



TEXAS RACING COMMISSION  
P. O. BOX 12080  
AUSTIN, TEXAS 78711-2080  
(512) 833-6699  
FAX (512) 833-6907

RECEIVED  
AUG 17 2004  
OPINION COMMITTEE

August 17, 2004

RQ-0258-GA

The Honorable Greg Abbott  
Attorney General of Texas  
Attn: Nancy Fuller, Chair, Opinions Committee  
P.O. Box 12548  
Austin, TX 78711-2548

FILE # ML-43879-04  
I.D. # 043879

Re: Request for Attorney General Opinion regarding the Application of Texas  
Racing Act, Tex. Rev. Civ. Stat. Ann. art. 179e, Article 16, §§16.01 and 16.12.

Dear General Abbott:

The Texas Racing Commission ("Commission") requests your formal opinion on an unusual situation that has been presented to the Commission with regard to applications for racetrack licenses under the Texas Racing Act.

Under the Texas Racing Act, the Commission is the state agency charged by the Legislature to regulate pari-mutuel racing in the state of Texas, and specifically to grant licenses for racetracks to qualified individuals or organizations. Currently, the Commission has two applicants for a Class II horse racetrack license in Webb County before it. In addition, The Commission voted to open an application period, but no applications have been received, for a Class II horse racetrack license in Hidalgo County.

#### A. Issues

In November 2000, Webb County conducted a local option election under the Texas Racing Act, Article 16. The voters approved two pari-mutuel propositions. Webb County confirmed the passage of these propositions to the Secretary of State. However, a review of the current records of Webb County and the Secretary of State has not produced any more formal certification of the November 2000 election results than Webb County's submission of the vote totals, which we presume were received by the Secretary of State within the statutorily prescribed deadlines under the Texas Racing Act.

In addition, at the Commission meeting on August 12, 2004, a request to open an application period for a Class II racetrack in Hidalgo County was granted with the application period to begin April 1, 2005. However, the certification of the election results was not filed within

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the statutorily prescribed deadlines under the Texas Racing Act. No application will be accepted by the Commission for Hidalgo County before April 1, 2005.

The Commission does not know whether the Webb County's submission of the election results to the Secretary of State would satisfy Section 16.01(a) of the Texas Racing Act, assuming there was no further evidence of certification. If it did not, then there is the question of whether the lack of proof of formal certification in November 2000 precludes the Commission from going forward with the current applications. If the answer to that question is "yes," then there is the question of whether the Commission may re-initiate the application process based on a more formal certification that occurred more than 10 days after the canvass of returns as provided in Section 16.12(a) of the Texas Racing Act. Is this a mandatory provision or merely directory in nature? As this issue has never previously been addressed by the Commission, there is no established administrative construction of Sections 16.01(a) and 16.12(a) of the Texas Racing Act. Therefore, the Commission is requesting an opinion from the Office of the Attorney General regarding these two provisions of the Texas Racing Act.

Specifically, is the Commission prohibited from granting a license for a racetrack in a county which passed the local option election before the license application was filed if the only record of timely election results certification to the Secretary of State that can now be found is the County's submission of the election results for the two propositions in the form submitted by Webb County? Secondly, may the Commission initiate a license application process for a county following a formal certification that occurs more than 10 days after the canvass of returns?

#### B. The Controlling Statute

Under Section 16.12 of the Texas Racing Act, if a majority of the votes cast in the election are for the legalization of pari-mutuel wagering on horse races or greyhound races, or for the authorization of pari-mutuel wagering on simulcast races in the county, the commissioners court shall certify that fact to the Secretary of State not later than the 10<sup>th</sup> day after the date of the canvass of the returns. Section 16.12(a) of the Texas Racing Act, Art. 179e, Tex. Rev. Civ. Stat. Ann.

The Commission shall not issue a racetrack license or accept an application for a license for a racetrack to be located in a county until the commissioners court has certified to the Secretary of State that the qualified voters of the county have approved the legalization of pari-mutuel wagering on horse races or greyhound races in that county at an election held under Article 16 of the Texas Racing Act. Section 16.01(a) of the Texas Racing Act, Art. 179e, Tex. Rev. Civ. Stat. Ann.

