

1985 APR 16 AM 9:15

HOUSE OF REPRESENTATIVES

FILED APR 4 1985

I certify that the attached is a true and correct copy of HB 2418 which was filed of record on APR 4 1985 and referred to the committee on:

Nat. Res.

Betty Manning
Chief Clerk of the House

By *Burnett*

H. B. No. 2418

A BILL TO BE ENTITLED

AN ACT

1 relating to the creation, administration, powers, duties,
2 operation, and financing of the Coke County Underground Water
3 Conservation District.
4

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. CREATION OF DISTRICT. Under Article XVI, Section
7 59, of the Texas Constitution, the Coke County Underground Water
8 Conservation District is created as a governmental agency and body
9 politic and corporate, authorized to exercise the powers essential
10 to the accomplishment of the purposes of that constitutional
11 provision and to exercise the rights, powers, duties, privileges,
12 and functions provided by this Act, Chapters 51 and 52, Water Code,
13 and other laws of this state relating to underground water
14 conservation districts.

15 SECTION 2. DEFINITION. In this Act, "district" means the
16 Coke County Underground Water Conservation District.

17 SECTION 3. DISTRICT BOUNDARY. The district includes all of
18 the area in Coke County, Texas, and the boundaries of the district
19 are coterminous with the boundaries of that county.

20 SECTION 4. PURPOSE OF DISTRICT. The district is created to
21 provide for the conservation, preservation, protection, recharge,
22 and prevention of waste of the underground water reservoirs located
23 under district land consistent with the objectives of Article XVI,
24 Section 59, of the Texas Constitution and Chapters 51 and 52, Water

1 Code.

2 SECTION 5. POWERS AND DUTIES OF DISTRICT. (a) The district
3 has the powers, rights, privileges, responsibilities, and functions
4 provided by Chapters 51 and 52, Water Code, and the authority
5 provided by this section.

6 (b) The board of directors may adopt and enforce rules to
7 provide for conserving, preserving, protecting, recharging, and
8 preventing waste of the water from the underground water
9 reservoirs. Those rules may be enforced by injunction, mandatory
10 injunction, or other appropriate remedies in a court of competent
11 jurisdiction.

12 (c) The board of directors may require permits for the
13 drilling, equipping, and completion of wells in the underground
14 water reservoir and issue permits subject to terms and provisions
15 relating to drilling, equipping, and completion of wells that are
16 necessary to prevent waste or conserve, preserve, and protect
17 underground water.

18 (d) The board of directors may provide for the spacing of
19 wells producing from the underground water reservoirs and regulate
20 the production from those wells to minimize as far as practicable
21 the drawdown of the water table or the reduction of the artesian
22 pressure. The owner of the land, his heirs, assigns, and lessees
23 may not be denied a permit to drill a well on the land and the
24 right to produce underground water from that well subject to rules
25 adopted under this Act.

26 (e) The board of directors may require records to be kept
27 and reports to be made of the drilling, equipping, and completion

1 of wells into any underground water reservoir and the taking and
2 use of underground water from those reservoirs and may require
3 accurate driller's logs to be kept of those wells and a copy of
4 those logs and of any electric logs that may be made of the wells
5 to be filed with the district.

6 (f) The district may acquire land for the erection of dams
7 and for the purpose of draining lakes, depressions, and draws and
8 may construct dams, drain lakes, depressions, draws, and creeks and
9 install pumps and other equipment necessary to recharge an
10 underground water reservoir.

11 (g) The district may have registered professional engineers
12 make surveys of the underground water of any underground water
13 reservoir and of the facilities for the development, production,
14 and use of that underground water and determine the quantity of the
15 underground water available for production and use and the
16 improvements, developments, and recharges needed for those
17 underground water reservoirs.

18 (h) The district may develop comprehensive plans for the
19 most efficient use of the underground water of any underground
20 water reservoir and for the control and prevention of waste of that
21 underground water. The plans shall specify in the amount of detail
22 that may be practicable any act, procedure, performance, and
23 avoidance necessary to effect those plans.

24 (i) The district may carry out research projects, develop
25 information, and determine limitations, if any, that should be made
26 on the withdrawal of underground water from any underground water
27 reservoir.

1 (j) The district may collect and preserve information
2 regarding the use of the underground water and the practicability
3 of recharge of any underground water reservoir.

4 (k) The board of directors may publish plans and
5 information, bring them to the notice and attention of the users of
6 the underground water within the district, and encourage their
7 adoption and execution.

8 (1) The district may contract for, sell, and distribute
9 water from a water import authority or other agency.

10 SECTION 6. ADMINISTRATIVE PROCEDURES. Except as otherwise
11 provided by this Act, the administrative and procedural provisions
12 of Chapters 51 and 52, Water Code, apply to the district.

13 SECTION 7. INITIAL DIRECTORS. (a) The members of the
14 initial board of directors are:

- 15 (1) Arch Mathers;
- 16 (2) Otis Smith;
- 17 (3) Horace Scott;
- 18 (4) Billy Tounget; and
- 19 (5) Royce Lee, at large and chairman.

20 (b) The initial members of the board shall serve until their
21 successors have been elected and have qualified.

22 SECTION 8. CONFIRMATION OF DISTRICT. (a) The legislature
23 finds that land included within the boundaries of the district will
24 be benefited and that the district is created to serve a public use
25 and benefit.

26 (b) Not sooner than the 120th day and not later than the
27 180th day after the effective date of this Act and without the

1 necessity of having a petition presented, the initial board of
2 directors shall call an election to be held in the district for the
3 purpose of confirming the organization of the district. The
4 election may not be held sooner than the 30th day nor later than
5 the 120th day after the date on which the election is ordered.

6 (c) The propositions to be voted on shall include the
7 question of whether or not the establishment of the district is
8 confirmed, the question of levying, assessing, and collecting an ad
9 valorem tax throughout the district, and any other propositions
10 required by this Act or by the initial board of directors.

11 (d) The ballot also shall provide for election of the board
12 of directors.

13 (e) Only qualified electors who reside in the district are
14 qualified to vote in the election.

15 (f) Notice of the election shall be published at least twice
16 in a newspaper of general circulation in the district, at least 30
17 days and at least 10 days, respectively, before the date of the
18 election.

19 (g) Returns of the election shall be made to the initial
20 board of directors of the district and the directors shall canvass
21 those returns and declare the results of the election.

22 (h) Hearings may not be held to determine whether or not any
23 land included within the boundaries of the district should be
24 excluded.

