A BILL TO BE ENTITLED

AN ACT

relating to the creation, administration, powers, duties, operations, fiscal procedures, and annexation authority of the Anderson County Underground Water Conservation District.

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

SECTION 1. DEFINITIONS. In this Act:

(1) "District" means the Anderson County Underground Water Conservation District.

(2) "Board" means the district's board of directors.

SECTION 2. CREATION OF DISTRICT. Subject to approval at an election required by Section 11 of this Act, the Anderson County Underground Water Conservation District is created under the authority of Article XVI, Section 59, of the Texas Constitution.

SECTION 3. LEGISLATIVE FINDINGS. The legislature finds that:

(1) the creation of the district is feasible and practicable;

(2) the district will be a benefit to the land contained within the boundaries of the district;

(3) there is a public necessity for the district; and

(4) the district will provide a benefit and utility to the public.

SECTION 4. BOUNDARIES. The district shall include all of the area contained within the following described area:

70R7935 ELA-F
BEGINNING at the intersection of the center line of U. S. Highway No. 287 with the center line of State Highway No. 19.

THENCE in a Northwesterly direction following the center line of U. S. Highway No. 287 to the intersection of the center line of F. M. Road No. 321.

THENCE in a Northeasterly direction following the center line of F. M. Road No. 321 to the intersection of the center line of State Highway No. 19.

THENCE in an Easterly direction continuing with the center line of F. M. Road No. 321 to the intersection of the center line of F. M. Road No. 315.

THENCE in a Southerly direction following the center line of F. M. Road No. 315 to the intersection of the North line of the Taylor S. Barnes Survey, A - 6, and the South line of the Peter Hinds Survey, A - 368.


THENCE in a Westerly direction with the division line of the William Kimbro Survey, A - 34, to the Southwest corner of said...


THENCE in a Southeasterly direction following the center line of State Highway No. 19 to the place of beginning.

SECTION 5. APPLICATION OF CHAPTER 52, WATER CODE; GENERAL POWERS AND DUTIES. Except to the extent of any conflict with this Act or as specifically limited by this Act, the district is governed by and subject to Chapter 52, Water Code, and has all the powers, duties, authorities, and responsibilities provided by Chapter 52, Water Code, except the authority to issue bonds and levy taxes under Subchapters G and H, Chapter 52, Water Code.

SECTION 6. TEMORARY DIRECTORS. (a) On the effective date of this Act, the following persons are designated as temporary directors of the district:

(1) Oren Williams
(2) Joe Grumbles, Sr.
(3) Dickie Douglas
(4) Bill Green
(5) Wayne Barrett
(6) Robert Humphrey
(7) Hugh Dublin, Jr.
(8) Roland Higginbotham, Sr.
(9) Delia Ricard

7OR7935 ELA-F 3
(b) If a vacancy occurs in the office of temporary director, the remaining temporary directors shall select a person with the qualifications as provided by Section 7 of this Act.

(c) The temporary directors shall select from their members persons to serve as chairperson, vice-chairperson, and secretary.

(d) The temporary directors shall serve until their successors are elected and have qualified.

SECTION 7. QUALIFICATIONS OF DIRECTORS. To be qualified for election as a director, a person must be:

(1) a resident of the district or proposed district;

(2) at least 18 years of age; and

(3) not otherwise disqualified by Section 50.026, Water Code.

SECTION 8. COMPOSITION OF BOARD. The board of the district is composed of nine members.

SECTION 9. ELECTION OF DIRECTORS. Beginning in the second year following the creation election, an election shall be held on the third Saturday in May every two years to elect the appropriate number of directors to the board.

SECTION 10. TERM OF OFFICE. (a) Except for the initial directors of the district, directors shall serve four-year terms of office.

(b) The five initial directors receiving the highest number of votes at the confirmation election shall serve as directors until the five persons elected at the second regular directors' election have qualified, and the other four initial directors shall serve until the four persons elected at the first regular
directors' election have qualified. After the second regular
directors' election, four directors shall be elected at one
election and five at the next election in continuing sequence.

SECTION 11. CREATION ELECTION. (a) Not later than the 60th
day after the effective date of this Act, the temporary directors
shall meet and shall call an election to be held not later than the
120th day after the effective date of this Act within the
boundaries of the proposed district to approve the creation of the
district.

(b) Section 41.001(a), Election Code, does not apply to an
election called under this section.