#### C. Facts

In the November 2000 election Webb County proposed and passed two propositions regarding the approval of legalized pari-mutuel wagering in Webb County. Attached is a copy of the election ballot as it appeared to voters in the November 2000 election. (Exhibit A) Proposition 1 passed "Legalizing pari-mutuel wagering on horse races in Webb County."

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Proposition 2 passed "Authorizing pari-mutuel wagering on simulcast races in Webb County." Attached is a copy of the precinct by precinct election results, as indicated as received by the Secretary of State from Webb County. (Exhibit B)

Because the precinct by precinct results were not date stamped by the Secretary of State's office, the Commission presumes that the precinct by precinct results were sent in to the Secretary of the State immediately following the November 2000 presidential election.

The language for pari-mutuel election propositions is statutorily mandated. Sec. 16.11(b) of the Texas Racing Act, Art. 179e, Tex. Rev. Civ. Stat. Ann. Therefore, there is no question that the votes "for" Propositions 1 and 2 on the precinct by precinct election results were for the legalization of pari-mutuel wagering in Webb County. The Commissioners Court canvassed the election results on November 14, 2000. (Exhibit C) The official election results were then filed in the county's election register.

The Commission was aware at the time the license applications were filed that Webb County had passed the required propositions legalizing pari-mutuel wagering in the county. In June of 2004, after the Commission had accepted the license applications and had begun an inquiry regarding whether "certification" had occurred, the Webb County Interim Elections Administrator wrote a letter and signed a sworn affidavit seeking to "certify" the election results from November of 2000. (Exhibit D)

With respect to Hidalgo County, the County certified the election results with the Secretary of State on August 12, 2004. (Exhibit E) The County had passed the statutorily required local option referendums in 1987. No evidence has been located that certification of the election results was filed with the Secretary of State's office within the statutorily prescribed deadlines under the Texas Racing Act.

#### D. Considerations

Under the Texas Racing Act, no specific language is set out for a county to use in certifying to the Secretary of State that the legalization of pari-mutuel wagering has been approved. In this specific case, Webb County unequivocally confirmed to the Secretary of State that the propositions authorizing pari-mutuel wagering had passed. No authority was found that any particular language is required.

Due to the lack of any statutory guidance regarding the form of "certification of election results," the county's filing of precinct returns can easily be seen as substantial compliance with the terms of Se. 16.12(a). Further, because the November 2000 election results filed by the county included the results of contested races, a presumption that the results were filed very shortly after the election is logical.

Certification of election results in the contested election statute was found to be merely directory not a mandatory provision. *Beeler v. Looock*, 135 S.W.2d 644, 647 (Tex. Civ. App.—Galveston 1939, writ diss'd). Another court also found that issuance of an election certification is a ministerial duty and a mere matter of form. *Orth v. Benavides*, 125 S.W.2d 1081 (Tex. Civ. App.—San Antonio 1939, writ diss'd).

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The purpose of Sections 16.01 and 16.12 of the Texas Racing Act is to require confirmation that a vote to authorize pari-mutuel wagering actually occurred prior to the Commission beginning the licensing process. There is no question that an election occurred and the voters of Webb County voted to legalize pari-mutuel wagering in their county prior to the Commission beginning its licensing process.

Clearly, Hidalgo County has certified the election results to the Secretary of State's office prior to the Commission accepting a license application, and thus are in full compliance with Section 16.01 of the Texas Racing Act. The only question with regards to Hidalgo County is whether Section 16.12 of the Texas Racing Act is mandatory or merely directory in nature.

The Texas Racing Commission respectfully requests clarification of the Texas Racing Act in order to determine if the Commission has jurisdiction over the pending license applications, and the jurisdiction to accept any applications for a racetrack license in Hidalgo County. Due to the pending nature of the license applications the Commission would request an expedited opinion.

Thank you for your attention to this request. If you or your staff require any additional information, please do not hesitate to contact me or my executive staff.