25 SECTION 9. TAX AND BOND PROVISIONS. The tax and bond
26 provisions of Chapters 51 and 52, Water Code, apply to the
27 district.

1 SECTION 10. DISSOLUTION OF DISTRICT. Chapter 52, Water
2 Code, applies to dissolution of the district.

3 SECTION 11. ANNEXATION. Additional territory may be added
4 to the district under Subchapter O, Chapter 51, Water Code. The
5 directors shall determine to which precinct the annexed land shall
6 be added for purposes of election of directors.

7 SECTION 12. DIRECTOR ELECTIONS. (a) The district shall be
8 governed by a board of directors that consists of five directors.

9 (b) To be qualified for election as a director, a person
10 must be a resident of the district and be at least 21 years of age.

11 (c) One director shall be elected from each county
12 commissioners precinct in Coke County and one director shall be
13 elected at large.

14 (d) To be qualified for election as a director from a
15 precinct, a person must reside in the precinct from which he is
16 elected.

17 (e) The three directors receiving the highest number of
18 votes at the confirmation election shall serve as directors until
19 the three persons elected at the second regular election of
20 directors have qualified, and the other two directors shall serve
21 until the two persons elected at the first regular election of
22 directors have qualified. After the second election of directors,
23 an election shall be held each year on the first Saturday in April
24 with two directors elected one year and three the next year in
25 continuing sequence.

26 SECTION 13. STATUTORY INTERPRETATION. If there is a
27 conflict between this Act and Chapter 51 or 52, Water Code, this

1 Act controls. If there is a conflict between Chapter 51, Water
2 Code, and Chapter 52, Water Code, Chapter 52 controls. If there is
3 a conflict between this Act and any other laws, this Act controls.

4 SECTION 14. EMERGENCY. The importance of this legislation
5 and the crowded condition of the calendars in both houses create an
6 emergency and an imperative public necessity that the
7 constitutional rule requiring bills to be read on three several
8 days in each house be suspended, and this rule is hereby suspended,
9 and that this Act take effect and be in force from and after its
10 passage, and it is so enacted.

Affidavit of Publication

State of Texas
County of Coke

The undersigned, ^{Hal Spain} ~~Pat O'Leary~~, publisher of The ~~Observer~~ ^{Enterprise} ~~Robert Lee Observer~~, a legal newspaper published weekly at Robert Lee, Coke County, Texas, hereby certifies that the attached

was published in said newspaper for .. one .. weeks,
commencing .. Feb. 22 .., 19. 85 ..,
and ending .., 19.....

The publisher further certifies that the ~~Robert Lee~~ ^{Observer} ~~Observer~~ ^{Enterprise} has been published regularly and consecutively during the prior twelve months.

(Signed) Hal Spain

Subscribed and sworn before me this 6
day of March, 19. 85 ..

..... Kay Styles

Publication Fee \$..... 4.20

NOTICE OF MEETING
There will be a public meeting to discuss the organization of a Water District for Coke County in the District Court Room of Coke County, Monday, Feb. 28, 1985 at 7 p.m. 27-1tc



LETTER OF TRANSMITTAL
HOUSE OF REPRESENTATIVES
STATE OF TEXAS

TO: The Honorable Mark White
Governor of Texas

SUBJECT: A Bill Relating to a Conservation and Reclamation District

This is to transmit to you and the Texas Department of Water Resources copies of House Bill No. 2418, a bill relating to a conservation and reclamation district, and copies of the notice of intention to introduce the bill. One copy is for your files and once for you to forward to the Texas Department of Water Resources, under Section 59(d), Article XVI, Constitution of the State of Texas.

APR 4 1985

Date transmitted to
Governor's Office


Betty Murray, Chief Clerk
House of Representatives

TO: Texas Department of Water Resources

SUBJECT: A Bill Relating to a Conservation and Reclamation District

This is to forward to you a copy of House Bill No. _____, a bill relating to a conservation and reclamation district, and a copy of the notice of intention to introduce the bill.

May 22, 1985
Date transmitted to
Texas Department of Water Resources


Mark White
Governor

TO: The Honorable Gibson D. "Gib" Lewis
Speaker of the House

The Honorable W.P. Hobby
President of the Senate

The Honorable Mark White
Governor of Texas

SUBJECT: A Bill Relating to a Conservation and Reclamation District

Attached are the recommendations of the Texas Department of Water Resources on House Bill No. 2418, in compliance with Section 59(d), Article XVI, Constitution of the State of Texas.


Charles Nemir
Executive Director

HOUSE COMMITTEE REPORT

1st. Printing

By Burnett

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27 180th day after the effective date of this Act and without the

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5 the 120th day after the date on which the election is ordered.

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21 those returns and declare the results of the election.

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8 governed by a board of directors that consists of five directors.

9 (b) To be qualified for election as a director, a person
10 must be a resident of the district and be at least 21 years of age.

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12 commissioners precinct in Coke County and one director shall be
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15 precinct, a person must reside in the precinct from which he is
16 elected.

17 (e) The three directors receiving the highest number of
18 votes at the confirmation election shall serve as directors until
19 the three persons elected at the second regular election of
20 directors have qualified, and the other two directors shall serve
21 until the two persons elected at the first regular election of
22 directors have qualified. After the second election of directors,
23 an election shall be held each year on the first Saturday in April
24 with two directors elected one year and three the next year in
25 continuing sequence.

26 SECTION 13. STATUTORY INTERPRETATION. If there is a
27 conflict between this Act and Chapter 51 or 52, Water Code, this

1 Act controls. If there is a conflict between Chapter 51, Water
2 Code, and Chapter 52, Water Code, Chapter 52 controls. If there is
3 a conflict between this Act and any other laws, this Act controls.

4 SECTION 14. EMERGENCY. The importance of this legislation
5 and the crowded condition of the calendars in both houses create an
6 emergency and an imperative public necessity that the
7 constitutional rule requiring bills to be read on three several
8 days in each house be suspended, and this rule is hereby suspended,
9 and that this Act take effect and be in force from and after its
10 passage, and it is so enacted.

BILL ANALYSIS

Background Information

It is believed that an underground water conservation district should be formed in Coke County.

Purpose of the Bill

Creates the Coke County Underground Water Conservation District.

Section by Section Analysis

Section 1: Provides for the creation of the Coke County Underground Water Conservation District.

Section 2: Defines "district" to mean Coke County Underground Water Conservation District.

Section 3: Provides that the territory within the district shall be coterminous with the territory of Coke County.

Section 4: Provides that the purpose of the district is to conserve, preserve, protect, recharge, and prevent waste of underground water reservoirs located within the district.

