A BILL TO BE ENTITLED

AN ACT

relating to changing the name of the Martin County Underground Water Conservation District, the method of adding territory to the district, and membership on the district's board of directors.

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

SECTION 1. Sections 1 and 2, Chapter 408, Acts of the 69th Legislature, Regular Session, 1985, are amended to read as follows:

Sec. 1. CREATION OF DISTRICT. Under Article XVI, Section 59, of the Texas Constitution the Permian Basin [Martin--County] Underground Water Conservation District is created as a governmental agency and body politic and corporate, authorized to exercise the powers essential to the accomplishment of the purposes of that constitutional provision and to exercise the rights, powers, duties, privileges, and functions provided by this Act and by Chapters 51 and 52, Water Code, and by other laws of this state relating to underground water conservation districts.

Sec. 2. DEFINITION. In this Act, "district" means the Permian Basin [Martin--County] Underground Water Conservation District.

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Sec. 11. ANNEXATION. Additional territory may be added to the district as provided by Chapter 52 [51], Water Code. Unless the number of directors is increased in accordance with Section 12A
of this Act, the board of directors shall determine to which
precinct the annexed land will be added for purposes of election of
directors.

SECTION 3. Section 12, Chapter 408, Acts of the 69th
Legislature, Regular Session, 1985, is amended to read as follows:

Sec. 12. DIRECTOR ELECTIONS. (a) The district shall be
governed by a board of directors that consists of five directors
unless the number of directors is increased in accordance with
Section 12A of this Act.

(b) To be qualified for election as a director, a person
must be a resident of the district and be at least 18 years of age.

(c) Except as provided by Section 12A of this Act, one [One]
director shall be elected from each county commissioners precinct
in Martin County and one director shall be elected from the
district at large. To represent a commissioners precinct, the
director must be a resident of the precinct.

(d) Directors serve staggered four-year terms.

(e) Regular [After—the—election—of—directors—on—the
confirmation—election—held—under—Section—8—of—this—Act—regular]
elections for a portion of the board of directors shall be held in
each even-numbered year. [The-directors—elected—from—commissioners
precincts—1—and—3—and—the—director—elected—at—large—at—the
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regular—meeting—of—the—board—after—the—second—regular—election—of
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72R3857 LJRD 2
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(e) The board by resolution shall redraw the subdistricts after the issuance of each federal decennial census.

(f) Subdistricts must be compact and contiguous and must be substantially equal in population according to the most recent
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(j) The board shall send a copy of each resolution adopted under this section to the Texas Water Commission immediately after its adoption.

SECTION 5. This Act takes effect September 1, 1991.

SECTION 6. 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.
THE STATE OF TEXAS,
COUNTY OF CALHOUN

Before me, the undersigned authority, on this day personally appeared Chester Surber

who being by me duly sworn, states on oath that he is the Publisher of Port Lavaca Wave, a newspaper published in Port Lavaca, Calhoun County, Texas and that the attached printed notice in the case of Lawrence A. Diio: RE – MatterCalhoun County Navigation District was published in Port Lavaca Wave on the following dates: 2/26/91

Chester Surber

Sworn to and subscribed before me this 7th day of March, 1991

Cathy Buehring
NOTARY PUBLIC IN AND FOR CALHOUN COUNTY, TEXAS

MY COMMISSION EXPIRES 3/13/91
Rentals

LANMARQUE Square, For lease retail office space, restaurant or bar facilities. Call 573-5241, Ext. 211.

104 TOMMY Drive, two bedroom apartment, $200, water paid. Call 552-7762 after 5pm.

FOR Rent: Vacant lot for a trailer space. 552-9538.

Rentals

THREE Bedroom house for rent in Palacios on bay front, central A/H, references, deposit required. 512-972-2441.

FURNISHED One bedroom apartment, central a/h, gas, water and electric paid, $325 monthly, $100 deposit. Boxwood Apartments 119 Lowry. 552-9570 or 552-2452.

Real Estate

OLIVIA Area: Nice country home, 5 acres, fenced, new septic, $32,500. Crain Real Estate, 512-893-5421.

BY Owner 110 Lubbock Street, Point Comfort. 3-2-1, large den, fenced back yard. $29,900. Call 987-2090.

FOR Sale: 123 Jones, Point Comfort, three bedroom, one bath with two car garage. Call 987-2294.

I. R. S. PUBLIC Auction-To Highest Bidder: Small Commercial lot with structure located at 523 Broadway, Port Lavaca, Texas. Sale Date is March 11, 1991. For all details call Revenue Officer Seals, 512-575-8282.

