

1991 MAR 28 AM 9 07
HOUSE OF REPRESENTATIVES

I certify that the attached is a true and correct copy of HB 2760, which was filed of record on MAR 15 1991 and referred to the committee on: Natural Resources
Betty Mansing
Chief Clerk of the House

By *Rudd*

FILED MAR 15 1991
#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.

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

to be added to the list of precincts
to be added to the list of precincts

1 of this Act, the [The] board of directors shall determine to which
2 precinct the annexed land will be added for purposes of election of
3 directors.

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

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

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

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

17 (d) Directors serve staggered four-year terms.

18 (e) Regular [~~After--the--election--of--directors--at--the~~
19 ~~confirmation--election--held--under--Section--8--of--this--Act,--regular~~]
20 elections for a portion of the board of directors shall be held in
21 each even-numbered year. [~~The--directors--elected--from--commissioners~~
22 ~~precincts--1--and--3--and--the--director--elected--at--large--at--the~~
23 ~~confirmation--election--shall--serve--as--directors--until--the--first~~
24 ~~regular--meeting--of--the--board--after--the--second--regular--election--of~~
25 ~~directors,--and--the--directors--elected--from--commissioners--precincts--2~~
26 ~~and--4--at--the--confirmation--election--shall--serve--until--the--first~~
27 ~~regular--meeting--of--the--board--after--the--first--regular--election--of~~

1 directors.]

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

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

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

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

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

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

26 (f) Subdistricts must be compact and contiguous and must be
27 substantially equal in population according to the most recent

1 federal decennial census.

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

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

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

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

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

24 SECTION 6. The importance of this legislation and the
25 crowded condition of the calendars in both houses create an
26 emergency and an imperative public necessity that the
27 constitutional rule requiring bills to be read on three several

1 days in each house be suspended, and this rule is hereby suspended.

THE STATE OF TEXAS,
COUNTY OF CALHOUN

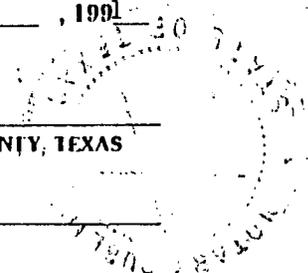
Before me, the undersigned authority, on this day personally appeared Chester Surber

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. Dio: RE - Matter Calhoun County Navigation
District
was published in Port Lavaca Wave on the following dates: 2/26/91

Chester Surber
Chester Surber

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

Cathy Buehring
NOTARY PUBLIC IN AND FOR CALHOUN COUNTY, TEXAS
Cathy Buehring
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 Seale, 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 appt. 552-2985 or evenings & weekends (512) 893-5880

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. Stofor Real Estate, 983-4330.

Mobile Homes

14X80 3/2 on 1.5 acres storage building included, \$29,500. Call 552-6785 or 552-5175 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 1-800-880-0320.

"PALM HARBOR FACTORY DIRECT": Hurry! 1991 Palm Harbor Doublewide, 3 bedroom,

Acreage

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

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)

★ \$\$\$\$\$\$\$\$\$\$\$\$\$\$\$\$\$★

Best Value in Town

Land's End *Regency*

1200 Alcoa 1100 Alcoa

Leasing at Land's End (Fulltime Resident Mgr.)

Effective July 1st, 1990

1 Bdrm. from \$198

2 Bdrm. from \$228

- Carpeting, dishwasher
- Conveniently located
- Total electric
- Energy efficient
- Central Air/Heat
- Beautifully landscaped
- Quiet surroundings
- Children's playground



Open Mon.-Fri.

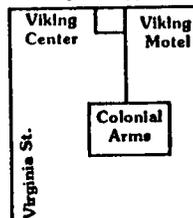
9 a.m.-5 p.m.

552-4738

Colonial Arms Apts.