Section 5: Provides for the powers and duties of the district including:

- (a) as provided by Chapters 51 and 52, Water Code and the authority provided by this section;
- (b) the authority to make and enforce rules;
- (c) requiring permits for the drilling, equipping, and completion of wells within the district and to issue permits that include terms and provisions for said activities that are necessary to prevent waste or conserve, preserve and protect underground water;
- (d) regulating the spacing of wells and regulating the production from the wells; provided that the owner of the land, his heirs, assigns, and lessees are not denied a permit to drill a well on their land and the right to produce water from that well subject to the rules adopted under the act;
- (e) allows drilling records to be kept and reports to be made of the drilling, equipping, and completion of wells and the taking and use of underground water and further allows accurate driller logs be kept of the wells and to be filed with the district;
- (f) authorizes the district to acquire land for the erection of dams and draining lakes, draws and depressions; to construct dams, to drain lakes, depressions, draws and creeks; and install pumps and other equipment necessary to recharge any underground water reservoirs in district
- (g) to have surveys made of the underground water and the facilities for the development, production, and use of water and to determine the quantity of underground water available for production and the improvements, developments and recharges needed for underground water reservoirs;
- (h) to develop comprehensive plans for the most efficient use of underground water and for the control and prevention of waste of that groundwater;

- (i) to carry out research projects, develop information and determine limitations that should be made on the withdrawal of underground water;
- (j) to collect and preserve information regarding the use of underground water and the practicability of recharge of any underground water reservoir;
- (k) to publish plans and information and bring them to the attention of the users of underground water in the district and to encourage their adoption and execution; and
- (l) to contract for, sell, and distribute water from a water import authority or other agency.

Section 6: Provides that the administrative and procedural provisions of Chapter 51 and 52 shall apply to the district.

Section 7: Provides the five initial directors and that they serve until their qualified successors have been elected.

Section 8: Requires a confirmation election and provides for election of directors of the district.

Section 9: Provides that the tax and bond provisions of Chapter 51 and 52 of the Water Code apply to the district.

Section 10: Provides that Chapter 52, Water Code, applies with respect to the dissolution of the district.

Section 11: Provides that additional territory may be added to the district pursuant to the annexation provisions found in Chapter 51.

Section 12: Provides for election of five directors, with one director to be elected at large and the other four directors to be elected from areas coterminous with the county commissioner precincts. Further provides for staggering of terms.

Section 13: Provides that to the extent of any conflict between the laws found in Chapter 51 and 52, Water Code, the provisions of Chapter 52 will control, and to the extent the provisions of this Act conflict with either one of those chapters, the provisions of the Act will prevail.

Section 14: Emergency Clause.

Rulemaking Authority

It is the committee's opinion that this bill does not delegate rulemaking authority to a state officer, agency, department, or institution.

Summary of Committee Action

The Committee on Natural Resources heard HB 2418 in public hearing on April 23, 1985. No one present testified for or against the bill. It was moved that HB 2418 be reported back to the House with the recommendation that it do pass, without amendments and that it be placed on the local calendar. The motion prevailed with a vote of 7 ayes, no nays, and 2 absent.

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE

April 19, 1985

Honorable Tom Craddick, Chair
Committee on National Resources
House of Representatives
Austin, Texas

In Re: House Bill No. 2418
By: Burnett

Sir:

In response to your request for a Fiscal Note on House Bill No. 2418 (relating to the creation, administration, powers, duties, operation, and financing of the Coke County Underground Water District) this office has determined the following:

No fiscal implication to the State is anticipated.

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House as to its probable fiscal impact on units of local government.


Jim Oliver
Director

Source: LBB Staff: JO, JH, AL, LV



State of Texas
House of Representatives
Austin

RICHARD J. "DICK" BURNETT
DISTRICT 66
STERLING, COKE,
TOM GREEN, MITCHELL
COUNTIES

P.O. BOX 2910
AUSTIN, TEXAS 78769
512/475-6229

P.O. BOX 5447
SAN ANGELO, TEXAS 76902
915/655-1942

April 22, 1985

The Honorable Tom Craddick
Chairman, Natural Resources Commisttee
House of Representatives
Austin, Texas

RE: Author's Fiscal Statement, House Bill 2418, (Relating to the creation, administration, powers, duties, operation, and financing of the Coke County Underground Water Conservation District).

Sir:

In response to your recent request for an Author's Fiscal Statement on House Bill 2418, we have determined the following:

1. COST TO STATE GOVERNMENT: Absolutely no fiscal implication is anticipated.
2. COST TO COKE COUNTY GOVERNMENT: Funded through Ad Valorem Tax revenues and permits from the Coke County Underground Water Conservation District:
 - A. Cost of confirming election
 - B. Per diem expenses of Board
 - C. Compensation for any professional assistance required; (Attorneys and Engineers)
 - D. Administrative expenses, if any; (general manager, additional personnel, operating expenses, etc...)
3. FISCAL YEAR PROJECTIONS:
 - 1986...\$1,500-election cost; \$1,500-board per diem; \$5,000 professional assistance; \$2,500-administrative expense. TOTAL: \$10,500
 - 1987...\$1,500-board per diem; \$5,000-professional assistance; \$16,000-administrative expense
TOTAL: \$22,500

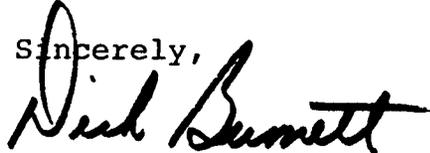
1988...\$1,500-board per diem; \$5,000-professional
assistance; \$17,000-administrative expense
TOTAL: \$23,500

1989...\$1,500-board per diem; \$5,000-professional
assistance; \$18,000-administrative expense
TOTAL: \$24,500

1990...\$1,500-board per diem; \$5,000-professional
assistance; \$19,000-administrative expense
TOTAL: \$25,500

Please let me know if I can provide further assistance to you.

Sincerely,



Dick Burnett

DB/kw

6

HOUSE ENGROSSMENT

1995 MAY -2 PM 7:00

HOUSE OF REPRESENTATIVES

By Burnett

H.B. No. 2418

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21 the drawdown of the water table or the reduction of the artesian
22 pressure. The owner of the land, his heirs, assigns, and lessees
23 may not be denied a permit to drill a well on the land and the
24 right to produce underground water from that well subject to rules
25 adopted under this Act.