(c) The propositions to be voted on shall include the
question of whether the establishment of the district is confirmed
and the election of the board.

(d) The temporary directors shall publish notice of the
election two times in one or more newspapers of general circulation
within the boundaries of the proposed district. The notice must be
published not later than the 30th day and the 10th day preceding
the date of the election.

(e) Returns of the election shall be made to the temporary
directors who shall canvass the returns and declare the results of
the election.

(f) If the creation of the district is defeated, all of the
propositions relating to the district are defeated and another
election may not be called and held during the 12-month period
immediately following the date on which the most recent election on
the proposition or propositions was held. If the district is not
created within five years after the effective date of this Act, this Act expires.

(g) Except as specifically provided by this section, an election under this Act is governed by the Election Code.

SECTION 12. ADDITIONAL RIGHTS AND POWERS. (a) The district may prohibit the pumping or use of groundwater if the district determines that the pumping would present an unreasonable risk of pollution.

(b) The district may limit the pumping of groundwater to uses determined by the board to benefit the district.

(c) The district may require persons holding a permit for an injection well to purchase water from the district.

(d) The district may adopt regulations for the disposal of salt dome leachate in the district or may require disposal of salt dome leachate outside the district.

SECTION 13. QUORUM. (a) A majority of the members of the board constitutes a quorum, and all regular directors have a vote.

(b) The district shall act and proceed by resolution adopted by the board, and an affirmative vote of a majority of the board is necessary to adopt any resolution.

SECTION 14. NOTICE OF MEETINGS. The board must publish notice in a newspaper of general circulation in the district not later than the fifth day before the date the board is scheduled to meet.

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(b) The amount of a well fee imposed by the district must be set according to:

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(2) the production capacity of the well; or
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(d) The district may adopt rules classifying the types of uses made of groundwater in the district and may use the classifications to determine, in part, the amount of fees to be imposed under this section.

(e) The money collected from fees may be used by the district to manage and operate the district.

SECTION 16. DISSOLUTION OF DISTRICT. The district may be dissolved as provided by Subchapter P, Chapter 51, Water Code.

SECTION 17. NOTICE, ETC. The legislature finds that proper and legal notice of the intention to introduce this Act, setting forth the general substance of this Act, has been published as provided by law, and the notice and a copy of this Act have been furnished to all persons, agencies, officials, or entities to which they are required to be furnished by the constitution and laws of this state, including the governor of Texas, who has submitted the notice and Act to the Texas Water Commission. Also, the legislature finds that the Texas Water Commission has filed its recommendations relating to this Act with the governor, lieutenant governor, and speaker of the house of representatives, within the required time. All requirements of the constitution and laws of
this state and the rules and procedures of the legislature with
respect to the notice, introduction, and passage of this Act have
been fulfilled and accomplished.

SECTION 18. 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.
AFFIDAVIT OF PUBLICATION

THE STATE OF TEXAS
COUNTY OF ANDERSON

BEFORE ME the undersigned authority, on this day personally appeared PAT NELSON who, after being duly sworn by me, says upon her oath the following:

1) THAT she is an employee of the Palestine Herald-Press, a newspaper published in Anderson County, Texas.

2) THAT a true copy of the attached Legal Notice was published in said paper on the following dates:

April 11, 1987

and that attached hereto is a printed copy of said document as published.

3) THAT said newspaper has been in general circulation for at least one year prior to publication of said document and in every aspect answers the requirements of the law applicable to newspapers which are employed to publish Legal Notices.

_________________________________________
Pat Nelson

SWORN TO AND SUBSCRIBED before me on this the 14th day of April, 1987.

_________________________________________
(Hand) Lane
Notary Public
Anderson County, Texas
By: Blake  
S.B. No. 1518

(In the Senate - Filed May 13, 1987; May 13, 1987, read first
time and referred to Committee on Natural Resources; May 14, 1987,
reported favorably by the following vote: Yeas 6, Nays 0;
May 14, 1987, sent to printer.)

COMMITTEE VOTE

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district.

(b) Subsection (a), Section 41.001, Election Code, does not
apply to an election called under this section.

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(e) Returns of the election shall be made to the temporary directors who shall canvass the returns and declare the results of the election.

(f) If the creation of the district is defeated, all of the propositions relating to the district are defeated and another election may not be called and held during the 12-month period immediately following the date on which the most recent election on the proposition or propositions was held. If the district is not created within five years after the effective date of this Act, this Act expires.