Call for more information

Hwy. 35 Bypass



- 1 & 2 BR Apts.
- Pool
- Central H & A
- Covered Carport
- Quiet & Cozy

552-9003

GULF COAST APARTMENTS



\$260 to \$375

1. Behind Stanley's #2 and Port Lavaca Clinic
2. Walking distance to Mall and Grocery Store
3. Appliances furnished - Laundry facilities

1210 N. Virginia

552-5980

STASH-A-WAY

Classified

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.

Date transmitted to
Texas Water Commission


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.


Allen Beinke
Executive Director

HOUSE COMMITTEE REPORT

91 APR 26 PM 11:28

HOUSE OF REPRESENTATIVES

1st Printing

By Rudd

H.B. No. 2760

A BILL TO BE ENTITLED

AN ACT

1
2 relating to changing the name of the Martin County Underground
3 Water Conservation District, the method of adding territory to the
4 district, and membership on the district's board of directors.

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

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

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

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

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

22 Sec. 11. ANNEXATION. Additional territory may be added to
23 the district as provided by Chapter 52 [51], Water Code. Unless
24 the number of directors is increased in accordance with Section 12A

1 of this Act, the [The] board of directors shall determine to which
2 precinct the annexed land will be added for purposes of election of
3 directors.

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

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

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

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

17 (d) Directors serve staggered four-year terms.

18 (e) Regular [~~After--the--election--of--directors---at---the~~
19 ~~confirmation--election--held--under--Section--8--of--this--Act,7--regular~~]
20 elections for a portion of the board of directors shall be held in
21 each even-numbered year. [~~The--directors--elected--from--commissioners~~
22 ~~precincts--1--and--3--and--the--director--elected--at--large--at--the~~
23 ~~confirmation--election--shall--serve--as--directors--until--the--first~~
24 ~~regular--meeting--of--the--board--after--the--second--regular--election--of~~
25 ~~directors,7--and--the--directors--elected--from--commissioners--precincts--2~~
26 ~~and--4--at--the--confirmation--election--shall--serve--until--the--first~~
27 ~~regular--meeting--of--the--board--after--the--first--regular--election--of~~

1 ~~directors.]~~

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

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

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

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

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

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

26 (f) Subdistricts must be compact and contiguous and must be
27 substantially equal in population according to the most recent

1 federal decennial census.

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

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

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

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

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

1 SECTION 6. The importance of this legislation and the
2 crowded condition of the calendars in both houses create an
3 emergency and an imperative public necessity that the
4 constitutional rule requiring bills to be read on three several
5 days in each house be suspended, and this rule is hereby suspended.

COMMITTEE REPORT

The Honorable Gib Lewis
Speaker of the House of Representatives

April 22, 1991
 (date)

Sir:

We, your COMMITTEE ON NATURAL RESOURCES,

to whom was referred HB 2760 have had the same under consideration and beg to report
 (measure)

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 author's fiscal statement was requested. yes no

A criminal justice policy impact statement was requested. yes no

An equalized educational funding impact statement was requested. yes no

An actuarial analysis was requested. yes no

A water development policy impact statement was requested. yes no

A federal funds impact statement was requested. yes no

The Committee recommends that this measure be sent to the Committee on Local and Consent Calendars.

This measure proposes new law. amends existing law.

House Sponsor of Senate Measure _____

The measure was reported from Committee by the following vote:

	AYE	NAY	PNV	ABSENT
Lewis, R., Ch.	x			
Willy, V.C.	x			
Collazo, C.B.O.				x
Bosse	x			
Greenberg				x
Haggerty				x
Hilderbran	x			
Puente	x			
Yost	x			

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

Ron Lewis
 CHAIRMAN

Deborah K. McCall
 COMMITTEE COORDINATOR

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.

SECTION 6. Emergency clause.

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

Texas House of Representatives



- P.O. Box 2910
Austin, Texas 78768-2910
(512) 463-0678
Rm. 313, Capitol
- 420 W. Main
Brownfield, Texas 79316
(806) 637-7616

STATE REPRESENTATIVE

Jim D. Rudd

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,

A handwritten signature in cursive script that reads "Jim D. Rudd".