26 (e) The board of directors may require records to be kept
27 and reports to be made of the drilling, equipping, and completion

1 of wells into any underground water reservoir and the taking and
2 use of underground water from those reservoirs and may require
3 accurate driller's logs to be kept of those wells and a copy of
4 those logs and of any electric logs that may be made of the wells
5 to be filed with the district.

6 (f) The district may acquire land for the erection of dams
7 and for the purpose of draining lakes, depressions, and draws and
8 may construct dams, drain lakes, depressions, draws, and creeks and
9 install pumps and other equipment necessary to recharge an
10 underground water reservoir.

11 (g) The district may have registered professional engineers
12 make surveys of the underground water of any underground water
13 reservoir and of the facilities for the development, production,
14 and use of that underground water and determine the quantity of the
15 underground water available for production and use and the
16 improvements, developments, and recharges needed for those
17 underground water reservoirs.

18 (h) The district may develop comprehensive plans for the
19 most efficient use of the underground water of any underground
20 water reservoir and for the control and prevention of waste of that
21 underground water. The plans shall specify in the amount of detail
22 that may be practicable any act, procedure, performance, and
23 avoidance necessary to effect those plans.

24 (i) The district may carry out research projects, develop
25 information, and determine limitations, if any, that should be made
26 on the withdrawal of underground water from any underground water
27 reservoir.

1 (j) The district may collect and preserve information
2 regarding the use of the underground water and the practicability
3 of recharge of any underground water reservoir.

4 (k) The board of directors may publish plans and
5 information, bring them to the notice and attention of the users of
6 the underground water within the district, and encourage their
7 adoption and execution.

8 (1) The district may contract for, sell, and distribute
9 water from a water import authority or other agency.

10 SECTION 6. ADMINISTRATIVE PROCEDURES. Except as otherwise
11 provided by this Act, the administrative and procedural provisions
12 of Chapters 51 and 52, Water Code, apply to the district.

13 SECTION 7. INITIAL DIRECTORS. (a) The members of the
14 initial board of directors are:

- 15 (1) Arch Mathers;
16 (2) Otis Smith;
17 (3) Horace Scott;
18 (4) Billy Tounget; and
19 (5) Royce Lee, at large and chairman.

20 (b) The initial members of the board shall serve until their
21 successors have been elected and have qualified.

22 SECTION 8. CONFIRMATION OF DISTRICT. (a) The legislature
23 finds that land included within the boundaries of the district will
24 be benefited and that the district is created to serve a public use
25 and benefit.

26 (b) Not sooner than the 120th day and not later than the
27 180th day after the effective date of this Act and without the

1 necessity of having a petition presented, the initial board of
2 directors shall call an election to be held in the district for the
3 purpose of confirming the organization of the district. The
4 election may not be held sooner than the 30th day nor later than
5 the 120th day after the date on which the election is ordered.

6 (c) The propositions to be voted on shall include the
7 question of whether or not the establishment of the district is
8 confirmed, the question of levying, assessing, and collecting an ad
9 valorem tax throughout the district, and any other propositions
10 required by this Act or by the initial board of directors.

11 (d) The ballot also shall provide for election of the board
12 of directors.

13 (e) Only qualified electors who reside in the district are
14 qualified to vote in the election.

15 (f) Notice of the election shall be published at least twice
16 in a newspaper of general circulation in the district, at least 30
17 days and at least 10 days, respectively, before the date of the
18 election.

19 (g) Returns of the election shall be made to the initial
20 board of directors of the district and the directors shall canvass
21 those returns and declare the results of the election.

22 (h) Hearings may not be held to determine whether or not any
23 land included within the boundaries of the district should be
24 excluded.

25 SECTION 9. TAX AND BOND PROVISIONS. The tax and bond
26 provisions of Chapters 51 and 52, Water Code, apply to the
27 district.

1 SECTION 10. DISSOLUTION OF DISTRICT. Chapter 52, Water
2 Code, applies to dissolution of the district.

3 SECTION 11. ANNEXATION. Additional territory may be added
4 to the district under Subchapter O, Chapter 51, Water Code. The
5 directors shall determine to which precinct the annexed land shall
6 be added for purposes of election of directors.

7 SECTION 12. DIRECTOR ELECTIONS. (a) The district shall be
8 governed by a board of directors that consists of five directors.

9 (b) To be qualified for election as a director, a person
10 must be a resident of the district and be at least 21 years of age.

11 (c) One director shall be elected from each county
12 commissioners precinct in Coke County and one director shall be
13 elected at large.

14 (d) To be qualified for election as a director from a
15 precinct, a person must reside in the precinct from which he is
16 elected.

17 (e) The three directors receiving the highest number of
18 votes at the confirmation election shall serve as directors until
19 the three persons elected at the second regular election of
20 directors have qualified, and the other two directors shall serve
21 until the two persons elected at the first regular election of
22 directors have qualified. After the second election of directors,
23 an election shall be held each year on the first Saturday in April
24 with two directors elected one year and three the next year in
25 continuing sequence.

26 SECTION 13. STATUTORY INTERPRETATION. If there is a
27 conflict between this Act and Chapter 51 or 52, Water Code, this

1 Act controls. If there is a conflict between Chapter 51, Water
2 Code, and Chapter 52, Water Code, Chapter 52 controls. If there is
3 a conflict between this Act and any other laws, this Act controls.

4 SECTION 14. EMERGENCY. The importance of this legislation
5 and the crowded condition of the calendars in both houses create an
6 emergency and an imperative public necessity that the
7 constitutional rule requiring bills to be read on three several
8 days in each house be suspended, and this rule is hereby suspended,
9 and that this Act take effect and be in force from and after its
10 passage, and it is so enacted.

1 By: Burnett (Senate Sponsor - Sims) H.B. No. 2418
2 (In the Senate - Received from the House May 6, 1985;
3 May 6, 1985, read first time and referred to Committee on Natural
4 Resources; May 15, 1985, reported favorably; May 15, 1985, sent to
5 printer.)

6 A BILL TO BE ENTITLED
7 AN ACT

8 relating to the creation, administration, powers, duties,
9 operation, and financing of the Coke County Underground Water
10 Conservation District.

11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

12 SECTION 1. CREATION OF DISTRICT. Under Article XVI, Section
13 59, of the Texas Constitution, the Coke County Underground Water
14 Conservation District is created as a governmental agency and body
15 politic and corporate, authorized to exercise the powers essential
16 to the accomplishment of the purposes of that constitutional
17 provision and to exercise the rights, powers, duties, privileges,
18 and functions provided by this Act, Chapters 51 and 52, Water Code,
19 and other laws of this state relating to underground water
20 conservation districts.