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SECTION 16. DISSOLUTION OF DISTRICT. The district may be dissolved as provided by Subchapter F, Chapter 51, Water Code.

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S.B. No. 1518

SECTION 18. 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 14, 1987

Hon. William P. Hobby
President of the Senate

Sir:

We, your Committee on Natural Resources to which was referred S.B. No. 1518, 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.

Sanctiesteban, Chairman
SENATE FAVORABLE COMMITTEE REPORT

Lt. Governor William P. Hobby
President of the Senate

Sir:

We, your Committee on _NATURAL RESOURCES_ to which was referred SB 1518 by _Blake_ have on 5/13, 1987, had the same under consideration and I am instructed to report it back with the recommendation (s) that it

( ) do pass and be printed

( ) do pass and be ordered not printed

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

A fiscal note was requested.

( ) yes ( ) no

A revised fiscal note was requested.

( ) yes ( ) no

An actuarial analysis was requested.

( ) yes ( ) no

Considered by subcommittee.

( ) yes ( ) no

Senate Sponsor of House Measure _Blake_

The measure was reported from Committee by the following vote:

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COMMITTEE CLERK

CHAIRMAN

Paper clip the original and one copy of this form to the original bill and retain one copy for your file.
LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE
May 13, 1987

TO: Honorable H. Tati Santiesteban, Chairman
   Committee on Natural Resources
   Senate Chamber
   Austin, Texas

In Re: Senate Bill No. 1518
By: Blake

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on Senate Bill No. 1518 (relating to the creation, administration, powers, duties, operations, fiscal procedures and annexation authority of the Anderson County Underground Water Conservation 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 Senate as to its probable fiscal impact on units of local government.

Source: LBB Staff: JO, HES, JWH, BDT, BL
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AN ACT
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SECTION 10. TERM OF OFFICE. (a) Except for the initial directors of the district, directors shall serve four-year terms of office.

(b) The five initial directors receiving the highest number of votes at the confirmation election shall serve as directors until the five persons elected at the second regular directors' election have qualified, and the other four initial directors shall
serve until the four persons elected at the first regular
directors' election have qualified. After the second regular
directors' election, four directors shall be elected at one
election and five at the next election in continuing sequence.

SECTION 11. CREATION ELECTION. (a) Not later than the 60th
day after the effective date of this Act, the temporary directors
shall meet and shall call an election to be held not later than the
120th day after the effective date of this Act within the
boundaries of the proposed district to approve the creation of the
district.

(b) Subsection (a), Section 41.001, Election Code, does not
apply to an election called under this section.

(c) The propositions to be voted on shall include the
question of whether the establishment of the district is confirmed
and the election of the board.

(d) The temporary directors shall publish notice of the
election two times in one or more newspapers of general circulation
within the boundaries of the proposed district. The notice must be
published not later than the 30th day and the 10th day preceding
the date of the election.

(e) Returns of the election shall be made to the temporary
directors who shall canvass the returns and declare the results of
the election.

(f) If the creation of the district is defeated, all of the
propositions relating to the district are defeated and another
election may not be called and held during the 12-month period
immediately following the date on which the most recent election on
the proposition or propositions was held. If the district is not
created within five years after the effective date of this Act,
this Act expires.

(g) Except as specifically provided by this section, an
election under this Act is governed by the Election Code.

SECTION 12. ADDITIONAL RIGHTS AND POWERS. (a) The district
may prohibit the pumping or use of groundwater if the district
determines that the pumping would present an unreasonable risk of
pollution.

(b) The district may limit the pumping of groundwater to
uses determined by the board to benefit the district.

(c) The district may require persons holding a permit for an
injection well to purchase water from the district.

(d) The district may adopt regulations for the disposal of
salt dome leachate in the district or may require disposal of salt
dome leachate outside the district.

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board constitutes a quorum, and all regular directors have a vote.

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by the board, and an affirmative vote of a majority of the board is
necessary to adopt any resolution.

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notice in a newspaper of general circulation in the district not
later than the fifth day before the date the board is scheduled to
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(b) The amount of a well fee imposed by the district must be set according to:

(1) the size of the column pipe used in the water well;
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(3) the amount of water produced.

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SECTION 16. DISSOLUTION OF DISTRICT. The district may be dissolved as provided by Subchapter P, Chapter 51, Water Code.