Jim D. Rudd

/jfe

Martin County Underground Water Conservation District

(915) 756-2136 • 207 N. St. Peter • Stanton, Texas 79782



Directors
JOHN F. CAMPBELL
EARL DICKENSON
GUY MABEE, JR.
JIMMIE SAWYER
RUFUS TOM
Manager
MARK HOELSCHER

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.

5

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 L. Hoelscher
General Manager,
MCUWCD

MH/tl

6

TEXAS WATER COMMISSION



B. J. Wynne, III, Chairman
John E. Birdwell, Commissioner
Cliff Johnson, Commissioner

John J. Vay, General Counsel
Michael E. Field, Chief Hearings Examiner
Gloria A. Vasquez, Chief Clerk

Allen Beinke, Executive Director

April 15, 1991

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,



for
Allen Beinke
Executive Director

cc: Representative Lewis, Chairman
House Natural Resources Committee
Representative Rudd

HOUSE ENGROSSMENT

91 MAY -7 PM 3:58

HOUSE OF REPRESENTATIVES

By Rudd

H.B. No. 2760

A BILL TO BE ENTITLED

AN ACT

1
2 relating to changing the name of the Martin County Underground
3 Water Conservation District, the method of adding territory to the
4 district, and membership on the district's board of directors.

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

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

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

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

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

22 Sec. 11. ANNEXATION. Additional territory may be added to
23 the district as provided by Chapter 52 [5+], Water Code. Unless
24 the number of directors is increased in accordance with Section 12A

1 of this Act, the [The] board of directors shall determine to which
2 precinct the annexed land will be added for purposes of election of
3 directors.

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

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

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

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

17 (d) Directors serve staggered four-year terms.

18 (e) Regular [~~After--the--election--of--directors---at---the~~
19 ~~confirmation--election--held--under--Section--8--of--this--Act,7--regular~~]
20 elections for a portion of the board of directors shall be held in
21 each even-numbered year. [~~The--directors--elected--from--commissioners~~
22 ~~precincts--1--and--3--and--the--director--elected--at--large--at--the~~
23 ~~confirmation--election--shall--serve--as--directors--until--the--first~~
24 ~~regular--meeting--of--the--board--after--the--second--regular--election--of~~
25 ~~directors,7--and--the--directors--elected--from--commissioners--precincts--2~~
26 ~~and--4--at--the--confirmation--election--shall--serve--until--the--first~~
27 ~~regular--meeting--of--the--board--after--the--first--regular--election--of~~

1 ~~directors-]~~

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

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

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

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

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

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

26 (f) Subdistricts must be compact and contiguous and must be
27 substantially equal in population according to the most recent

1 federal decennial census.

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

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

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

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

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

1 SECTION 6. The importance of this legislation and the
2 crowded condition of the calendars in both houses create an
3 emergency and an imperative public necessity that the
4 constitutional rule requiring bills to be read on three several
5 days in each house be suspended, and this rule is hereby suspended.

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

Texas House of Representatives



- P.O. Box 2910
Austin, Texas 78768-2910
(512) 463-0678
Rm. 313, Capitol
- 420 W. Main
Brownfield, Texas 79316
(806) 637-7616

STATE REPRESENTATIVE

Jim D. Rudd

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,

A handwritten signature in cursive script that reads "Jim D. Rudd".

Jim D. Rudd

/jfe

2

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

6 COMMITTEE VOTE

	Yea	Nay	PNV	Absent
7				
8	Sims	x		
9	Truan	x		
10	Armbrister			x
11	Barrientos			x
12	Brown	x		
13	Carriker	x		
14	Lucio	x		
15	Ratliff	x		
16	Rosson	x		
17	Sibley	x		
18	Zaffirini	x		

19 A BILL TO BE ENTITLED
20 AN ACT

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

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

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

27 Sec. 1. CREATION OF DISTRICT. Under Article XVI, Section
28 59, of the Texas Constitution the Permian Basin [Martin-County]
29 Underground Water Conservation District is created as a
30 governmental agency and body politic and corporate, authorized to
31 exercise the powers essential to the accomplishment of the purposes
32 of that constitutional provision and to exercise the rights,
33 powers, duties, privileges, and functions provided by this Act and
34 by Chapters 51 and 52, Water Code, and by other laws of this state
35 relating to underground water conservation districts.

