>	<u>Date</u>	<u>A2635 Culberson</u>	<u>Date</u>	<u>A2940 George</u>	<u>Date</u>
<u>A2250 Bonnen</u>	<u>Date</u>	<u>A2670 Danburg</u>	<u>Date</u>	<u>A2935 Giddings</u>	<u>Date</u>
<u>A2275 Bosse</u>	<u>Date</u>	<u>A2620 Davis, John</u>	<u>Date</u>	<u>A2880 Glaze</u>	<u>Date</u>
<u>A2260 Brimer</u>	<u>Date</u>	<u>A2625 Davis, Yvonne</u>	<u>Date</u>	<u>A2985 Goodman</u>	<u>Date</u>
<u>A2265 Brown, Betty</u>	<u>Date</u>	<u>A2680 Delisi</u>	<u>Date</u>	<u>A2990 Goolsby</u>	<u>Date</u>
<u>A2270 Brown, Fred</u>	<u>Date</u>	<u>A3385 Denny</u>	<u>Date</u>	<u>A3005 Gray</u>	<u>Date</u>
<u>A2255 Burnam</u>	<u>Date</u>	<u>A2690 Deshotel</u>	<u>Date</u>	<u>A3000 Green</u>	<u>Date</u>
<u>A2300 Capelo</u>	<u>Date</u>	<u>A2705 Driver</u>	<u>Date</u>	<u>A3010 Greenberg</u>	<u>Date</u>
<u>A2400 Carter</u>	<u>Date</u>	<u>A2665 Dukes</u>	<u>Date</u>	<u>A3020 Grusendorf</u>	<u>Date</u>
<u>A2585 Chavez</u>	<u>Date</u>	<u>A2660 Dunnam</u>	<u>Date</u>	<u>A3030 Gutierrez</u>	<u>Date</u>
<u>A2480 Chisum</u>	<u>Date</u>	<u>A2650 Dutton</u>	<u>Date</u>	<u>A3035 Haggerty</u>	<u>Date</u>
<u>A2525 Christian</u>	<u>Date</u>	<u>A2770 Edwards</u>	<u>Date</u>	<u>A2695 Hamric</u>	<u>Date</u>
<u>A2520 Clark</u>	<u>Date</u>	<u>A2760 Ehrhardt</u>	<u>Date</u>	<u>A3160 Hardcastle</u>	<u>Date</u>
<u>A2435 Coleman</u>	<u>Date</u>	<u>A2775 Eiland</u>	<u>Date</u>	<u>A3170 Hartnett</u>	<u>Date</u>
<u>A2565 Cook</u>	<u>Date</u>	<u>A2785 Elkins</u>	<u>Date</u>	<u>A3345 Hawley</u>	<u>Date</u>
<u>A2595 Corte</u>	<u>Date</u>	<u>A2790 Ellis, Dan</u>	<u>Date</u>	<u>A3180 Heflin</u>	<u>Date</u>

For chief clerk use only
Bill or Resolution Number:

HUP *62*

A3310 Hilbert	Date	A3715 Madden	Date	A4435 Shields	Date
A3250 Hilderbran	Date	A3750 Marchant	Date	A4445 Siebert	Date
A3275 Hill	Date	A2700 Maxey	Date	A4525 Smith	Date
A3270 Hinojosa	Date	A3665 McCall	Date	A4530 Smithee	Date
A3305 Hochberg	Date	A3650 McClendon	Date	A4550 Solis, Jim	Date
A3250 Hodge	Date	A3845 McReynolds	Date	A4560 Sclis, Juan	Date
A3325 Homer	Date	A3840 Merritt	Date	A4505 Solomons	Date
A3320 Hope	Date	A3855 Moreno, Joe	Date	A4515 Staples	Date
A3315 Howard	Date	A3860 Moreno, Paul	Date	A4570 Swinford	Date
A3355 Hunter	Date	A3870 Morrison	Date	A4585 Talton	Date
A3360 Hupp	Date	A3865 Mowery	Date	A4605 Telford	Date
A3375 Isett	Date	A3885 Naishtat	Date	A4630 Thompson	Date
A3415 Janek	Date	A3890 Najera	Date	A4635 Tillery	Date
A3410 Jones, Charles	Date	A3895 Nixon, Joe	Date	A4650 Truitt	Date
A3405 Jones, Delwin	Date	A3900 Noriega	Date	A2730 Turner, Bob	Date
A3400 Jones, Jesse	Date	A3880 Oliveira	Date	A4685 Turner, Sylvester	Date
A3440 Junell	Date	A3886 Olivo	Date	A4690 Uhe	Date
A3475 Keel	Date	A4010 Palmer	Date	A4695 Uresti	Date
A3480 Keffer	Date	A4180 Pickett	Date	A4720 Van de Putte	Date
A3470 King, Phil	Date	A4185 Pitts	Date	A4990 Walker	Date
A3465 King, Tracy	Date	A4200 Puente	Date	A4995 West, George "Buddy"	Date
A3485 Krusee	Date	A4210 Ramsay	Date	A5035 Williams	Date
A3450 Kuempel	Date	A4240 Rangel	Date	A5000 Wilson	Date
A3510 Laney	Date	A4245 Reyna, Arthur	Date	A5020 Wise	Date
A3520 Lengefeld	Date	A4236 Reyna, Elvira	Date	A5015 Wohlgenuth	Date
A3605 Lewis, Glenn	Date	A4250 Ritter	Date	A4980 Wolens	Date
A3600 Lewis, Ron	Date	A4370 Sadler	Date	A5005 Woolley	Date
A3615 Longoria	Date	A4380 Salinas	Date	A5025 Yarbrough	Date
A3620 Lina, Vilma	Date	A4420 Seaman	Date	A5040 Zbranc	Date

for chief clerk use only

Bill or Resolution Number:

HR 62

JOINT AUTHOR AUTHORIZATION

As primary author of HR 62 I hereby authorize the following joint author(s):
(bill or resolution #)

DRIVER
printed name of joint author #1

[Signature]
signature of joint author #1

PVENTE
printed name of joint author #2

[Signature]
signature of joint author #2

printed name of joint author #3

signature of joint author #3

printed name of joint author #4

signature of joint author #4

[Signature]
signature of primary author

4-23-1999
date

ORIGINAL FORM--Place in book

SEND COPIES TO:
Debbie Irvine (Legislative Council)
Legislative Reference Library
House Journal

H.J.R. No. 62

By Thowery

Proposing a constitutional amendment to eliminate duplicative, executed, obsolete, archaic, and ineffective constitutional provisions.

FEB 24 1999 Filed with the Chief Clerk

MAR - 1 1999 Read first time and referred to Committee on CONSTITUTIONAL REVISION, Select

APR 19 1999 Reported ___ favorably (~~as amended~~)
(as substituted)

APR 29 1999 Sent to Committee on Calendars

MAY 06 1999 Read second time (comm. subst.) (amended) and adopted (~~passed to third reading~~) by a record vote of 148 yeas, 0 nays, 1 present, not voting

Read third time (amended) and finally adopted (failed of adoption) by a record vote of _____ yeas, _____ nays, _____ present, not voting

MAY 07 1999 Engrossed

MAY 07 1999 Sent to Senate

Sharon Carter
CHIEF CLERK OF THE HOUSE

OTHER HOUSE ACTION:

MAY 7 1999 Received from the House

MAY 10 1999 Read and referred to Committee on STATE AFFAIRS

MAY 14 1999 Reported favorably _____

Reported adversely, with favorable Committee Substitute; Committee Substitute read first time

Ordered not printed

Laid before the Senate

MAY 24 1999 Senate and Constitutional Rules to permit consideration suspended by (unanimous consent)
(_____ yeas, _____ nays)

MAY 24 1999 Read second time, amended, and passed to third reading by (unanimous consent)
(a viva voce vote)
(_____ yeas, _____ nays)

MAY 24 1999 Senate and Constitutional 3 Day Rules suspended by a vote of 29 yeas, 1 nays

MAY 24 1999 Read third time, _____, and passed by 29 yeas, 1 nays

May 24, 1999 Returned to the House

Lucy King
SECRETARY OF THE SENATE

OTHER SENATE ACTION:

MAY 24 1999

Returned from the Senate (with amendments)

MAY 27 1999

House concurred in Senate amendments by a (non-record) (record vote of 142 yeas, 0 nays, 2 present, not voting)

House refused to concur in Senate amendments and requested the appointment of a conference committee by a (non-record vote) (record vote of _____ yeas, _____ nays, _____ present, not voting)