Very truly yours,



R. Dyke Rogers  
Chairman of the  
Texas Racing Commission  
(512) 833-6699

Enclosures

cc: Ann McGeehan, Elections Division, Secretary of State  
Oscar Villarreal, Interim Webb County Elections Administrator  
Rex VanMiddlesworth, Andrews & Kurth  
Jamie McNally, Clark, Thomas & Winters  
Bill Moltz, Jenkins & Gilchrist

OFFICIAL BALLOT  
(BOLETA OFICIAL)GENERAL ELECTION  
(ELECCION GENERAL)

(Ciudad de)  
WEBB COUNTY, TEXAS

## INSTRUCTION NOTE:

Vote for the candidate of your choice in each race by darkening in the oval provided to the left of the name of that candidate. You may cast a straight-party vote (that is, cast a vote for all the nominees of one party) by darkening in the oval provided to the left of the name of that party. If you cast a straight-party vote for all the nominees of one party and also mark a vote for an opponent of one of that party's nominees, your vote for the opponent will be counted as well as your vote for all the other nominees of the party for which the straight-party vote was cast. You may vote for a write-in candidate by writing in the name of the candidate on the line provided and darkening in the oval provided to the left of the line. Use only the marker provided.

## (NOTA DE INSTRUCCION)

Vote por el candidato de su preferencia en cada carrera marcando completamente el espacio ovalado a la izquierda del nombre de ese candidato. Usted puede votar por todos los candidatos de un solo partido político (es decir, votar por todos los candidatos nombrados del mismo partido político) marcando completamente el espacio ovalado a la izquierda del nombre de dicho partido político. Si usted vota por un solo partido político ("straight-party") y también vota por el contrario de uno de los candidatos de este partido político, se contará su voto por el contrario tanto como su voto por todos los demás candidatos del mismo partido de su preferencia. Usted podrá votar por un candidato escrito marcando el nombre del candidato en la línea provista y marcando completamente el espacio ovalado a la izquierda de la línea. Utilice solo el marcador provisto.

Straight Party  
(Partido Contador)

- ☐ Republican (REP)  
(Republicano)
- ☐ Democratic (DEM)  
(Demócrata)
- ☐ Libertarian (LIB)  
(Libertariano)
- ☐ Green (GRN)  
(Verde)

President and Vice President  
(Presidente y Vice Presidente)

- ☐ George W. Bush / Dick Cheney (REP)
- ☐ Al Gore / Joe Lieberman (DEM)
- ☐ Harry Browne / Art Olivier (LIB)
- ☐ Ralph Nader / Winona LaDuke (GRN)
- ☐ Pat Buchanan / Ezola Foster (INO)

Write-in Name (Escriba)

United States Senator  
(Senador de los Estados Unidos)

- ☐ Kay Bailey Hutchison (REP)
- ☐ Gene Kelly (DEM)
- ☐ Mary J. Ruvert (LIB)
- ☐ Douglas S. Sandoz (GRN)

NOVEMBER 7, 2000

United States Representative, District 23  
(Representante de los Estados Unidos,  
Distrito Núm. 23)

- ☐ Henry Bonilla (REP)
- ☐ Isidro Garza, Jr. (DEM)
- ☐ Jeffrey C. Hunt (LIB)

Railroad Commissioner  
(Comisionado de Ferrocarriles)

- ☐ Charles R. Matthews (REP)
- ☐ Carolyn Fields (LIB)
- ☐ Gary Dugger (GRN)

Railroad Commissioner, Unexpired Term  
(Comisionado de Ferrocarriles,  
Duración Restante del Cargo)

- ☐ Michael L. Williams (REP)
- ☐ Anthony Garcia (LIB)
- ☐ Charles L. Maun (GRN)

Justice, Supreme Court, Place 1  
(Juez, Corte Suprema, Lugar Núm. 1)

- ☐ Nathan Hechi (REP)
- ☐ Mike Jacobellis (LIB)
- ☐ Ben G. Levy (GRN)

Justice, Supreme Court, Place 2  
(Juez, Corte Suprema, Lugar Núm. 2)

- ☐ Priscilla Owen (REP)
- ☐ Joe Alfred Izon Jr. (LIB)

Justice, Supreme Court, Place 3  
(Juez, Corte Suprema, Lugar Núm. 3)

- ☐ Al Gonzales (REP)
- ☐ Lance Smith (LIB)