Real Estate

HISTORICAL Home for sale: Large five bedroom, 2½ bath, remodeled, dual central a/h, modern kitchen. Perfect for home, law offices, or boarding house. 1½ blocks from downtown and bayfront. Call for appointment. 552-6865 after 5pm.

RENDON REAL ESTATE

Residential Commercial Land Resort Rentals

(512) 552-7376

NEW HOME READY TO MOVE INTO!

108 Timberline Brookhollow Estates by WSP Construction Call for apt. 552-2985 or evenings & weekends (512) 993-5880

INVENTORY CLEARANCE

on remaining lots in

Oak Grove

PARKER REAL ESTATE

Call day or night: 552-2233 or Craig, 552-6070 (nights)

Lots

FOR Sale: Four lots in Seadrift, water and sewer available. Call 552-9247.

PORT O'CONNOR: 220 lots $175,000. Stofer Real Estate, 983-4330.

Acreage

168 ACRES Near Placedo, Texas. Large government grain base, $890 per acre, all farmland. Call 512-578-5747 after 6pm.

Mobile Homes

14X80 3/2 on 1.5 acres, storage building included. $29,500. Call 552-5785 or 552-5174 after 6pm.

"5 BEDROOM": Three bath house, approximately 1900 square feet, loaded, free fireplace. 1991 Doublewide Palm Harbor. Only $352 a month, 10% down, 240 months, 12.24% apr. Hurry call 1-800-880-0329.

"PALM HARBOR FACTORY DIRECT": Hurry! 1991 Palm Harbor Doublewide, 3 bedroom, 1 bathroom. Call 552-9723.

Public Notice

(Notice of Intent to Introduce)

NOTICE

This is to give Notice of Intent to Introduce in the 72nd Legislature, Regular Session, A BILL TO BE ENTITLED AN ACT relating to the terms of commissioners of the Calhoun County Navigation District.

Lawrence A. Dio, Attorney

Calhoun County Navigation District

(#46)
LETTER OF TRANSMITTAL

HOUSE OF REPRESENTATIVES
STATE OF TEXAS

TO: The Honorable Ann W. Richards
Governor of Texas

SUBJECT: A Bill Relating to a Conservation and Reclamation District

This is to transmit to you and the Texas Water Commission copies of House Bill No. 2760, 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 one for you to forward to the Texas Water Commission, under Section 59(d), Article XVI, Constitution of the State of Texas.

MAR 15 1991
Date transmitted to
Governor's Office

[Signature]
Betty Murray, Chief Clerk
House of Representatives

TO: Texas Water Commission

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.

[Signature]
Ann W. Richards
Governor

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

The Honorable Bob Bullock
President of the Senate

The Honorable Ann W. Richards
Governor of Texas

SUBJECT: A Bill Relating to a Conservation and Reclamation District

Attached are the recommendations of the Texas Water Commission on House Bill No. 2760, in compliance with Section 59(d), Article XVI, Constitution of the State of Texas.

[Signature]
Allen Beinke
Executive Director
A BILL TO BE ENTITLED

AN ACT

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COMMITTEE REPORT

The Honorable Gib Lewis
Speaker of the House of Representatives

April 22, 1991

Sir:

We, your COMMITTEE ON NATURAL RESOURCES, to whom was referred HB 2760 have had the same under consideration and beg to report back with the recommendation that it ( x ) 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. ( x ) yes ( ) no An author's fiscal statement was requested. ( x ) yes ( ) no A criminal justice policy impact statement was requested. ( ) yes ( x ) no An equalized educational funding impact statement was requested. ( ) yes ( x ) no An actuarial analysis was requested. ( ) yes ( x ) no A water development policy impact statement was requested. ( ) yes ( x ) no A federal funds impact statement was requested. ( ) yes ( x ) no ( X ) The Committee recommends that this measure be sent to the Committee on Local and Consent Calendars.

This measure ( ) proposes new law. ( X ) amends existing law.