SECTION 17. NOTICE, ETC. The legislature finds that proper and legal notice of the intention to introduce this Act, setting forth the general substance of this Act, has been published as provided by law, and the notice and a copy of this Act have been furnished to all persons, agencies, officials, or entities to which they are required to be furnished by the constitution and laws of this state, including the Governor of Texas, who has submitted the notice and Act to the Texas Water Commission. Also, the
S.B. No. 1518

legislature finds that the Texas Water Commission has filed its
recommendations relating to this Act with the governor, lieutenant
governor, and speaker of the house of representatives, within the
required time. All requirements of the constitution and laws of
this state and the rules and procedures of the legislature with
respect to the notice, introduction, and passage of this Act have
been fulfilled and accomplished.

SECTION 18. 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.
TO: Honorable H. Tati Santiesteban, Chairman  
    Committee on Natural Resources  
    Senate Chamber  
    Austin, Texas  

FROM: Jim Oliver, Director  

In Re:  
Senate Bill No. 1518  
By: Blake

In response to your request for a Fiscal Note on Senate Bill No. 1518 (relating to the creation, administration, powers, duties, operations, fiscal procedures and annexation authority of the Anderson County Underground Water Conservation 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 Senate as to its probable fiscal impact on units of local government.

Source: LBB Staff: JO, HES, JWH, BDT, BL
By: Blake

(Johnson of Anderson) A BILL TO BE ENTITLED

S.B. No. 1518

AN ACT

relating to the creation, administration, powers, duties, operations, fiscal procedures, and annexation authority of the Anderson County Underground Water Conservation District.

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

SECTION 1. DEFINITIONS. In this Act:

(1) "District" means the Anderson County Underground Water Conservation District.

(2) "Board" means the district's board of directors.

SECTION 2. CREATION OF DISTRICT. Subject to approval at an election required by Section 11 of this Act, the Anderson County Underground Water Conservation District is created under the authority of Article XVI, Section 59, of the Texas Constitution.

SECTION 3. LEGISLATIVE FINDINGS. The legislature finds that:

(1) the creation of the district is feasible and practicable;

(2) the district will be a benefit to the land contained within the boundaries of the district;

(3) there is a public necessity for the district; and

(4) the district will provide a benefit and utility to the public.

SECTION 4. BOUNDARIES. The district shall include all of the area contained within the following described area:

BEGINNING at the intersection of the center line of U. S.
Highway No. 287 with the center line of State Highway No. 19.

THENCE in a Northwesterly direction following the center line of U. S. Highway No. 287 to the intersection of the center line of F. M. Road No. 321.

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SECTION 5. APPLICATION OF CHAPTER 52, WATER CODE; GENERAL POWERS AND DUTIES. Except to the extent of any conflict with this Act or as specifically limited by this Act, the district is governed by and subject to Chapter 52, Water Code, and has all the powers, duties, authorities, and responsibilities provided by Chapter 52, Water Code, except the authority to issue bonds and levy taxes under Subchapters G and H, Chapter 52, Water Code.

SECTION 6. TEMPORARY DIRECTORS. (a) On the effective date of this Act, the following persons are designated as temporary directors of the district:

(1) Oren Williams
(2) Joe Grumbles, Sr.
(3) Dickie Douglas
(4) Bill Green
(5) Wayne Barrett
(6) Robert Humphrey
(7) Hugh Dublin, Jr.
(8) Roland Higginbotham, Sr.
(9) Delia Ricard
(b) If a vacancy occurs in the office of temporary director, the remaining temporary directors shall select a person with the qualifications as provided by Section 7 of this Act.

(c) The temporary directors shall select from their members persons to serve as chairperson, vice-chairperson, and secretary.

(d) The temporary directors shall serve until their successors are elected and have qualified.

SECTION 7. QUALIFICATIONS OF DIRECTORS. To be qualified for election as a director, a person must be:

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S.B. No. 1518

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SECTION 16. DISSOLUTION OF DISTRICT. The district may be dissolved as provided by Subchapter P, Chapter 51, Water Code.