Presiding Judge, Court of Criminal Appeals  
(Juez Presidente, Corte de Apelaciones  
Criminales)

- ☐ Sharon Keller (REP)
- ☐ BW Vance (DEM)

Judge, Court of Criminal Appeals, Place 1  
(Juez, Corte de Apelaciones Criminales,  
Lugar Núm. 1)

- ☐ Charles Holsome (REP)
- ☐ Rile Scott Kinter (LIB)

(7 de noviembre de 2000)

Judge, Court of Criminal Appeals, Place 2  
(Juez, Corte de Apelaciones Criminales,  
Lugar Núm. 2)

- ☐ Barbara Parker Harvey (REP)
- ☐ William R. Barr (DEM)

State Senator, District 21  
(Senador Estatal, Distrito Núm. 21)

- ☐ David Swilt (REP)
- ☐ Judith Zaffrin (DEM)

State Representative, District 42  
(Representante Estatal, Distrito Núm. 42)

- ☐ Henry Guzman (DEM)

Justice, 4th Court of Appeals District,  
Place 1  
(Juez, Corte de Apelaciones Distrito Núm. 4,  
Lugar Núm. 1)

- ☐ Rebecca Simmons (REP)
- ☐ Alma L. Lopez (DEM)

Justice, 4th Court of Appeals District,  
Place 2  
(Juez, Corte de Apelaciones Distrito Núm. 4,  
Lugar Núm. 2)

- ☐ Jay Brandon (REP)
- ☐ Catherine Stone (DEM)

Justice, 4th Court of Appeals District,  
Place 3  
(Juez, Corte de Apelaciones Distrito Núm. 4,  
Lugar Núm. 3)

- ☐ Paul W. Green (REP)
- ☐ Emilio Martinez (DEM)

Justice, 4th Court of Appeals District,  
Place 4  
(Juez, Corte de Apelaciones Distrito Núm. 4,  
Lugar Núm. 4)

- ☐ Sarah B. Danson (REP)
- ☐ Warren Weir (DEM)

Justice, 4th Court of Appeals District,  
Place 5  
(Juez, Corte de Apelaciones Distrito Núm. 4,  
Lugar Núm. 5)

- ☐ Karen Angolini (REP)

District Judge, 341st Judicial District  
(Juez del Distrito, Distrito Judicial Núm. 341)

- ☐ Elma Teresa Salinas Ender (DEM)