House Sponsor of Senate Measure

The measure was reported from Committee by the following vote:

<table>
<thead>
<tr>
<th>AYE</th>
<th>NAY</th>
<th>PNV</th>
<th>ABSENT</th>
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</thead>
<tbody>
<tr>
<td>Lewis, R., Ch.</td>
<td>x</td>
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<tr>
<td>Willy, V.C.</td>
<td>x</td>
<td></td>
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<tr>
<td>Collazo, C.B.O.</td>
<td>x</td>
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<tr>
<td>Bosse</td>
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<td>x</td>
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<td>Greenberg</td>
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<td>Haggerty</td>
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<td>Hilderbran</td>
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<td>Puente</td>
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<td>Yost</td>
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</tbody>
</table>

Total 6 aye
0 nay
0 present, not voting
3 absent

Chairman
Deborah K. McCall
Committee Coordinator

Ron Lewis
HB 2760
By: Rudd

Committee on Natural Resources

BILL ANALYSIS

BACKGROUND

The Martin County Underground Water Conservation District recently annexed additional territory in Northwest Howard County. It is felt that some changes ought to be made to better reflect the composition of the district.

PURPOSE

This bill allows for changing the name of the district, makes provisions for adding territory to the district, allows for additional directors in the event of district expansion.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Sections 1 and 2, Chapter 408, Acts of the 69th Legislature, Regular Session, 1985, by replacing "Martin County" with "Permian Basin" where it appears.

SECTION 2. Amends Section 11, Chapter 408, Acts of the 69th Legislature, Regular Session, 1985, to replace Chapter 51 with 52, and makes conforming amendments.

SECTION 3. Amends Section 12, Chapter 408, Acts of the 69th Legislature, Regular Session, 1985, to make conforming amendments.

SECTION 4. Amends Chapter 408, Acts of the 69th Legislature, Regular Session, 1985, to authorize the board to increase the number of directors to nine. Provides the procedure for the increase.

SECTION 5. Effective date: September 1, 1991.


RULEMAKING AUTHORITY

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

SUMMARY OF COMMITTEE ACTION

HB 2760 was referred directly to subcommittee on April 3, 1991. Notice was posted in accordance with House Rules, and HB 2760 was heard in a public hearing of the subcommittee on April 16, 1991. Testimony was taken in favor of the bill, and a witness was present in support, but did not testify on the bill. The motion to report HB 2760 favorably back to the full committee carried by a vote of 3 ayes, 0 nay, 0 PNV and 0 absent. The subcommittee report on HB 2760 was taken up at a public hearing of the full committee on April 22, 1991. No witnesses were present on the bill. The motion to report HB 2760 favorably back to the full House with the recommendation that it be placed on the Local and Consent calendar carried by a vote of 6 ayes, 0 nay, 0 PNV and 3 absent.
LEGISLATIVE BUDGET BOARD  
Austin, Texas  
FISCAL NOTE  
March 29, 1991

TO: Honorable Ron Lewis, Chair 
Committee on Natural Resources  
House of Representatives  
Austin, Texas 

IN RE: House Bill No. 2760  
By: Rudd 

FROM: Jim Oliver, Director 

In response to your request for a Fiscal Note on House Bill No. 2760 (relating to changing the name of the Martin County Underground Water Conservation District, the method of adding territory to the district, and membership on the district’s board of directors) 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 implication on units of local government. 

Source: LBB Staff: JO, JWH, DF, CKM
April 5, 1991

The Honorable Ron Lewis, Chair.
Committee on Natural Resources
Reagan Building, Room 214

Dear Chairman Lewis:

Please find below the Author's Fiscal Statement for HB 2760, relating to changing the name of the Martin County Underground Water Conservation District, the method of adding territory to the district, and membership on the district's board of directors.

It has been estimated that the net cost to the district for this legislation will be $500.00. I have attached a detailed explanation for your convenience.

If I can be of further assistance, please let me know.

Sincerely,

Jim D. Rudd

/jfe
April 2, 1991

The Honorable Jim Rudd
Texas House of Representatives
P.O. Box 2910
Austin, Texas 78769

Dear Representative Rudd;

Enclosed please find the requested fiscal note for House Bill 2760 as requested.

The name change from the Martin County Underground Water Conservation District to the Permian Basin Underground Water Conservation District will require a one time expense of $500.00 for sign changes and inner office stationery changes.

The change allowing annexation procedures to occur under Chapter 52 rules instead of Chapter 51 will result in a savings to the District in Annexation Election Expenses of about $2,000.00 each time an annexation election is held. We expect two such elections in the next five year period for the total savings of approximately $4,000.00.

If the Board chooses to add an additional 4 directors, (which is highly unlikely) redrawing of subdistrict lines would cost approximately $2,000.00 each time it is done. I would anticipate it to be done each time an annexation election is held for a total cost of $4,000.00 during this 5 year period. Additional Directors themselves would not add any cost currently as it is current board policy not to compensate its Directors.

