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**County Judges and Commissioners Association of Texas  
2012 Resolutions**

**Opposition to Unfunded Mandates**

**WHEREAS**, Texas counties are responsible for the operation and management of many and various governmental programs as required or authorized by state law; and

**WHEREAS**, some county government programs are fully or partially supported with funds disbursed by the State of Texas pursuant to the state appropriations process; and

**WHEREAS**, the State of Texas, acting through the Texas Legislature or through a state agency or executive order, may enact laws or promulgate rules that have the effect of imposing mandatory financial obligations upon Texas counties; and

**WHEREAS**, the State of Texas, through the Texas Legislature or through a state agency or executive order, mandates that counties implement certain governmental programs or perform certain duties and obligations including financial commitments by a county to expend county funds in connection therewith; and

**WHEREAS**, during each regular session of the Texas Legislature, all state funds that support county programs are reviewed through the state appropriation process and by other state budgetary review systems; and

**WHEREAS**, the aforementioned review process may result in a reduction, or cessation, of state financial support of county government programs causing an unforeseeable disruption and reduction of the county budget and operations; and

**WHEREAS**, Texas counties cannot achieve reliable financial planning and the necessary bond ratings sufficient to support county-related obligations when the state mandates a new program that is not fully funded or under conditions where the state reduces or fully withdraws prior funding and disbursement for county government programs;

**NOW, THEREFORE**, the County Judges and Commissioners Association of Texas and its 254 current member counties do hereby resolve that for the foregoing reasons, it is in the best interests of Texas counties and their taxpayers to support and favor the passage of legislation in the form of an amendment to the Constitution of the State of Texas that would expressly prohibit the imposition of a mandatory governmental program on Texas counties, whether by an act of the Texas Legislature or a state agency or by executive order, unless the State of Texas has fully funded and disbursed all necessary funds to enable Texas counties to operate said governmental program.

## **Indigent Health Care**

**WHEREAS**, revisions have been proposed regarding the Texas system of indigent health care; and

**WHEREAS**, some revisions propose an assessment upon counties to support a regional indigent health care system; and

**WHEREAS**, such assessment would constitute an unfunded mandate, requiring property tax increases in those counties; and

**WHEREAS**, such regional systems would not be efficient or responsive to local taxpayers;

**NOW, THEREFORE, BE IT RESOLVED** that the County Judges and Commissioners Association of Texas opposes any attempt to impose a mandatory assessment upon Texas counties to fund a regional or statewide health care system.

## **Opposition to Appraisal Caps and Revenue Caps**

**WHEREAS**, the Texas Legislature has considered proposals for lower revenue caps and lower appraisal caps on counties; and

**WHEREAS**, 60 percent of the average taxpayer's property tax burden is due to school taxes while only 14 percent is due to county taxes; and

**WHEREAS**, appraisal caps or revenue caps would diminish local control and tie the hands of county officials and limit their ability to provide essential services to address the needs and emergencies of their citizens; and

**WHEREAS**, county government is already struggling to meet the demands of under-funded and unfunded state mandates such as indigent health care, indigent defense and federal mandates such as the Help America Vote Act and the Clean Air Act; and

**WHEREAS**, the demands on county budgets continue to increase including motor fuel, road materials, and all other products and services purchased by counties; and

**WHEREAS**, artificial appraisal caps or revenue caps will result in a shift of taxes from rapidly appreciating properties to those remaining relatively stable in value and to all non-residential properties; and

**WHEREAS**, appraisal caps or revenue caps will not necessarily result in a reduction of property taxes but will result in a severe impact on county services; and

**WHEREAS**, undermining a property tax system based upon fair market value is questionable public policy and will result in a distorted, inequitable taxation scheme under which identical homes could be taxed at vastly different amounts; and

**WHEREAS**, it is unfair that the Texas Legislature impose additional revenue caps on local governments without imposing similar caps on state government;

**NOW, THEREFORE, BE IT RESOLVED** that the County Judges and Commissioners Association of Texas does hereby express its opposition to efforts to limit local control and does hereby oppose any attempts to impose revenue caps or appraisal caps upon Texas counties, and the County Judges and Commissioners Association of Texas expresses its deep appreciation to all legislators who oppose these unsound measures.

## **Opposition to Diversion of Dedicated Funds**

**WHEREAS**, the Legislature has committed certain funds for dedicated purposes; and

**WHEREAS**, unfortunately these funds have been improperly withheld from these needed functions and used to balance the general state budget; and

**WHEREAS**, the state leadership has proposed to end this diversion of funds;

**NOW, THEREFORE, BE IT RESOLVED** that the County Judges and Commissioners Association of Texas expresses its opposition to any state diversion of dedicated funds and supports the state leadership's commitment to end this practice.

### **Emergency Services Program**

**WHEREAS**, citizens of rural Texas desire access to 9-1-1 emergency services in an efficient manner, as evidenced by approval of the monthly fee on business and residential phone bills; and

**WHEREAS**, the 9-1-1 emergency services dispatch and response depends on equipment which must function reliably on a continuous basis; and

**WHEREAS**, older equipment reaches a point of being high maintenance and becomes unreliable; and

**WHEREAS**, technology continues to improve, necessitating upgrading hardware and software for reverse 9-1-1 services and other needs;

**NOW, THEREFORE, BE IT RESOLVED** that the County Judges and Commissioners Association of Texas urges our state legislators to provide full funding to the Emergency 9-1-1 Services Program for maintenance and improvement; and

**BE IT FURTHER RESOLVED** that funds generated by the 9-1-1 surcharge will not be used by the Legislature as money set aside to balance the state budget; and

**BE IT ALSO RESOLVED** that any such funds set aside that currently exist be fully appropriated for the Emergency 9-1-1 Services Program.