D	E	F
<p>District Judge, 408th Judicial District (Jefe del Distrito Judicial Núm. 408)</p> <p><input type="checkbox"/> Teresa Hunter Gubierrez (REP)</p> <p><input type="checkbox"/> Andres "Andy" Reyes (DEM)</p> <hr/> <p>District Attorney, 49th Judicial District (Procurador del Distrito Judicial Núm. 49)</p> <p><input type="checkbox"/> Joe Rubio (DEM)</p> <hr/> <p>County Attorney (Procurador del Condado)</p> <p><input type="checkbox"/> Homero Ramirez (DEM)</p> <hr/> <p>Sheriff (Sherife)</p> <p><input type="checkbox"/> Juan Garza (DEM)</p> <hr/> <p>County Tax Assessor-Collector (Asesor-Collectar de Impuestos del Condado)</p> <p><input type="checkbox"/> Patricia A. Barrera (DEM)</p> <hr/> <p>County Commissioner, Precinct No. 1 (Comisionado del Condado, Precincto Núm. 1)</p> <p><input type="checkbox"/> Garardo "Jerry" Vasquez (DEM)</p> <hr/> <p>Justice of the Peace, Precinct No. 1, Place 1 (Jefe de Paz, Precincto Núm. 1, Lugar Núm. 1)</p> <p><input type="checkbox"/> Hector J. Uendo (DEM)</p> <hr/> <p>Constable, Precinct No. 1 (Condesable, Precincto Núm. 1)</p> <p><input type="checkbox"/> Raul Hinojosa (DEM)</p>	<p><b>SPECIAL ELECTION (ELECCION ESPECIAL)</b></p> <hr/> <p><b>INSTRUCTION NOTE:</b> Darken in the oval provided to the left of the statement indicating the way you desire to vote. Use only the marker provided. <b>NOTA DE INSTRUCCION:</b> Oscurecer en el óvalo provisto a la izquierda de la mesa que indica la manera en que usted desea votar. Solo usar el marcador provisto.</p> <hr/> <p><b>PROPOSITION NO. 1 (PROPOSICION NUM. 1)</b></p> <p>"LEGALIZING PARI-MUTUEL WAGERING ON HORSE RACES IN WEBB COUNTY" ("LEGALIZANDO APUESTAS MUTUAS EN CARRERAS DE CABALLO EN EL CONDADO DE WEBB")</p> <p><input type="checkbox"/> For (A Favor)</p> <p><input type="checkbox"/> Against (En Contra)</p> <hr/> <p><b>PROPOSITION NO. 2 (PROPOSICION NUM. 2)</b></p> <p>"AUTHORIZING PARI-MUTUEL WAGERING ON SIMULCAST RACES IN WEBB COUNTY" ("AUTORIZANDO APUESTAS MUTUAS EN CARRERAS TRANSMITIDAS SIMULTANEAMENTE EN EL CONDADO DE WEBB")</p> <p><input type="checkbox"/> For (A Favor)</p> <p><input type="checkbox"/> Against (En Contra)</p>	<p><b>LAREDO COMMUNITY COLLEGE DISTRICT (Distrito del Colegio Comunitario de Laredo)</b></p> <hr/> <p><b>PROPOSITION (PROPOSICION)</b></p> <p>"A second campus for Laredo Community College and the issuance of \$50,000,000.00 School Building Bonds and the levying of a tax in payment thereof and credit agreement in connection therewith." ("Un segundo terreno para Laredo Community College y la emisión de \$50,000,000.00 de bonos para construcción y edificación escolares, y la imposición de un impuesto en pago de esos, y los convenios de crédito relacionados a esos.")</p> <p><input type="checkbox"/> For (A Favor)</p> <p><input type="checkbox"/> Against (En Contra)</p>

The State of Texas

Received T-DC  
JUN 01 2004

Elections Division  
P.O. Box 12060  
Austin, Texas 78711-2060  
www.sos.state.tx.us



Geoffrey S. Connor  
Secretary of State

Phone: 512-463-5650  
Fax: 512-475-2811  
TTY: 7-1-1  
(800) 252-VOTE (8683)

May 27, 2004

Ms. Nicole Galwardi  
General Counsel  
Texas Racing Commission  
P.O. Box 12080  
Austin, Texas 78711-2080

*VIA FACSIMILE 512.833.6907*

Dear Ms. Galwardi:

This is in response to your recent inquiry concerning whether Webb County filed a certification of election results of a November 7, 2000 countywide election on two pari-mutuel wagering propositions pursuant to Section 16.12 of the Texas Racing Act (Article 179e).

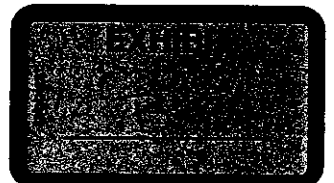
We have searched our local option election records and have found no specific certification pursuant to the Texas Racing Act. However, Webb County did submit precinct by precinct election returns for the November 7, 2000 general election to this office pursuant to Section 67.017 of the Texas Election Code. The precinct election returns clearly reflect that the voters of Webb County passed two pari-mutuel wagering propositions on November 7, 2000.

I hope you find this information helpful. Please do not hesitate to contact me if this office can be of further assistance.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ann McGeehan".

Ann McGeehan  
Director of Elections



COMBINED EV & EO

Statistics	
Number of Registered Voters:	87,878
Number of Voters who Voted:	32,085
Percent of Voters who Voted:	36.51%

Howard Phillips / J. Curtis Frazier  
James "Jen" Wright / Leonard L. Foster  
David McReynolds / Mary Cal Hollis



COMBINED EV & ED

[illegible]

CONGRATULATIONS

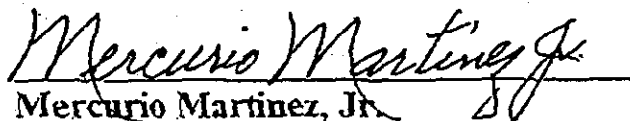
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## CANVASS OF GENERAL ELECTION

I, Mercurio Martinez, County Judge, of Webb County, Texas met with the Commissioners Court sitting as the canvassing board to canvass the General Election of November 7, 2000, on November 14, 2000, at Laredo, Webb County, Texas.