In summation, total additional costs would be $4,500.00 and total saving would be $4,000.00 for a net cost to the District of $500.00 as a result of this legislation.
If I can be of any further help, please do not hesitate to call me at (915) 756-2136 or our Fax No. is (915) 756-2068.

Sincerely,

Mark Hoelscher
General Manager,
MCUWCD

MH/tl
The Honorable Gib Lewis  
Speaker of the House of Representatives  
State Capitol Building, Room 238  
Austin, Texas 78701

Re: Responsibility of the Texas Water Commission to submit a recommendation on legislation pursuant to Article XVI, Section 59 (d), Texas Constitution; and Responsibility of the Texas Water Commission and the Texas Water Development Board to submit a water development policy impact statement pursuant to HOUSE RULE 4, Section 37.

H.B. 2760 by Rudd

Relating to changing the name of the Martin County Underground Water Conservation District, the method of adding territory to the district, and membership on the district's board of directors.

Dear Speaker Lewis:

House Bill 2760 would amend the enabling legislation of the Martin County Underground Water Conservation District to change the district's name, to allow increases in the number of directors, and change the procedures for adding territory to the district. H.B. 2760 would change the name of the district to the Permian Basin Underground Water Conservation District. The bill would also authorize the district's board to increase the number of directors to a maximum of nine directors. The bill would change the annexation procedures for adding territory to the district from those of Chapter 51 of the
The Honorable Gib Lewis
Page 2
April 15, 1991

Water Code to the procedures given in Chapter 52, Water Code. These changes address recent inclusion of territory outside Martin County and conform the district's annexation procedures to the more appropriate procedures now provided in Chapter 52 of the Water Code relating to underground water conservation districts.

Respectfully yours,

[Signature]

Allen Beinke
Executive Director

cc: Representative Lewis, Chairman
House Natural Resources Committee
Representative Rudd
A BILL TO BE ENTITLED

AN ACT

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       House of Representatives  
       Austin, Texas  

IN RE: House Bill No. 2760  
By: Rudd  

FROM: Jim Oliver, Director  

In response to your request for a Fiscal Note on House Bill No. 2760 (relating to changing the name of the Martin County Underground Water Conservation District, the method of adding territory to the district, and membership on the district's board of directors) 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 implication on units of local government.

Source: LBB Staff: JO, JWH, DF, CKM
April 5, 1991

The Honorable Ron Lewis, Chair.
Committee on Natural Resources
Reagan Building, Room 214

Dear Chairman Lewis:

Please find below the Author's Fiscal Statement for HB 2760, relating to changing the name of the Martin County Underground Water Conservation District, the method of adding territory to the district, and membership on the district's board of directors.

It has been estimated that the net cost to the district for this legislation will be $500.00. I have attached a detailed explanation for your convenience.

If I can be of further assistance, please let me know.

Sincerely,

Jim D. Rudd

/ffe
By: Rudd (Senate Sponsor - Montford)  
(H.B. No. 2760  
(In the Senate - Received from the House May 8, 1991;  
May 9, 1991, read first time and referred to Committee on Natural  
Resources; May 17, 1991, reported favorably by the following vote:  
Yeas 9, Nays 0; May 17, 1991, sent to printer.)

COMMITTEE VOTE

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<th>Yea</th>
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<tr>
<td>Sims</td>
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<td>Truan</td>
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A BILL TO BE ENTITLED
AN ACT

relating to changing the name of the Martin County Underground  
Water Conservation District, the method of adding territory to the  
district, and membership on the district's board of directors.

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

SECTION 1. Sections 1 and 2, Chapter 408, Acts of the 69th  
Legislature, Regular Session, 1985, are amended to read as follows:

Sec. 1. CREATION OF DISTRICT. Under Article XVI, Section 59, of the Texas Constitution the Permian Basin [Martin-County]  
Underground Water Conservation District is created as a  
governmental agency and body politic and corporate, authorized to  
exercise the powers essential to the accomplishment of the purposes  
of that constitutional provision and to exercise the rights,  
powers, duties, privileges, and functions provided by this Act and  
by Chapters 51 and 52, Water Code, and by other laws of this state  
relating to underground water conservation districts.

Sec. 2. DEFINITION. In this Act, "district" means the  
Permian Basin [Martin-County] Underground Water Conservation  
District.

SECTION 2. Section 11, Chapter 408, Acts of the 69th  
Legislature, Regular Session, 1985, is amended to read as follows:  
Sec. 11. ANNEXATION. Additional territory may be added to  
the district as provided by Chapter 52 [54], Water Code. Unless  
the number of directors is increased in accordance with Section 12A  
of this Act, the [The] board of directors shall determine to which  
precinct the annexed land will be added for purposes of election of  
directors.