House conferees appointed: _____, Chair; _____,

Senate granted House request. Senate conferees appointed: _____, Chair;

Conference committee report adopted (rejected) by the House by a record vote of _____ yeas, _____ nays, _____ present, not voting

Conference committee report adopted (rejected) by the Senate by a record vote of _____ yeas, _____ nays

MAY 25 11:09
HOUSE OF REPRESENTATIVES

ADOPTED

MAY 24 1999

Lucretia
Secretary of the Senate

FLOOR AMENDMENT NO. 2

BY *Shannon*

- 1 Amend H.J.R. No. 62, in SECTION 49 (page 84, line 27, House Engrossment), by striking
- 2 "the [~~When a~~] Railroad Commission [~~is created by law it~~]" and substituting "When a Railroad
- 3 Commission is created by law it".

ADOPTED

MAY 24 1999

Letty King
Secretary of the Senate

FLOOR AMENDMENT NO. 3

BY *John*

1 Amend H.J.R. 62 as follows:

2 (1) On page 8, line 25, after "creating", delete "a fund to be known as".

3 (2) On page 8, line 26, after "Fund", insert: ", Veterans' Housing Assistance Fund, and
4 Veterans' Housing Assistance Fund II."

5 (3) Strike page 9, lines 22 through 25. Renumber remaining subsections accordingly.

SENATE AMENDMENTS

2nd Printing

SENATE PRINTING
HOUSE OF REPRESENTATIVES

By Mowery, Driver, Puente

H.J.R. No. 62

A JOINT RESOLUTION

1 proposing a constitutional amendment to eliminate duplicative,
2 executed, obsolete, archaic, and ineffective constitutional
3 provisions.

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

5 SECTION 1. Section 2, Article III, Texas Constitution, is
6 amended to read as follows:

7 Sec. 2. The Senate shall consist of thirty-one members [~~7~~ and
8 shall never be increased above this number]. The House of
9 Representatives shall consist of 150 [ninety-three] members [until
10 the first apportionment after the adoption of this Constitution,
11 when or at any apportionment thereafter, the number of
12 Representatives may be increased by the Legislature, upon the ratio
13 of not more than one Representative for every fifteen thousand
14 inhabitants, provided, the number of Representatives shall never
15 exceed one hundred and fifty].

16 SECTION 2. Section 3, Article III, Texas Constitution, is
17 amended to read as follows:

18 Sec. 3. The Senators shall be chosen by the qualified voters
19 [electors] for the term of four years; but a new Senate shall be
20 chosen after every apportionment, and the Senators elected after
21 each apportionment shall be divided by lot into two classes. The
22 seats of the Senators of the first class shall be vacated at the
23 expiration of the first two years, and those of the second class at
24 the expiration of four years, so that one half of the Senators

1 shall be chosen biennially thereafter. Senators shall take office
2 following their election, on the day set by law for the convening
3 of the Regular Session of the Legislature, and shall serve
4 thereafter for the full term of years to which elected [~~and--until~~
5 ~~their-successors-shall-have-been-elected-and-qualified~~].

6 SECTION 3. Section 4, Article III, Texas Constitution, is
7 amended to read as follows:

8 Sec. 4. The Members of the House of Representatives shall be
9 chosen by the qualified voters [~~electors~~] for the term of two
10 years. Representatives shall take office following their election,
11 on the day set by law for the convening of the Regular Session of
12 the Legislature, and shall serve thereafter for the full term of
13 years to which elected [~~and--until--their-successors-shall-have-been~~
14 ~~elected-and-qualified~~].

15 SECTION 4. Section 5, Article III, Texas Constitution, is
16 amended to read as follows:

17 Sec. 5. (a) The Legislature shall meet every two years at
18 such time as may be provided by law and at other times when
19 convened by the Governor.

20 (b) When convened in regular Session, the first thirty days
21 thereof shall be devoted to the introduction of bills and
22 resolutions, acting upon emergency appropriations, passing upon the
23 confirmation of the recess appointees of the Governor and such
24 emergency matters as may be submitted by the Governor in special
25 messages to the Legislature. During[~~provided-that-during~~] the
26 succeeding thirty days of the regular session of the Legislature
27 the various committees of each House shall hold hearings to