I certify that the figures on the tally sheets (E.R.S. Report) correspond with the figures on the returns in addition to any overseas ballots accepted and tallied under Section 86.007 (d) (3) (A).

Witness my hand this 14th day of November, 2000.

  
Mercurio Martinez, Jr.  
County Judge



The State of Texas }}  
County of Webb }}

### Sworn Affidavit

I, Oscar Villarreal, Interim Elections Administrator, do solemnly swear that the foregoing statement is true and accurate:

In November 2000, I was employed as the Chief Deputy Administrator in the Elections Office by the County of Webb. The Webb County Commissioners Court had ordered a local option election to include two propositions on the November 7, 2000 General Election ballot. These propositions read and the votes cast were as follows:

Prop. #1: "Legalizing Pari-Mutuel Wagering on horse races in Webb County."

For: 18,763  
Against: 8,889

Prop. #2: "Authorizing Pari-Mutuel Wagering on Simulcast Races in Webb County."

For: 17,502  
Against: 9,185

The voters of Webb County passed both propositions by an overwhelming majority.

The Commissioners Court canvassed the election results, which included these two propositions, on November 14, 2000. The "official" election results were then included and filed in the county's election register.

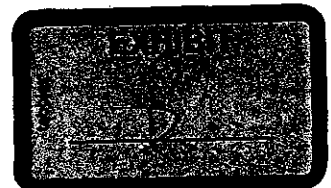
Oscar Villarreal  
Oscar Villarreal

The State of Texas }}  
County of Webb }}

Before me, the undersigned authority, on this day personally appeared Oscar Villarreal known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed. Given under my hand and seal of office this 28<sup>th</sup> day of June, 2004.




Ana Escobedo  
Ana Escobedo, Notary Public  
in and for the State of Texas



**Certification of November 3, 1987 Election, Hidalgo County, Texas**

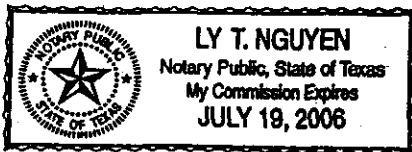
I, Juan D. Salinas, III., County Clerk of Hidalgo County, Texas, do hereby certify the returns of the election held on November 3, 1987 as shown on the attached official canvass statement are true and correct as certified by the Hidalgo County Commissioners Court on November 9, 1987.


  
Signature

August 12, 2004  
Date

Hidalgo  
County

SUBSCRIBED AND SWORN TO before me, the undersigned authority, on this  
12<sup>th</sup> day of August, 2004, to which witness my hand and  
official seal.



  
Notary Public, State of Texas  
Printed Name: LY T. NGUYEN  
Commission expires: 7-19-06

SECRETARY OF STATE  
ELECTIONS DIVISION

2004 AUG 13 AM 8:35

RECEIVED

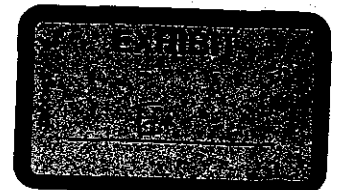


EXHIBIT B

VOL 093 PAGE 583



OFFICE OF  
WILLIAM (BILLY) LEO  
COUNTY CLERK  
HIDALGO COUNTY

TO: J. Edgar Ruiz  
County Judge

FROM: William R. Leo *WRL*  
County Clerk

DATE: November 4, 1987

RE: Canvass Election Returns

I am hereby requesting that the following item be placed on the Commissioners' Court Agenda for Monday, November 9, 1987.

CANVASS ELECTION RETURNS FOR THE  
CONSTITUTIONAL AMENDMENT ELECTION

If you may have any questions, please do not hesitate in contacting me.