SECTION 3. Section 12, Chapter 408, Acts of the 69th  
Legislature, Regular Session, 1985, is amended to read as follows:  
Sec. 12. DIRECTOR ELECTIONS. (a) The district shall be  
governed by a board of directors that consists of five directors  
unless the number of directors is increased in accordance with  
Section 12A of this Act.

(b) To be qualified for election as a director, a person  
must be a resident of the district and be at least 18 years of age.

(c) Except as provided by Section 12A of this Act, one [one]  
director shall be elected from each county commissioners precinct  
in Martin County and one director shall be elected from the  
district at large. To represent a commissioners precinct, the  
director must be a resident of the precinct.

(d) Directors serve staggered four-year terms.
regular-meeting-of-the-board-after-the-second-regular-election-of
directors-and-the-directors-elected-from-commissioners-precincts-
and--at-the--confirmation-election-shall-serve-until-the-first-
regular-meeting-of-the-board-after-the-first-regular-election-of
directors)

SECTION 4. Chapter 408, Acts of the 69th Legislature,
Regular Session, 1985, is amended by adding Section 12A to read as
follows:

Sec. 12A. INCREASING THE NUMBER OF DIRECTORS. (a) The
board of directors by resolution may increase the number of
directors on the board to not more than nine. If the size of the
board is increased, directors shall be elected as provided by this
section.

(b) One director shall be elected by a plurality vote of the
electors of the entire district, and the remaining directors shall
be elected from single member subdistricts by a plurality vote of
the electors of each subdistrict.

(c) In a resolution increasing the number of directors, the
board shall divide the territory of the district into the
appropriate number of subdistricts.

(d) When adding territory to the district under Section 11
of this Act, the board shall determine to which subdistrict the
territory will be added for purposes of election of directors. If
the most recent federal decennial census indicates that the level
of population inequality between the subdistricts exceeds the level
allowed by federal law, the board by resolution shall redraw the
subdistricts.

(e) The board by resolution shall redraw the subdistricts
after the issuance of each federal decennial census.

(f) Subdistricts must be compact and contiguous and must be
substantially equal in population according to the most recent
federal decennial census.

(g) At the first regular directors election after the
district is divided into subdistricts under Subsection (c) of this
section or subdistricts are redrawn under Subsections (d) or (e) of
this section, the positions of all directors representing
subdistricts shall be filled. The person representing the district
at large shall serve a four-year term and the directors elected to
represent subdistricts shall draw lots to determine their terms.
If five or seven directors are elected to represent subdistricts,
three or four, as appropriate, shall serve four-year terms and the
remaining directors shall serve two-year terms. If six or eight
directors are elected to represent subdistricts, one-half shall
serve four-year terms and one-half shall serve two-year terms.

(h) To represent a subdistrict, a person must be a resident
of the subdistrict.

(i) A person filing an application for a place on the ballot
must indicate on the application the subdistrict that the person
seeks to represent or that the person seeks to represent the
district at large.

(j) The board shall send a copy of each resolution adopted
under this section to the Texas Water Commission immediately after
its adoption.

SECTION 5. This Act takes effect September 1, 1991.

SECTION 6. 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.
H.B. No. 2760

Austin, Texas
May 17, 1991

Hon. Bob Bullock
President of the Senate

Sir:

We, your Committee on Natural Resources to which was referred H.B. No. 2760, 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.

Sims, Chairman
TO: Honorable Ron Lewis, Chair
    Committee on Natural Resources
    House of Representatives
    Austin, Texas

IN RE: House Bill No. 2760

By: Rudd

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on House Bill No. 2760 (relating to changing the name of the Martin County Underground Water Conservation District, the method of adding territory to the district, and membership on the district's board of directors) 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 implication on units of local government.

Source: LBB Staff: JO, JWH, DF, CKM
FAVORABLE
SENATE COMMITTEE REPORT ON

SB SCR SJR SR HB HCR HJR 2760

By Rudd / Montford

(Author/Senate Sponsor)

5-17-91

date of submission to Senate

Lt. Governor Bob Bullock
President of the Senate

Sir:

We, your Committee on Natural Resources, to which was referred the attached measure, have on 5-16-91, had the same under consideration and I am instructed to report it back with the recommendation(s) that it:

☑ do pass and be printed

☐ do pass and be ordered not printed

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

A fiscal note was requested. ☐ yes ☐ no

A revised fiscal note was requested. ☐ yes ☐ no.