SECTION 17. NOTICE, ETC. The legislature finds that proper and legal notice of the intention to introduce this Act, setting forth the general substance of this Act, has been published as provided by law, and the notice and a copy of this Act have been furnished to all persons, agencies, officials, or entities to which they are required to be furnished by the constitution and laws of this state, including the Governor of Texas, who has submitted the notice and Act to the Texas Water Commission. Also, the
legislature finds that the Texas Water Commission has filed its
recommendations relating to this Act with the governor, lieutenant
governor, and speaker of the house of representatives, within the
required time. All requirements of the constitution and laws of
this state and the rules and procedures of the legislature with
respect to the notice, introduction, and passage of this Act have
been fulfilled and accomplished.

SECTION 18. 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.
SIR:

WE, YOUR COMMITTEE ON ENVIRONMENTAL AFFAIRS,

TO WHOM WAS REFERRED SB 1518 HAVE HAD THE SAME UNDER CONSIDERATION AND BEG TO REPORT

BACK WITH THE RECOMMENDATION THAT IT

☐ DO PASS, WITHOUT AMENDMENT.

☐ DO PASS, WITH AMENDMENT(S).

☐ DO PASS AND BE NOT PRINTED; A COMPLETE COMMITTEE SUBSTITUTE IS RECOMMENDED IN LIEU OF THE ORIGINAL MEASURE.

A FISCAL NOTE WAS REQUESTED. ( ) YES ☐ NO

AN ACTUARIAL ANALYSIS WAS REQUESTED. ( ) YES ☐ NO

AN AUTHOR’S FISCAL STATEMENT WAS REQUESTED. ☐ YES ( ) NO

THE COMMITTEE RECOMMENDS THAT THIS MEASURE BE PLACED ON THE ( ) LOCAL OR ( ) CONSENT CALENDAR.

THIS MEASURE ☐ PROPOSES NEW LAW. ( ) AMENDS EXISTING LAW.

HOUSE SPONSOR OF SENATE MEASURE [______________________]

C. Tumlinson

THE MEASURE WAS REPORTED FROM COMMITTEE BY THE FOLLOWING VOTE:

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| TOTAL | 6 | 0 | 0 | 3 |

CHAIRMAN [______________________]

COMMITTEE COORDINATOR [______________________]

15 MAY, 1987
BACKGROUND:

This bill provides for the creation, administration, powers, duties, operations, fiscal procedures, and annexation authority of the Anderson County Underground Water Conservation District.

PURPOSE:

As proposed, S.B. 1518 creates the Anderson County Underground Water Conservation District.

RULEMAKING AUTHORITY:

It is the committee's opinion that rulemaking authority is granted to the Anderson County Underground Water Conservation District under Sections 12 and 15 of this bill.

SECTION BY SECTION ANALYSIS:

SECTION 1. Defines "district" and "board."

SECTION 2. Creates the Anderson County Underground Water Conservation District (district).

SECTION 3. Provides the findings of the legislature.

SECTION 4. Sets forth the boundaries of the district.

SECTION 5. Provides that the district is governed by and subject to Chapter 52, Water Code, and has all the powers, duties, and authorities as provided by that chapter, except the authority to issue bonds and levy taxes under Subchapters G and H.

SECTION 6. (a) Designates the temporary directors of the district. (b) Provides for a vacancy in the office of temporary director. (c) Requires the selection of officers from among the temporary directors. (d) Provides the term of office for temporary directors.

SECTION 7. Sets forth the qualifications of directors.

SECTION 8. Provides that the district board is composed of nine members.

SECTION 9. Requires an election every two years for directors.

SECTION 10. (a) Requires directors to serve four-year terms, with exceptions. (b) Provides terms for initial directors.

SECTION 11. Provides for a creation election.

SECTION 12. Sets forth additional rights and powers of the district.

SECTION 13. Provides for a quorum.

SECTION 14. Requires notice of meetings to be published.

SECTION 15. (a) Requires a permit fee and an annual fee for each water well. (b) Requires the amount of a well fee to be based on certain conditions. (c) Requires the board to adopt rules relating to fee rates. (d) Allows the district to adopt rules classifying the types of uses made of ground water and to use such classifications to determine fees. (e) Allows the district to use money collected from fees for management and operation expenses.
SECTION 16. Allows the district to be dissolved as provided by Subchapter F, Chapter 51, Water Code.

SECTION 17. Provides the findings of the legislature concerning the publishing of proper and legal notice of the intention to introduce this Act.

SECTION 18. Emergency clause.
Effective date. Upon passage.