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

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

41 Sec. 11. ANNEXATION. Additional territory may be added to
42 the district as provided by Chapter 52 [5+], Water Code. Unless
43 the number of directors is increased in accordance with Section 12A
44 of this Act, the [The] board of directors shall determine to which
45 precinct the annexed land will be added for purposes of election of
46 directors.

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

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

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

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

60 (d) Directors serve staggered four-year terms.

61 (e) Regular [After---the---election---of---directors---at---the
62 confirmation-election-held-under-Section-8-of---this---Act,---regular]
63 elections for a portion of the board of directors shall be held in
64 each even-numbered year. [The-directors-elected-from-commissioners
65 precincts-1-and-3---and---the---director---elected---at---large---at---the
66 confirmation---election---shall---serve---as---directors-until-the-first

1 ~~regular-meeting-of-the-board-after-the-second-regular--election--of~~
 2 ~~directors,--and-the-directors-elected-from-commissioners-precincts-2~~
 3 ~~and--4--at--the--confirmation--election--shall-serve-until-the-first~~
 4 ~~regular-meeting-of-the-board-after-the-first--regular--election--of~~
 5 ~~directors.]~~

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

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

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

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

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

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

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

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

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

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

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

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

55 SECTION 6. The importance of this legislation and the
 56 crowded condition of the calendars in both houses create an
 57 emergency and an imperative public necessity that the
 58 constitutional rule requiring bills to be read on three several
 59 days in each house be suspended, and this rule is hereby suspended.

* * * * *

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

**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

**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:

	YEA	NAY	ABSENT	PNV
Sims, Chairman	✓			
Truan, Vice Chairman	✓			
Armbrister			✓	
Barrientos			✓	
Brown	✓			
Carriker	✓			
Lucio	✓			
Ratliff	✓			
Rosson	✓			
Sibley	✓			
Zaffirini	✓			
TOTAL VOTES	9		2	

COMMITTEE ACTION

S260 Considered in public hearing
 S270 Testimony taken

Siva Mayes
COMMITTEE CLERK

Bill Sims
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

Texas House of Representatives

STATE REPRESENTATIVE

Jim D. Rudd



- P.O. Box 2910
Austin, Texas 78768-2910
(512) 463-0678
Rm. 313, Capitol
- 420 W. Main
Brownfield, Texas 79316
(806) 637-7616

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,

A handwritten signature in cursive script that reads "Jim D. Rudd".

Jim D. Rudd

/jfe

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.

Date transmitted to
Texas Water Commission


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.


Allen Beinke
Executive Director

TEXAS WATER COMMISSION



B. J. Wynne, III, Chairman
John E. Birdwell, Commissioner
Cliff Johnson, Commissioner

John J. Vay, General Counsel
Michael E. Field, Chief Hearings Examiner
Gloria A. Vasquez, Chief Clerk

Allen Beinke, Executive Director

April 15, 1991

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,



for
Allen Beinke
Executive Director

cc: Representative Lewis, Chairman
House Natural Resources Committee
Representative Rudd

PUBLIC NOTICE

NOTICE OF INTENT

This is to give notice of the intent to introduce a bill in the 72nd Legislature — 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 the membership on the district's Board of Directors.

7116 February 14, 1991

STATE OF TEXAS §
 §
COUNTY OF MARTIN §

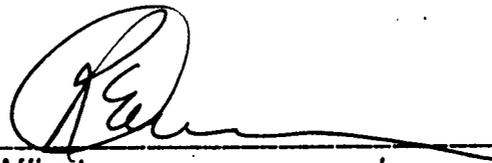
BEFORE ME, the under signed authority, on this day personally appeared _____

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,
1991 to certify which witness my hand and seal of office.