An actuarial analysis was requested. ☐ yes ☐ no

Considered by subcommittee. ☐ yes ☐ no

The measure was reported from Committee by the following vote:

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<th>YEA</th>
<th>NAY</th>
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<td>Sims, Chairman</td>
<td>✓</td>
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<td></td>
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<tr>
<td>Truan, Vice Chairman</td>
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<td>TOTAL VOTES</td>
<td>7</td>
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COMMITTEE ACTION

☐ Considered in public hearing
☐ Testimony taken

COMMITTEE CLERK

CHAIRMAN

Paper clip the original and one copy of this signed form to the original bill
Deliver one copy of this form to the Calendar Clerk, Room 218 Capitol
Deliver one copy of this form to the Legislative Reference Library, Room 207B Capitol
Retain one copy of this form for Committee files
April 5, 1991

The Honorable Ron Lewis, Chair,
Committee on Natural Resources
Reagan Building, Room 214

Dear Chairman Lewis:

Please find below the Author's Fiscal Statement for HB 2760, relating to changing the name of the Martin County Underground Water Conservation District, the method of adding territory to the district, and membership on the district's board of directors.

It has been estimated that the net cost to the district for this legislation will be $500.00. I have attached a detailed explanation for your convenience.

If I can be of further assistance, please let me know.

Sincerely,

Jim D. Rudd

/ije
LETTER OF TRANSMITTAL

HOUSE OF REPRESENTATIVES
STATE OF TEXAS

TO: The Honorable Ann W. Richards
Governor of Texas

SUBJECT: A Bill Relating to a Conservation and Reclamation District

This is to transmit to you and the Texas Water Commission copies of House Bill No. 2760, 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 one for you to forward to the Texas Water Commission, under Section 59(d), Article XVI, Constitution of the State of Texas.

MAR 15 1991
Date transmitted to
Governor's Office

Betty Murray
Chief Clerk
House of Representatives

TO: Texas Water Commission

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.

TO: The Honorable Gibson D. "Gib" Lewis
Speaker of the House
The Honorable Bob Bullock
President of the Senate
The Honorable Ann W. Richards
Governor of Texas

SUBJECT: A Bill Relating to a Conservation and Reclamation District

Attached are the recommendations of the Texas Water Commission on House Bill No. 2760, in compliance with Section 59(d), Article XVI, Constitution of the State of Texas.

Allen Beinke
Executive Director
The Honorable Gib Lewis
Speaker of the House of Representatives
State Capitol Building, Room 238
Austin, Texas 78701

Re: Responsibility of the Texas Water Commission to submit a recommendation on legislation pursuant to Article XVI, Section 59 (d), Texas Constitution; and Responsibility of the Texas Water Commission and the Texas Water Development Board to submit a water development policy impact statement pursuant to HOUSE RULE 4, Section 37.

H.B. 2760 by Rudd

Relating to changing the name of the Martin County Underground Water Conservation District, the method of adding territory to the district, and membership on the district’s board of directors.

Dear Speaker Lewis:

House Bill 2760 would amend the enabling legislation of the Martin County Underground Water Conservation District to change the district’s name, to allow increases in the number of directors, and change the procedures for adding territory to the district. H.B. 2760 would change the name of the district to the Permian Basin Underground Water Conservation District. The bill would also authorize the district’s board to increase the number of directors to a maximum of nine directors. The bill would change the annexation procedures for adding territory to the district from those of Chapter 51 of the
The Honorable Gib Lewis
Page 2
April 15, 1991

Water Code to the procedures given in Chapter 52, Water Code. These changes address recent inclusion of territory outside Martin County and conform the district's annexation procedures to the more appropriate procedures now provided in Chapter 52 of the Water Code relating to underground water conservation districts.

Respectfully yours,

Allen Beinke
Executive Director

cc: Representative Lewis, Chairman
    House Natural Resources Committee
    Representative Rudd
STATE OF TEXAS §

COUNTY OF MARTIN §

BEFORE ME, the under signed authority, on this day personally appeared

Robert Wernsman ____________________________, the Publisher

of Stanton Herald ________________________, a newspaper having general circulation in

Martin County, Texas, who, being by me duly sworn, deposes and says that

the foregoing attached notice was published in said newspaper on the following date(s), to-wit:

__________________________________________


Affiant

SUBSCRIBED AND SWORN TO before me this 14 day of February, 19__ to certify which witness my hand and seal of office.