SUMMARY OF COMMITTEE ACTIVITY

Pursuant to an announcement read on the House floor in accordance with House rules, the Committee on Environmental Affairs met in a formal meeting on May 15, 1987. The Chair laid out SB 1518. Representative Hightower moved to report SB 1518 to the House with the recommendation that it do pass. The motion passed by a record vote of 6 Ayes, 0 Nays, 0 PNV, and 3 Absent.
LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE
May 13, 1987

TO: Honorable H. Tati Santiesteban, Chairman
   Committee on Natural Resources
   Senate Chamber
   Austin, Texas

In Re: Senate Bill No. 1518
By: Blake

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on Senate Bill No. 1518 (relating to the creation, administration, powers, duties, operations, fiscal procedures and annexation authority of the Anderson County Underground Water Conservation 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 Senate as to its probable fiscal impact on units of local government.

Source: LBB Staff: JD, HES, JWH, BDT, BL
S.B. No. 1518

AN ACT
relating to the creation, administration, powers, duties, operations, fiscal procedures, and annexation authority of the Anderson County Underground Water Conservation District.

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

SECTION 1. DEFINITIONS. In this Act:

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SECTION 3. LEGISLATIVE FINDINGS. The legislature finds that:

(1) the creation of the district is feasible and practicable;

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S.B. No. 1518

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S.B. No. 1518

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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.
S.B. No. 1518

President of the Senate

I hereby certify that S.B. No. 1518 passed the Senate on May 15, 1987, by the following vote: Yeas 24, Nays 6.

Speaker of the House

Secretary of the Senate

I hereby certify that S.B. No. 1518 passed the House on May 26, 1987, by the following vote: Yeas 130, Nays 8, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor
BILL ANALYSIS

By: Blake

S.B. 1518
Enrolled

BACKGROUND:

This bill provides for the creation, administration, powers, duties, operations, fiscal procedures, and annexation authority of the Anderson County Underground Water Conservation District.

PURPOSE:

As proposed, S.B. 1518 creates the Anderson County Underground Water Conservation District.

RULEMAKING AUTHORITY:

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

SECTION BY SECTION ANALYSIS:

SECTION 1. Defines "district" and "board."

SECTION 2. Creates the Anderson County Underground Water Conservation District (district).

SECTION 3. Provides the findings of the legislature.

SECTION 4. Sets forth the boundaries of the district.

SECTION 5. Provides that the district is governed by and subject to Chapter 52, Water Code, and has all the powers, duties, and authorities as provided by that chapter, except the authority to issue bonds and levy taxes under Subchapters G and H.

SECTION 6. (a) Designates the temporary directors of the district. (b) Provides for a vacancy in the office of temporary director. (c) Requires the selection of officers from among the temporary directors. (d) Provides the term of office for temporary directors.

SECTION 7. Sets forth the qualifications of directors.

SECTION 8. Provides that the district board is composed of nine members.

SECTION 9. Requires an election every two years for directors.

SECTION 10. (a) Requires directors to serve four-year terms, with exceptions. (b) Provides terms for initial directors.

SECTION 11. Provides for a creation election.

SECTION 12. Sets forth additional rights and powers of the district.

SECTION 13. Provides for a quorum.

SECTION 14. Requires notice of meetings to be published.

SECTION 15. (a) Requires a permit fee and an annual fee for each water well. (b) Requires the amount of a well fee to be based on certain conditions. (c) Requires the board to adopt rules relating to fee rates. (d) Allows the district to adopt rules classifying the types of uses made of groundwater and to use such classifications to determine fees. (e) Allows the district to use money collected from fees for management and operation expenses.

SECTION 16. Allows the district to be dissolved as provided by Subchapter F, Chapter 51, Water Code.
SECTION 17. Provides the findings of the legislature concerning the publishing of proper and legal notice of the intention to introduce this Act.

SECTION 18. Emergency clause.
   Effective date. Upon passage.

ALS 8.16.88
TO:       Honorable H. Tati Santiesteban, Chairman
          Committee on Natural Resources
          Senate Chamber
          Austin, Texas

FROM:    Jim Oliver, Director

In response to your request for a Fiscal Note on Senate Bill No. 1518 (relating to the creation, administration, powers, duties, operations, fiscal procedures and annexation authority of the Anderson County Underground Water Conservation 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 Senate as to its probable fiscal impact on units of local government.