### **Opposition to Granting Powers to Municipal Utility Districts and Special Utility Districts**

**WHEREAS**, Texas is one of the fastest-growing states in the Union; and

**WHEREAS**, city government and county government should have appropriate authority to regulate growth in their respective counties and cities; and

**WHEREAS**, special water districts and private water corporations have the means to furnish water and provide for growth in rural areas of the counties; and

**WHEREAS**, municipal utility districts and special utility districts have been improperly used by certain developers to avoid compliance with county and city infrastructure plans;

**NOW, THEREFORE, BE IT RESOLVED** that the County Judges and Commissioners Association of Texas opposes the granting of additional powers to municipal utility districts and special utility districts and requests that the approval of the county be required before any further districts are created.

### **County Road Repair Program**

**WHEREAS**, Texas is currently experiencing record oil and gas drilling activity; and

**WHEREAS**, new drilling and exploration technology has tremendously increased the oil and gas truck traffic on county roads; and

**WHEREAS**, this truck traffic has literally destroyed many county roads, creating a safety hazard for the public; and

**WHEREAS**, Texas counties are dependent upon the property tax and have no source of funding to repair the damage from this oil and gas truck traffic; and

**WHEREAS**, immediate assistance is required to protect the public and prevent further deterioration of the county roads;

**NOW, THEREFORE, BE IT RESOLVED** that the County Judges and Commissioners Association of Texas requests that the Texas Legislature provide assistance to Texas counties to repair and rehabilitate county roads.

### **Secure Rural Schools and Communities Act Funding**

**WHEREAS**, the Secure Rural Schools and Communities Act (SRSCA) reflects the commitment that the U.S. government made to rural forest counties when it set aside 193 million acres of forest lands for the benefit of the entire nation. The funding from this program is critical to the 12 counties in the North and East Texas Region that contain National Forest lands; and

**WHEREAS**, the Payment in Lieu of Taxes (PILT) program also provides critical funding to all Texas counties, making up for diminished tax revenues because of federal land ownership; and

**WHEREAS**, the SRSCA and PILT programs help to fund essential services for the citizens of Texas and the nation and, in a time of serious economic downturn, create and maintain important family-wage jobs that stand to be lost. A significant portion of the funding received through these programs is spent on roads, including critical highway spending and road maintenance. Without these funds, maintenance on some roads will simply cease and road crews will lose their jobs; and

**WHEREAS**, failure to reauthorize the Secure Rural Schools program would have a devastating impact on some of our most rural and most economically depressed counties and school districts across Texas and the nation. It is projected that well over 11,000 jobs will be lost nationally in the next year alone if it is not reauthorized. Furthermore, the loss of this critical funding will lead to U.S. businesses, primarily in rural America, losing almost \$1.37 billion in revenues and \$188 million in tax receipts in 2012-13. Similarly, a reduction in PILT funding will also add to further layoffs in these rural communities, many of which are struggling the most in the economic downturn;

**NOW, THEREFORE, BE IT RESOLVED** by the County Judges and Commissioners Association of Texas that we support the extension and reauthorization of SRSCA and PILT funding, and urge the Texas members of the United States Senate and United States House of Representatives to support the extension of these critical programs through any legislative means available. Furthermore, we request all leaders of the Texas state government to support us in this effort.

### **Uranium Mining Regulation**

**WHEREAS**, uranium mining creates a special hazard for local groundwater; and

**WHEREAS**, uranium mining places a high demand upon local groundwater resources; and

**WHEREAS**, groundwater pollution by uranium mining cannot be recovered or rehabilitated and creates a permanent loss of groundwater; and

**WHEREAS**, county and groundwater conservation districts have very limited power to regulate uranium mining under current law;

**NOW, THEREFORE, BE IT RESOLVED** that the County Judges and Commissioners Association of Texas requests that state law be amended to require a due process permit proceeding and approval by the local commissioners court and groundwater conservation district before any permit is granted for uranium mining.

**County Judges and Commissioners Association of Texas**  
**2012 Resolutions Committee**

Wichita County Judge Woodrow W. Gossom Jr. – Chairman  
Garza County Judge Lee Norman  
Jasper County Commissioner Charles Shofner  
Pecos County Judge Joe Shuster  
Polk County Judge John Thompson

*In addition to the above-adopted resolutions, the County Judges and Commissioners Association of Texas Resolutions Committee requests that the following items be recommended for future study and consideration:*

1. County ownership of mineral rights in county roads.
2. County responsibility for cost of transport of dead bodies.
3. County responsibility for drug-resistant tuberculosis cases.
4. Recovery of cost of reproduction of clerk's digitized records.
5. Tax valuation of refineries and new oil and gas production facilities, and new oil and gas interests.
6. Opposition to mandatory consolidation of appraisal districts.
7. Full funding for school vaccination program.
8. Allow counties to adopt an automatic procedure to qualify jail inmates as indigent for indigent health care.
9. State assume full responsibility for transport cost of jail inmates to TDCJ.
10. County authority to euthanize stray animals
11. Authorize counties to publish a single, simplified, combined tax rate and budget notice.
12. Support funding for water supply projects.