21 SECTION 2. DEFINITION. In this Act, "district" means the
22 Coke County Underground Water Conservation District.

23 SECTION 3. DISTRICT BOUNDARY. The district includes all of
24 the area in Coke County, Texas, and the boundaries of the district
25 are coterminous with the boundaries of that county.

26 SECTION 4. PURPOSE OF DISTRICT. The district is created to
27 provide for the conservation, preservation, protection, recharge,
28 and prevention of waste of the underground water reservoirs located
29 under district land consistent with the objectives of Article XVI,
30 Section 59, of the Texas Constitution and Chapters 51 and 52, Water
31 Code.

32 SECTION 5. POWERS AND DUTIES OF DISTRICT. (a) The district
33 has the powers, rights, privileges, responsibilities, and functions
34 provided by Chapters 51 and 52, Water Code, and the authority
35 provided by this section.

36 (b) The board of directors may adopt and enforce rules to
37 provide for conserving, preserving, protecting, recharging, and
38 preventing waste of the water from the underground water
39 reservoirs. Those rules may be enforced by injunction, mandatory
40 injunction, or other appropriate remedies in a court of competent
41 jurisdiction.

42 (c) The board of directors may require permits for the
43 drilling, equipping, and completion of wells in the underground
44 water reservoir and issue permits subject to terms and provisions
45 relating to drilling, equipping, and completion of wells that are
46 necessary to prevent waste or conserve, preserve, and protect
47 underground water.

48 (d) The board of directors may provide for the spacing of
49 wells producing from the underground water reservoirs and regulate
50 the production from those wells to minimize as far as practicable
51 the drawdown of the water table or the reduction of the artesian
52 pressure. The owner of the land, his heirs, assigns, and lessees
53 may not be denied a permit to drill a well on the land and the
54 right to produce underground water from that well subject to rules
55 adopted under this Act.

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57 and reports to be made of the drilling, equipping, and completion
58 of wells into any underground water reservoir and the taking and
59 use of underground water from those reservoirs and may require
60 accurate driller's logs to be kept of those wells and a copy of
61 those logs and of any electric logs that may be made of the wells
62 to be filed with the district.

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64 and for the purpose of draining lakes, depressions, and draws and
65 may construct dams, drain lakes, depressions, draws, and creeks and
66 install pumps and other equipment necessary to recharge an
67 underground water reservoir.

68 (g) The district may have registered professional engineers
69 make surveys of the underground water of any underground water

1 reservoir and of the facilities for the development, production,
2 and use of that underground water and determine the quantity of the
3 underground water available for production and use and the
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7 most efficient use of the underground water of any underground
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20 information, bring them to the notice and attention of the users of
21 the underground water within the district, and encourage their
22 adoption and execution.

23 (l) The district may contract for, sell, and distribute
24 water from a water import authority or other agency.

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26 provided by this Act, the administrative and procedural provisions
27 of Chapters 51 and 52, Water Code, apply to the district.

28 SECTION 7. INITIAL DIRECTORS. (a) The members of the
29 initial board of directors are:

- 30 (1) Arch Mathers;
- 31 (2) Otis Smith;
- 32 (3) Horace Scott;
- 33 (4) Billy Tounget; and
- 34 (5) Royce Lee, at large and chairman.

35 (b) The initial members of the board shall serve until their
36 successors have been elected and have qualified.

37 SECTION 8. CONFIRMATION OF DISTRICT. (a) The legislature
38 finds that land included within the boundaries of the district will
39 be benefited and that the district is created to serve a public use
40 and benefit.

41 (b) Not sooner than the 120th day and not later than the
42 180th day after the effective date of this Act and without the
43 necessity of having a petition presented, the initial board of
44 directors shall call an election to be held in the district for the
45 purpose of confirming the organization of the district. The
46 election may not be held sooner than the 30th day nor later than
47 the 120th day after the date on which the election is ordered.

48 (c) The propositions to be voted on shall include the
49 question of whether or not the establishment of the district is
50 confirmed, the question of levying, assessing, and collecting an ad
51 valorem tax throughout the district, and any other propositions
52 required by this Act or by the initial board of directors.

53 (d) The ballot also shall provide for election of the board
54 of directors.

55 (e) Only qualified electors who reside in the district are
56 qualified to vote in the election.

57 (f) Notice of the election shall be published at least twice
58 in a newspaper of general circulation in the district, at least 30
59 days and at least 10 days, respectively, before the date of the
60 election.

61 (g) Returns of the election shall be made to the initial
62 board of directors of the district and the directors shall canvass
63 those returns and declare the results of the election.

64 (h) Hearings may not be held to determine whether or not any
65 land included within the boundaries of the district should be
66 excluded.

67 SECTION 9. TAX AND BOND PROVISIONS. The tax and bond
68 provisions of Chapters 51 and 52, Water Code, apply to the
69 district.

70 SECTION 10. DISSOLUTION OF DISTRICT. Chapter 52, Water

Code, applies to dissolution of the district.

SECTION 11. ANNEXATION. Additional territory may be added to the district under Subchapter O, Chapter 51, Water Code. The directors shall determine to which precinct the annexed land shall be added for purposes of election of directors.

SECTION 12. DIRECTOR ELECTIONS. (a) The district shall be governed by a board of directors that consists of five directors.

(b) To be qualified for election as a director, a person must be a resident of the district and be at least 21 years of age.

(c) One director shall be elected from each county commissioners precinct in Coke County and one director shall be elected at large.

(d) To be qualified for election as a director from a precinct, a person must reside in the precinct from which he is elected.

(e) The three directors receiving the highest number of votes at the confirmation election shall serve as directors until the three persons elected at the second regular election of directors have qualified, and the other two directors shall serve until the two persons elected at the first regular election of directors have qualified. After the second election of directors, an election shall be held each year on the first Saturday in April with two directors elected one year and three the next year in continuing sequence.

SECTION 13. STATUTORY INTERPRETATION. If there is a conflict between this Act and Chapter 51 or 52, Water Code, this Act controls. If there is a conflict between Chapter 51, Water Code, and Chapter 52, Water Code, Chapter 52 controls. If there is a conflict between this Act and any other laws, this Act controls.