Source:  LBB Staff: JO, HES, JWH, BDT, BL
AN ACT relating to the creation, administration, powers, duties, operations, fiscal procedures, and annexation authority of the Anderson County Underground Water Conservation District.

MAY 13 1987 Filed with the Secretary of the Senate
MAY 13 1987 Read and referred to Committee on **NATURAL RESOURCES**
MAY 14 1987 Reported favorably
MAY 14 1987 Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.
MAY 14 1987 Ordered not printed
MAY 15 1987 Laid before the Senate
MAY 15 1987 Senate and Constitutional Rules to permit consideration suspended by:
- **unanimous consent**
  - 24 years, 0 nays
MAY 15 1987 Read second time, ______________, and ordered engrossed by:
- **unanimous consent**
  - 24 years, __ nays
MAY 15 1987 Caption ordered amended to conform to the body of the bill.
MAY 15 1987 Senate and Constitutional 3 Day Rule suspended by a vote of:
  - 25 years, 5 nays.
MAY 15 1987 Read third time, ______________, and passed by:
  - 24 years, 6 nays.

[Signature]
SECRETARY OF THE SENATE

OTHER ACTION:

MAY 15 1987 Engrossed
MAY 15 1987 Sent to House
MAY 15 1987 Engrossing Clerk
[Signature]

MAY 15 1987 Received from the Senate
MAY 15 1987 Read first time and referred to Committee on **ENVIRONMENTAL AFFAIRS**
MAY 15 1987 Reported favorably, amended, sent to Printer at ___________
MAY 17 1987 Printed and Distributed ___________
MAY 18 1987 Sent to Committee on Calendars ___________
MAY 25 1987 Read Second time (amended): passed to third reading (finally)
by (Non-Record Vote) Record Vote of ___________
Constitutional Rule requiring bills to be read on three several days suspended (failed to suspend) by a four-fifths vote of ___________
MAY 26 1987 Read third time (amended): finally passed, by a (Non-Record Vote) Record Vote of ___________
  - 130 years, 8 nays, __ present not voting.
MAY 27 1987 Caption ordered amended to conform to body of bill.
MAY 27 1987 Returned to Senate.
MAY 27 1987 Returned from Senate without amendment.
MAY 27 1987 Returned from House with ________ amendments.
MAY 27 1987 Concurred in House amendments by a viva voce vote ________ years, ________ nays.
Refused to concur in House amendments and requested the appointment of a Conference Committee to adjust the differences.

Senate conferees instructed.

Senate conferees appointed: __________________________, Chairman; __________________________, __________________________, and __________________________.

House granted Senate request. House conferees appointed: __________________________, Chairman; __________________________, __________________________.

Conference Committee Report read and filed with the Secretary of the Senate.

Conference Committee Report adopted on the part of the House by: __________________________.

\[ \begin{cases} 
\text{a viva voce vote} \\
\text{____ yeas, ______ nays} 
\end{cases} \]

Conference Committee Report adopted on the part of the Senate by: __________________________.

\[ \begin{cases} 
\text{a viva voce vote} \\
\text{____ yeas, ______ nays} 
\end{cases} \]

OTHER ACTION:

Recommitted to Conference Committee

Conferees discharged

Conference Committee Report failed of adoption by: __________________________.

\[ \begin{cases} 
\text{a viva voce vote} \\
\text{____ yeas, ______ nays} 
\end{cases} \]
May 15, 1987

The Honorable Robert Saunders
Chairman, Committee on Environmental Affairs

Dear Robert:

In response to your request and pursuant to the Rules of Procedure of the House, Rule 4 Section 34 (d), the following is submitted regarding the cost implementation of Senate Bill 1518, relating to the creation, administration, powers, duties, operations, fiscal procedures, and annexation authority of the Anderson County Underground Water Conservation District. It is my best estimate that the cost will be $0.00 per year for the first year and each year thereafter.

If you should have any further questions, please contact my office.

Sincerely,

Cliff Johnson
President of the Senate

I hereby certify that S.B. No. 1518 (1) passed the Senate on
May 15 (2), 1987, by the following vote:
Yea 41 (3), Nays 6 (4).

Speaker of the House

I hereby certify that S.B. No. 1518 (1) passed the House on
May 26 (5), 1987, by the following vote:
Yea 130 (6), Nays 8 (7), two present not voting.

Secretary of the Senate

Chief Clerk of the House

Approved:

Date

Governor