Maree Brooks

NOTARY PUBLIC, STATE OF TEXAS
Notary's Printed Name: Maree Brooks
My Commission Expires: 4-19-94
REQUEST FOR LOCAL & UNCONTESTED CALENDAR PLACEMENT

Hon. Bill Haley, Chairman
Administration Committee

Sir:

Notice is hereby given that [Bill No. 2760], by: Montford
(Bill No.)

was heard by the Committee on Natural Resources on 5-16-1991,
(author)

and reported out with the recommendation that it be placed on the Local Uncontested Bills Calendar.

[Signature]
Clerk of the reporting committee

IMPORTANT: A COPY OF 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 ROOM 419. DEADLINE FOR SUBMITTING BILLS FOR THE LOCAL CALENDAR IS 5:00 P.M. FRIDAY.

Paper clip the original to the bill; retain one copy for reporting committee files; deliver one copy to the bill sponsor.
AN ACT

relating to changing the name of the Martin County Underground Water Conservation District, the method of adding territory to the district, and membership on the district's board of directors.

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

SECTION 1. Sections 1 and 2, Chapter 408, Acts of the 69th Legislature, Regular Session, 1985, are amended to read as follows:

Sec. 1. CREATION OF DISTRICT. Under Article XVI, Section 59, of the Texas Constitution the Permian Basin [Martin--County] Underground Water Conservation District is created as a governmental agency and body politic and corporate, authorized to exercise the powers essential to the accomplishment of the purposes of that constitutional provision and to exercise the rights, powers, duties, privileges, and functions provided by this Act and by Chapters 51 and 52, Water Code, and by other laws of this state relating to underground water conservation districts.

Sec. 2. DEFINITION. In this Act, "district" means the Permian Basin [Martin--County] Underground Water Conservation District.

SECTION 2. Section 11, Chapter 408, Acts of the 69th Legislature, Regular Session, 1985, is amended to read as follows:

Sec. 11. ANNEXATION. Additional territory may be added to the district as provided by Chapter 52 [51], Water Code. Unless the number of directors is increased in accordance with Section 12A
of this Act, the [The] board of directors shall determine to which precinct the annexed land will be added for purposes of election of directors.

SECTION 3. Section 12, Chapter 408, Acts of the 69th Legislature, Regular Session, 1985, is amended to read as follows:

Sec. 12. DIRECTOR ELECTIONS. (a) The district shall be governed by a board of directors that consists of five directors unless the number of directors is increased in accordance with Section 12A of this Act.

(b) To be qualified for election as a director, a person must be a resident of the district and be at least 18 years of age.

(c) Except as provided by Section 12A of this Act, one [One] director shall be elected from each county commissioners precinct in Martin County and one director shall be elected from the district at large. To represent a commissioners precinct, the director must be a resident of the precinct.

(d) Directors serve staggered four-year terms.

(e) Regular [After--the--election--of--directors---at---the confirmation--election--held--under--Section--8--of--this--Act, regular] elections for a portion of the board of directors shall be held in each even-numbered year. [The directors elected from commissioners precincts--i--and--3--and--the--director--elected--at--large--at--the confirmation--election--shall serve as--directors--until--the--first regular--meeting--of--the--board--after--the--second--regular--election--of directors, and the directors elected from commissioners precincts--2 and--4--at--the confirmation--election--shall serve until--the--first regular--meeting--of--the--board--after--the--first--regular--election--of]
SECTION 4. Chapter 408, Acts of the 69th Legislature, Regular Session, 1985, is amended by adding Section 12A to read as follows:

Sec. 12A. INCREASING THE NUMBER OF DIRECTORS. (a) The board of directors by resolution may increase the number of directors on the board to not more than nine. If the size of the board is increased, directors shall be elected as provided by this section.

(b) One director shall be elected by a plurality vote of the electors of the entire district, and the remaining directors shall be elected from single member subdistricts by a plurality vote of the electors of each subdistrict.

(c) In a resolution increasing the number of directors, the board shall divide the territory of the district into the appropriate number of subdistricts.

(d) When adding territory to the district under Section 11 of this Act, the board shall determine to which subdistrict the territory will be added for purposes of election of directors. If the most recent federal decennial census indicates that the level of population inequality between the subdistricts exceeds the level allowed by federal law, the board by resolution shall redraw the subdistricts.

(e) The board by resolution shall redraw the subdistricts after the issuance of each federal decennial census.