SECTION 14. EMERGENCY. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

* * * * *

Austin, Texas
May 15, 1985

Hon. William P. Hobby
President of the Senate

Sir:

We, your Committee on Natural Resources to which was referred H.B. No. 2418, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

Santiesteban, Chairman

COMMITTEE HISTORY

COMMITTEE: Natural Resources

DATE: 5/16/85

HB 2418 was reported back to the Senate as follows:
(Bill Number)

- Without amendments
 With amendments
 With Committee Substitute

Fiscal Implications: Yes
 No

Actuarial Implications: Yes
 No

| | AYE | NAY | PNV | ABSENT |
|-------------------|-----|-----|-----|--------|
| SEN. SANTIESTEBAN | ✓ | | | |
| SEN. WILLIAMS | ✓ | | | |
| SEN. BROWN | ✓ | | | |
| SEN. KOTHMANN | ✓ | | | |
| SEN. KRIER | ✓ | | | |
| SEN. LYON | ✓ | | | |
| SEN. MONTEFORD | ✓ | | | |
| SEN. SARPALIUS | ✓ | | | |
| SEN. SIMS | ✓ | | | |
| SEN. TRUAN | | | | |
| SEN. URIBE | | | | |
| | | | | |
| | | | | |
| TOTAL | 9 | 0 | | |

The following witnesses testified on the bill:

FOR

AGAINST

RESOURCE WITNESS

BACKGROUND: Coke County, located north of San Angelo, receives an average rainfall of about 17 to 18 inches per year. Both San Angelo and Coke County receive their water supplies from one of the state's minor aquifers, but, due to the agricultural needs and low rainfall of the region, water shortages have become a major concern for the area's citizens. Contamination of the ground water has also become a problem in the county recently. The citizens of Coke County desire to create a water district in order to formulate both a water conservation and a water quality protection program to safeguard the region's existing water supplies.

HB 2418 would create the Coke County Underground Water Conservation District, which will hold all the powers and duties described in Chapters 51 and 52 of the Texas Water Code.

PURPOSE: To provide for the conservation and protection of Coke County water supplies through the formation of an underground water conservation district.

SECTION-BY-SECTION ANALYSIS:

SECTION 1. CREATION OF THE DISTRICT

Creates the Coke County Underground Water District under Article XVI, Section 59, of the Texas Constitution.

SECTION 2. DEFINITION

Defines "district" as the Coke County Underground Water Conservation District.

SECTION 3. DISTRICT BOUNDARY

Sets the boundaries of the district.

SECTION 4. PURPOSE OF DISTRICT

States that the district is created for conservation and prevention of waste of underground water reservoirs located under district land.

SECTION 5. POWERS AND DUTIES OF DISTRICT

- (a) Gives the district the powers provided by Chapter 51 and 52 of the Water Code, as well as the authority provided by this section.
- (b) Permits the board to enforce rules provided for conservation and prevention of waste of underground water reservoirs located under district land.
- (c) Permits the board of directors to issue and require permits for drilling, equipping and completion of wells in the underground water reservoir.
- (d) Permits the board to provide for the spacing of the wells in order to minimize the drawdown of the water table.
- (e) Permits the board to require records to be kept and reports to be made of the drilling, equipping and completion of wells in any underground water reservoir.
- (f) Provides for the district to acquire land for dams for the purpose of draining lakes, and provides for the construction of dams and other equipment necessary to recharge the underground water reservoir.
- (g) Permits the district to hire registered professional engineers to make surveys of underground reservoirs.
- (h) Permits the district to develop comprehensive plans for the most efficient use of the underground water of any underground water reservoir.
- (i) Permits the district to carry out research projects and determine limitations on the withdrawal of underground water.
- (j) Permits the district to collect and preserve information regarding the use of the underground water.
- (k) Permits the board to publish plans and information and permits the

- board to encourage the adoption and execution of such plans.
- (1) Permits the district to contract and distribute water from a water import authority or other agency.

SECTION 6. ADMINISTRATIVE PROCEDURES

Provides that the administrative and procedural provisions of Chapters 51 and 52, Water Code, apply to the district, except as otherwise provided by this act.

SECTION 7. INITIAL DIRECTORS

- (a) Names the members of the initial board of directors.
- (b) States that initial directors serve until successors have been elected and qualified.

SECTION 8. CONFIRMATION OF DISTRICT

- (a) States that the Legislature finds that the formation of the district will benefit the public.
- (b) After the 120th day of the effective date of this act, the initial board of directors can call an election to confirm the district.
- (c) States what propositions to be voted on.
- (d) Requires that the ballot provide for the election of the board of directors.
- (e) States that only qualified voters who reside in the district are qualified to vote.
- (f) Requires that the election be published twice in a newspaper of general circulation in the district.
- (g) Requires the returns of the election to be given to the initial board of directors so that they can declare the results of the election.
- (h) Prohibits hearings to be held to determine whether or not land included within the boundaries of the district should be excluded.

SECTION 9. TAX AND BOND PROVISIONS

States that tax and bond provisions of Chapters 51 and 52, Water Code, apply to the district.

SECTION 10. DISSOLUTION OF DISTRICT

States that Chapter 52, Water Code, applies to dissolution of the district.

SECTION 11. ANNEXATION

Permits territory to be added under Subchapter O, Chapter 51, Water Code.

SECTION 12. DIRECTOR ELECTIONS

- (a) Provides for the district to be governed by five directors.
- (b) Requires a person to be 21 years of age to qualify as a director in an election.
- (c) Requires one director to be elected from each county commissioner's precinct in Coke County, and requires one director to be elected at large.
- (d) In order to qualify as a director in an election, a person must reside in the precinct in which he is elected.
- (e) Requires the three directors receiving the highest number of votes to serve until the three persons elected at the second regular election have qualified. This section also requires the other two directors to serve until the two persons elected at the first regular election of directors have qualified.

SECTION 13. STATUTORY INTERPRETATION

States that if there is a conflict between this act and Chapter 51 or 52, Water Code, or any other law, this act controls. If there is a conflict between Chapter 51 and Chapter 52, Chapter 52 controls.

SECTION 14. Emergency clause.

RULE-MAKING AUTHORITY: Coke County Underground Water District is given all the powers and duties of an Underground Water Conservation District under Chapters 51 and 52, Water Code.