WRL;cw

DATE 7/26/04

A true copy I certify

JUAN D. SALINAS III

County Clerk, Hidalgo County, Texas

By 

Deputy

512/383-2751, EXT. 140 • P.O. BOX 56 • EDINBURG, TEXAS 78540

County Clerk

Hidalgo County, Texas

## EXHIBIT B

TOTAL VOTES CAST 17,905

*Albarran* *Perennial App. 1408*  
*McNeil* *129*

HIDALGO

County

Official Canvass Statement  
 Office of the Secretary of State  
 1987 Constitutional Amendment and Referendum Election

## Proposition Number 1 Surety of grain warehouse fund

For	8486
Against	6660

## Proposition Number 2 Rural fire prevention districts

For	7405
Against	7820

## Proposition Number 3 Limit school tax increases on homestead

For	12,311
Against	3460

## Proposition Number 4 Encourage economic development

For	8048
Against	6943

## Proposition Number 5 Aiding turnpikes, toll road, etc. by bonds

For	6568
Against	7877

## Proposition Number 6 Development of Texas products and businesses

For	7436
Against	7508

## Proposition Number 7 Bonds to finance local public facilities

For	6800
Against	7953

## Proposition Number 8 Bonds-projects, corrections institutions, mental facilities

For	9710
Against	6074

DATE

*7/26/09*  
 A true copy I certify  
 JUAN D. SALINAS III

County Clerk, Hidalgo County, Texas

# EXHIBIT B 1

VOL 093 PAGE 585

Proposition Number 9 Member of legislature to serve in different state office

For 6876  
Against 7438

Proposition Number 10 Personal property not held or used for production of income

For 7216  
Against 6948

Proposition Number 11 Property located in state for only a temporary period

For 6698  
Against 7193

Proposition Number 12 Community property with right of survivorship

For 11,302  
Against 3613

Proposition Number 13 Creation of special districts to provide emergency services

For 8703  
Against 5589

Proposition Number 14 Limited right to appeal in criminal cases

For 9111  
Against 5204

Proposition Number 15 Abolition of office of county treasurer in certain counties

For 8115  
Against 4948

Proposition Number 16 Justice precincts contain more than one court

For 8092  
Against 5977

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DATE 7/26/04  
A true copy I certify  
JUAN D. SALINAS III  
County Clerk, Hidalgo County, Texas



## EXHIBIT B

Proposition Number 17 Defining governmental and proprietary functions

For 7239

Against 5831

Proposition Number 18 Creation, operation, financing of jail districts

For 6772

Against 6185

Proposition Number 19 Superconducting super collider research facility

For 6044

Against 6992

Proposition Number 20 Tax relief for certain offshore drilling equipment

For 6213

Against 6099

Proposition Number 21 Include speaker or appointee in membership of agency

For 5789

Against 7077

Proposition Number 22 Limiting the authority of a governor to fill vacancies

For 7241

Against 6027

Proposition Number 23 Issuance of an additional \$400 million of water bonds

For 7050

Against 5921

Proposition Number 24 County to perform work without compensation

For 6248

Against 6642

DATE

A true copy I certify  
JUAN D. SALINAS III

County Clerk, Hidalgo County, Texas

By

Deputy

A true copy I certify  
JUAN D. SALINAS III

# EXHIBIT B

VOL 093 PAGE 587

Proposition Number 25 Permit Amarillo Hospital District to serve certain residents

For

6723

Against

5072

## Referendum Propositions

Referendum Number 1 Appointment of State Board of Education

For

7085

Against

7520

Referendum Number 2 Pari-mutuel wagering

For

10,110

Against

5393

## LOCAL OPTION-Horse Racing

FOR

9453

AGAINST

5334

I, William R. Leo, County Clerk/Elections Administrator do hereby certify the returns as shown on the official canvass statement true and correct as certified by the Commissioners Court on

November 2, 1987

(date)

Signature

November 2, 1987  
Date

(seal)

Hidalgo  
County

37AD

FIRE DISTRICT # 2

For

Against

FIRE DISTRICT # 3

For

Against

Witnessed by  
JUAN D. SALINAS III  
County Clerk, Hidalgo County, Texas

82

Witnessed by

382  
100

DATE

7/26/04

A true copy I certify

JUAN D. SALINAS III

County Clerk, Hidalgo County, Texas

By [Signature] Dep