(f) Subdistricts must be compact and contiguous and must be substantially equal in population according to the most recent
(g) At the first regular directors election after the federal decennial census,
district is divided into subdistricts under Subsection (c) of this section or subdistricts are redrawn under Subsections (d) or (e) of this section, the positions of all directors representing subdistricts shall be filled. The person representing the district at large shall serve a four-year term and the directors elected to represent subdistricts shall draw lots to determine their terms. If five or seven directors are elected to represent subdistricts, three or four, as appropriate, shall serve four-year terms and the remaining directors shall serve two-year terms. If six or eight directors are elected to represent subdistricts, one-half shall serve four-year terms and one-half shall serve two-year terms.

(h) To represent a subdistrict, a person must be a resident of the subdistrict.

(i) A person filing an application for a place on the ballot must indicate on the application the subdistrict that the person seeks to represent or that the person seeks to represent the district at large.

(j) The board shall send a copy of each resolution adopted under this section to the Texas Water Commission immediately after its adoption.

SECTION 5. This Act takes effect September 1, 1991.
SECTION 6. 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.
H.B. No. 2760

President of the Senate

I certify that H.B. No. 2760 was passed by the House on May 7, 1991, by a non-record vote.

Speaker of the House

Chief Clerk of the House

I certify that H.B. No. 2760 was passed by the Senate on May 21, 1991, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: ____________________________

Date

Governor

6
President of the Senate  

Speaker of the House

I certify that H.B. No. 2760 was passed by the House on May 7, 1991, by a non-record vote.

______________________________
Chief Clerk of the House

I certify that H.B. No. 2760 was passed by the Senate on May 21, 1991, by the following vote:

Yeas 31, Nays 0

______________________________
Secretary of the Senate

APPROVED:

______________________________
Date

______________________________
Governor

**** Preparation:  CT27;
H. B. No. 2760

A BILL TO BE ENTITLED
AN ACT
relating to changing the name of the Martin County Underground Water Conservation District, the method of adding territory to the district, and membership on the district's board of directors.

MAY 7 1991
9. Read third time (amended); finally passed (passed) by Non-Record Vote (Record Vote of _______ yeas, _______ nays, _______ present, not voting).

MAY 7 1991
10. Caption ordered amended to conform to body of bill.

MAY 7 1991
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 _______ yeas, _______ nays, and _______ present, not voting).

MAY 7 1991
12. Ordered Engrossed at 12:51 pm

MAY 7 1991
13. Engrossed.

MAY 7 1991
14. Returned to Chief Clerk at 3:58 pm

MAY 8 1991
15. Sent to Senate.

MAY 8 1991
16. Received from the House

MAY 9 1991
17. Read, referred to Committee on NATURAL RESOURCES

MAY 17 1991
18. Reported favorably

MAY 17 1991
19. Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.

MAY 17 1991
20. Ordered not printed.

MAY 17 1991
21. Regular order of business suspended by (a viva voce vote.)

By [Signature]

Chief Clerk of the House

MAY 7 1991
FILED WITH THE CHIEF CLERK

MAY 7 1991
1. Filed with the Chief Clerk.

MAY 7 1991
2. Read first time and referred to Committee on Natural Resources.

MAY 7 1991
3. Reported favorably as amended and sent to printer at 4:59 pm.

MAY 7 1991
4. Printed and distributed at 11:28 am.

MAY 7 1991
5. Sent to Committee on Calendars at 8:44 am.

MAY 7 1991
6. Read second time (amended); passed to third reading (revised) by non-record vote (record vote of _______ yeas, _______ nays, _______ present, not voting).

MAY 7 1991
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 _______ yeas, _______ nays, and _______ present, not voting).

MAY 7 1991
8. Constitutional Rule requiring bills to be read on three several days suspended (failed to suspend) by a four-fifths vote of _______ yeas, _______ nays, and _______ present, not voting.
22. To permit consideration, reading and passage, Senate and Constitutional Rules suspended by vote of _____ year, _____ nays.

MAY 21 1991

Laid before Senate

23. Read second time passed to third reading by:

(Seven voice vote.)

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

MAY 21 1991

25. Senate and Constitutional 3-Day Rules suspended by vote of 31 year, 0 nays to place bill on third reading and final passage.

MAY 21 1991

26. Read third time and passed by

(a seven voice vote.)

31 year, 0 nays)

MAY 21 1991

OTHER ACTION: OTHER ACTION:

SECRETARY

5-21-91

27. Returned to the House.

MAY 21 1991

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

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

MAY 21 1991

30. Conference Committee Ordered.

MAY 21 1991

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

MAY 21 1991

32. Ordered Enrolled at 10:30 am.