TEXAS DEPARTMENT OF WATER RESOURCES

1700 N. Congress Avenue
Austin, Texas



Charles E. Nemir
Executive Director

May 22, 1985

TEXAS WATER DEVELOPMENT BOARD

Louis A. Beecherl, Jr., Chairman
George W. McCleskey, Vice Chairman
Glen E. Roney
Lonnie A. "Bo" Pilgrim
Louie Welch
Stuart S. Coleman

TEXAS WATER COMMISSION

Paul Hopkins, Chairman
Lee B. M. Biggart
Ralph Roming

Honorable Mark White
Governor of Texas

Honorable W. P. Hobby
President of the Senate

Honorable Gib Lewis
Speaker of the House of Representatives

Gentlemen:

Re: H.B. 2418 - Proposed creation of Coke County Underground Water Conservation District pursuant to Article XVI, Section 59, Texas Constitution

Responsibility of the Texas Department of Water Resources to submit a recommendation on legislation pursuant to Article XVI, Section 59(d), Texas Constitution

The companion bill (S.B. 1339) to H.B. 2418 was received by the Department from the Governor of Texas on April 23, 1985. This bill creates a groundwater district over all of Coke County pursuant to Article XVI, Section 59, Texas Constitution, to be named Coke County Underground Water Conservation District. The proposed district will have practically identical powers and duties as those of an underground water conservation district created pursuant to Chapter 52, Water Code. Although the initial directors, five in number, are appointed by the Legislature in the bill, subsequent directors will be elected. A confirmation election for the creation of the district is required. The tax and bond provisions of Chapter 51 and 52, Water Code will apply to the District.

The subject matter of this bill is essentially a matter of local interest and since benefits to the landowners and residents in the district may result from its passage, the Department would not oppose the enactment of H.B. 2418.

Sincerely yours,

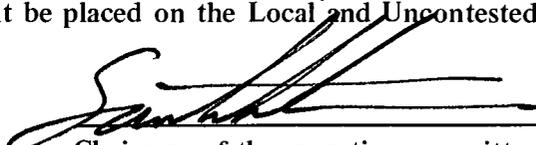

Seth C. Burnitt
Deputy Director

REQUEST FOR LOCAL & UNCONTESTED CALENDAR
PLACEMENT

Hon. Roy Blake, Chairman
Administration Committee

Sir:

Notice is hereby given that HB 2418, by: Burnett (Sims),
was heard by the Committee on Nat Resources on 5/15, 1985,
and reported out with the recommendation that it be placed on the Local and Uncontested
Calendar.


Chairman of the reporting committee

IMPORTANT: THIS FORM MUST BE ATTACHED TO A PRINTED COPY OF THE BILL
OR RESOLUTION, WHICH ALONG WITH 14 ADDITIONAL COPIES OF THE BILL OR
RESOLUTION SHOULD BE DELIVERED TO THE OFFICE OF THE COMMITTEE ON
ADMINISTRATION, ROOM 419; PLEASE CALL 5-1134 IF YOU HAVE ANY QUESTIONS.
DEADLINE FOR SUBMITTING BILLS FOR THE LOCAL CALENDAR IS 3:00 P.M.
FRIDAYS.

ENROLLED

H.B. No. 2418

1 AN ACT
2 relating to the creation, administration, powers, duties,
3 operation, and financing of the Coke County Underground Water
4 Conservation District.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. CREATION OF DISTRICT. Under Article XVI, Section
7 59, of the Texas Constitution, the Coke County Underground Water
8 Conservation District is created as a governmental agency and body
9 politic and corporate, authorized to exercise the powers essential
10 to the accomplishment of the purposes of that constitutional
11 provision and to exercise the rights, powers, duties, privileges,
12 and functions provided by this Act, Chapters 51 and 52, Water Code,
13 and other laws of this state relating to underground water
14 conservation districts.

15 SECTION 2. DEFINITION. In this Act, "district" means the
16 Coke County Underground Water Conservation District.

17 SECTION 3. DISTRICT BOUNDARY. The district includes all of
18 the area in Coke County, Texas, and the boundaries of the district
19 are coterminous with the boundaries of that county.

20 SECTION 4. PURPOSE OF DISTRICT. The district is created to
21 provide for the conservation, preservation, protection, recharge,
22 and prevention of waste of the underground water reservoirs located
23 under district land consistent with the objectives of Article XVI,
24 Section 59, of the Texas Constitution and Chapters 51 and 52, Water

1 Code.

2 SECTION 5. POWERS AND DUTIES OF DISTRICT. (a) The district
3 has the powers, rights, privileges, responsibilities, and functions
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7 provide for conserving, preserving, protecting, recharging, and
8 preventing waste of the water from the underground water
9 reservoirs. Those rules may be enforced by injunction, mandatory
10 injunction, or other appropriate remedies in a court of competent
11 jurisdiction.

12 (c) The board of directors may require permits for the
13 drilling, equipping, and completion of wells in the underground
14 water reservoir and issue permits subject to terms and provisions
15 relating to drilling, equipping, and completion of wells that are
16 necessary to prevent waste or conserve, preserve, and protect
17 underground water.

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19 wells producing from the underground water reservoirs and regulate
20 the production from those wells to minimize as far as practicable
21 the drawdown of the water table or the reduction of the artesian
22 pressure. The owner of the land, his heirs, assigns, and lessees
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24 right to produce underground water from that well subject to rules
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27 and reports to be made of the drilling, equipping, and completion

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2 use of underground water from those reservoirs and may require
3 accurate driller's logs to be kept of those wells and a copy of
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12 make surveys of the underground water of any underground water
13 reservoir and of the facilities for the development, production,
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19 most efficient use of the underground water of any underground
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20 (b) The initial members of the board shall serve until their
21 successors have been elected and have qualified.

22 SECTION 8. CONFIRMATION OF DISTRICT. (a) The legislature
23 finds that land included within the boundaries of the district will
24 be benefited and that the district is created to serve a public use
25 and benefit.

26 (b) Not sooner than the 120th day and not later than the
27 180th day after the effective date of this Act and without the

1 necessity of having a petition presented, the initial board of
2 directors shall call an election to be held in the district for the
3 purpose of confirming the organization of the district. The
4 election may not be held sooner than the 30th day nor later than
5 the 120th day after the date on which the election is ordered.

6 (c) The propositions to be voted on shall include the
7 question of whether or not the establishment of the district is
8 confirmed, the question of levying, assessing, and collecting an ad
9 valorem tax throughout the district, and any other propositions
10 required by this Act or by the initial board of directors.

11 (d) The ballot also shall provide for election of the board
12 of directors.

13 (e) Only qualified electors who reside in the district are
14 qualified to vote in the election.

15 (f) Notice of the election shall be published at least twice
16 in a newspaper of general circulation in the district, at least 30
17 days and at least 10 days, respectively, before the date of the
18 election.

19 (g) Returns of the election shall be made to the initial
20 board of directors of the district and the directors shall canvass
21 those returns and declare the results of the election.

22 (h) Hearings may not be held to determine whether or not any
23 land included within the boundaries of the district should be
24 excluded.