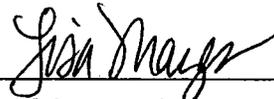
NOTARY PUBLIC, STATE OF TEXAS
Notary's Printed Name: MARAE BROOKS
My Commission Expires: 4-17-94

**REQUEST FOR LOCAL & UNCONTESTED CALENDAR
PLACEMENT**

Hon. Bill Haley, Chairman
Administration Committee

Sir:

Notice is hereby given that HB 2760, by: Montford,
(Bill No.) (author)
was heard by the Committee on Natural Resources on 5-16 19 91,
and reported out with the recommendation that it be placed on the Local Uncontested Bills Calendar.



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.

F

ENROLLED

H.B. No. 2760

1 AN ACT

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

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

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

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

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

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

22 Sec. 11. ANNEXATION. Additional territory may be added to
23 the district as provided by Chapter 52 [5†], Water Code. Unless
24 the number of directors is increased in accordance with Section 12A

1 of this Act, the [The] board of directors shall determine to which
2 precinct the annexed land will be added for purposes of election of
3 directors.

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

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

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

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

17 (d) Directors serve staggered four-year terms.

18 (e) Regular [~~After--the--election--of--directors---at---the~~
19 ~~confirmation--election--held--under--Section--8--of--this--Act,7--regular~~]
20 elections for a portion of the board of directors shall be held in
21 each even-numbered year. [~~The--directors--elected--from--commissioners~~
22 ~~precincts--1--and--3--and--the--director--elected--at--large--at--the~~
23 ~~confirmation--election--shall--serve--as--directors--until--the--first~~
24 ~~regular--meeting--of--the--board--after--the--second--regular--election--of~~
25 ~~directors,7--and--the--directors--elected--from--commissioners--precincts--2~~
26 ~~and--4--at--the--confirmation--election--shall--serve--until--the--first~~
27 ~~regular--meeting--of--the--board--after--the--first--regular--election--of~~

1 ~~directors-]~~

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

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

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

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

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

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

26 (f) Subdistricts must be compact and contiguous and must be
27 substantially equal in population according to the most recent

1 federal decennial census.

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

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

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

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

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

1 SECTION 6. The importance of this legislation and the
2 crowded condition of the calendars in both houses create an
3 emergency and an imperative public necessity that the
4 constitutional rule requiring bills to be read on three several
5 days in each house be suspended, and this rule is hereby suspended.

H.B. No. 2760

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

President of the Senate

Speaker of the House

I certify that H.B. No. 2760[✓] was passed by the House
(1)
on May 7[✓], 1991, by a non-record vote.
(2)

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:
(3)
Yeas 31[✓], Nays 0[✓]
(4) (5)

Secretary of the Senate

APPROVED:

Date

Governor

**** Preparation: CT27;

H. B. No. 2760

By Dudd

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.

MAR 15 1991

1. Filed with the Chief Clerk.

MAR 27 1991

2. Read first time and Referred to Committee on

Natural Resources

APR 22 1991

3. Reported favorably ~~(as amended)~~ _(as substituted) and sent to Printer at 4:50
APR 26 1991

APR 26 1991

4. Printed and distributed at 11:28

APR 29 1991

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

MAY 7 1991

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 7 1991

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 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.

Betty Murray
Chief Clerk of the House

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

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 21 1991

Laid before Senate

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

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 yeas, 0 nays to place bill on third reading and final passage.

MAY 21 1991

26. Read third time and passed by (a viva voce vote.) 31 yeas, 0 nays.)

OTHER ACTION:

OTHER ACTION:

Betty King

Secretary of the Senate

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) (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 21 1991

32. Ordered Enrolled at 10:30am

HOUSE OF REPRESENTATIVES
91 MAY -7 PM 3:58
91 APR 26 PM 11:28

PR

09/6