25 SECTION 9. TAX AND BOND PROVISIONS. The tax and bond
26 provisions of Chapters 51 and 52, Water Code, apply to the
27 district.

1 SECTION 10. DISSOLUTION OF DISTRICT. Chapter 52, Water
2 Code, applies to dissolution of the district.

3 SECTION 11. ANNEXATION. Additional territory may be added
4 to the district under Subchapter O, Chapter 51, Water Code. The
5 directors shall determine to which precinct the annexed land shall
6 be added for purposes of election of directors.

7 SECTION 12. DIRECTOR ELECTIONS. (a) The district shall be
8 governed by a board of directors that consists of five directors.

9 (b) To be qualified for election as a director, a person
10 must be a resident of the district and be at least 21 years of age.

11 (c) One director shall be elected from each county
12 commissioners precinct in Coke County and one director shall be
13 elected at large.

14 (d) To be qualified for election as a director from a
15 precinct, a person must reside in the precinct from which he is
16 elected.

17 (e) The three directors receiving the highest number of
18 votes at the confirmation election shall serve as directors until
19 the three persons elected at the second regular election of
20 directors have qualified, and the other two directors shall serve
21 until the two persons elected at the first regular election of
22 directors have qualified. After the second election of directors,
23 an election shall be held each year on the first Saturday in April
24 with two directors elected one year and three the next year in
25 continuing sequence.

26 SECTION 13. STATUTORY INTERPRETATION. If there is a
27 conflict between this Act and Chapter 51 or 52, Water Code, this

1 Act controls. If there is a conflict between Chapter 51, Water
2 Code, and Chapter 52, Water Code, Chapter 52 controls. If there is
3 a conflict between this Act and any other laws, this Act controls.

4 SECTION 14. EMERGENCY. The importance of this legislation
5 and the crowded condition of the calendars in both houses create an
6 emergency and an imperative public necessity that the
7 constitutional rule requiring bills to be read on three several
8 days in each house be suspended, and this rule is hereby suspended,
9 and that this Act take effect and be in force from and after its
10 passage, and it is so enacted.

President of the Senate

Speaker of the House

I certify that H.B. No. 2418 was passed by the House on May 2, 1985, by a non-record vote; and, pursuant to the provisions of Article XVI, Section 59(d) of the Constitution of Texas, a copy of H.B. No. 2418 was transmitted to the Governor on April 4, 1985, and the recommendation of the Texas Water Commission was filed with the Speaker of the House on May 22, 1985.

Chief Clerk of the House

I certify that H.B. No. 2418 was passed by the Senate on May 17, 1985, by the following vote: Yeas 30, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor

President of the Senate

Speaker of the House

I certify that H.B. No. 2418 was passed by the House
(1)

on May 2, 1985, by a non-record vote;
(2)

Chief Clerk of the House

I certify that H.B. No. 2418 was passed by the Senate

on May 17, 1985, by the following
(3)

vote: Yeas 30, Nays 0
(4) (5)

Secretary of the Senate

APPROVED:

Date

Governor

**** Preparation: 'A;CT27;

Out

President of the Senate

Speaker of the House

I certify that H.B. No. _____ was passed by the House
(1)

on _____, 1985, by a non-record vote;
(2)

and, pursuant to the provisions of Article XVI, Section 59(d)
of the Constitution of Texas, a copy of H.B. No. 242 was
transmitted to the Governor on Apr. 14, 1985,
(3)

and the recommendation of the Texas Water Commission was filed with
the Speaker of the House on May 22, 1985.
(4)

Chief Clerk of the House

I certify that H.B. No. _____ was passed by the Senate

on _____, 1985, by a viva-voce vote.
(5)

Secretary of the Senate

APPROVED:

Date

Governor

**** Preparation: 'A;CT46;

H. B. No. 2418

By Burnett

A BILL TO BE ENTITLED
AN ACT

relating to the creation, administration, powers, duties, operation, and financing of the Coke County Underground Water Conservation District.

APR 4 1985

1. Filed with the Chief Clerk.

APR 10 1985

2. Read first time and Referred to Committee on

Natural Resources

4-23-85

3. Reported favorably (~~as amended~~) and sent to Printer at 3:20 P.M.
(~~as substituted~~) APR 25 1985

4-26-85

4. Printed and distributed at 10:51 P.M.

APR 29 1985

5. Sent to Committee on Calendars at LEC 9:32 A.M.

MAY 2 1985

6. Read second time (~~amended~~); passed to third reading (~~failed~~) by (Non-Record Vote)
(~~Record Vote of~~ years, nays, present, not voting).

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

8. Constitutional Rule requiring bills to be read on three several days suspended (failed to suspend) by a four-fifths vote of _____ years, _____ nays, and _____ present, not voting.

MAY 2 1985

9. Read third time (~~amended~~); finally passed (~~failed~~) by (Non-Record Vote) (Record Vote of _____ years, _____ nays, _____ present, not voting).

10. Caption ordered amended to conform to body of bill.

11. Motion to reconsider and table the vote by which H. B. _____ was finally passed prevailed (~~failed~~) by a (Non-Record Vote) (Record Vote of _____ years, _____ nays, and _____ present, not voting).

MAY 2 1985

12. Ordered Engrossed at 11:14 am

MAY 2 1985

13. Engrossed.

MAY 2 1985
MAY 6 1985

14. Returned to Chief Clerk at 7:08 p.m.

15. Sent to Senate.

Betty Murray
Chief Clerk of the House

MAY 6 1985

16. Received from the House

MAY 6 1985

17. Read, referred to Committee on NATURAL RESOURCES

MAY 15 1985

18. Reported favorably

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

20. Ordered not printed.

21. Regular order of business suspended by _____
(a viva voce vote.)
(_____ years, _____ nays.)

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

MAY 17 1985

23. Read second time Raid before senate passed to third reading by: (viva voce vote.) yeas, _____ nays.)

24. Caption ordered amended to conform to body of bill.

MAY 17 1985

25. Senate and Constitutional 3-Day Rules suspended by vote of 29 yeas, _____ nays to place bill on third reading and final passage.

MAY 17 1985

26. Read third time and passed by (a viva voce vote.) 30 yeas, 0 nays.)

OTHER ACTION:

OTHER ACTION:

Betty King

Secretary of the Senate

May 17, 1985

27. Returned to the House.

MAY 17 1985

28. Received from the Senate (with amendments) (as substituted.)

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

30. Conference Committee Ordered.

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

MAY 17 1985

32. Ordered Enrolled at 5:30 P.M.

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