

1991 APR 16 AM 8:32

HOUSE OF REPRESENTATIVES

I certify that the attached is a true and
correct copy of HB 2831, which
was filed of record on APR 12 1991

and referred to the committee on:

Natural Resources

Betty Mansaray

Chief Clerk of the House

FILED APR 12 1991

By

[Signature]

H. B. No. 2831

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the terms of directors of the Sutton County Underground
3 Water Conservation District.

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

5 SECTION 1. Section 15, Chapter 377, Acts of the 69th
6 Legislature, Regular Session, 1985, is amended by amending
7 Subsection (e) and adding Subsection (f) to read as follows:

8 (e) The district shall hold [~~The three directors receiving~~
9 ~~the highest number of votes at the confirmation election shall~~
10 ~~serve as directors until the three persons elected at the second~~
11 ~~regular election of directors have qualified, and the other two~~
12 ~~directors shall serve until the two persons elected at the first~~
13 ~~regular election of directors have qualified. After the second~~
14 ~~election of directors,~~] an election in the district to elect
15 directors on the first Saturday in May of [~~shall be held~~] each
16 odd-numbered year [~~with two directors elected one year and three~~
17 ~~the next year in continuing sequence~~].

18 (f) The directors serve staggered four-year terms.

19 SECTION 2. The four-year term of office provided by Section
20 15(f), Chapter 377, Acts of the 69th Legislature, Regular Session,
21 1985, as added by this Act, does not affect the terms of office of
22 directors of the Sutton County Underground Water Conservation
23 District elected before the effective date of this Act.

24 SECTION 3. (a) Notwithstanding Section 15(e), Chapter 377,

1 Acts of the 69th Legislature, Regular Session, 1985, as amended by
2 this Act, the Sutton County Underground Water Conservation District
3 shall hold an election in the district on the first Saturday in
4 May, 1992, to elect three directors for the terms beginning in
5 1992. Notwithstanding Section 15(f) of that chapter, as added by
6 this Act, the three directors elected at that election serve
7 three-year terms.

8 (b) The directors elected at the election to be held in 1993
9 and thereafter serve four-year terms.

10 SECTION 4. This Act takes effect September 1, 1991.

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

PUBLISHER'S AFFIDAVIT

STATE OF TEXAS

COUNTY OF SUTTON

Before me, a Notary Public in and for Sutton County, this day personally appeared Griffin Cole, Publisher, Devil's River News, who, being duly sworn, states that the following advertisement was published in the Devil's River News on Thursday, February 21, 1991:

The Devil's River News, Thursday, February 21, 1991

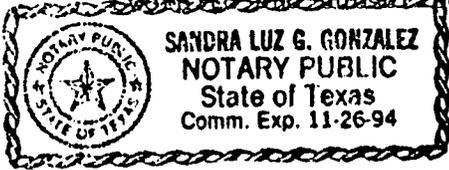
Public Notice

PUBLIC NOTICE

This is to give notice of intent to introduce in the 72nd Legislature, regular session, a bill to increase the term of the Sutton County Underground Water District directors from two to four years. (2/21)

Griffin B. Cole
Griffin Cole

~~Seen to and subscribed~~ before me this 25th day of February, 1991.



Sandra Luz G. Gonzalez
(notary)

My commission expires November 26, 1994

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. 2831, 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.

APR 12 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

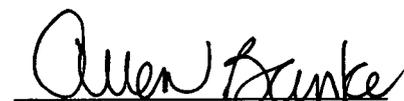
TO: The Honorable Gibson D. "Gib" Lewis
Speaker of the House

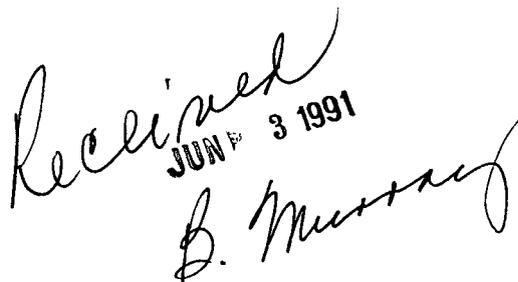
The Honorable Bob Bullock
President of the Senate

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. ~~2831~~, in compliance with Section 59(d), Article XVI, Constitution of the State of Texas.


Allen Beinke
Executive Director


Received
JUN 3 1991
B. Murray

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

May 14, 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.

H.B. 2831 by Hilderbran

Relating to the election and terms of directors of the Sutton County Underground Water Conservation District

Dear Speaker Lewis:

House Bill 2831 would amend the enabling legislation of the Sutton County Underground Water Conservation District to change the procedure for electing directors and the date of director elections. H.B. 2831 would change the election for directors from an annual election a biennial election held on the first Saturday in May. The bill would also require directors to serve staggered four-year terms. These changes provide for a simpler and more standardized procedure for the district. The change of the election day to the first Saturday in May conforms the district's election day to one of the state's uniform election days and brings the district's procedures more in line with other districts.

Respectfully yours,

A handwritten signature in cursive script, appearing to read "Allen Beinke".

Allen Beinke
Executive Director

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

HOUSE COMMITTEE REPORT

91 MAY -7 PM 11:26
HOUSE OF REPRESENTATIVES

1st Printing

By Hilderbran

H.B. No. 2831

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6 Legislature, Regular Session, 1985, is amended by amending
7 Subsection (e) and adding Subsection (f) to read as follows:

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18 (f) The directors serve staggered four-year terms.

19 SECTION 2. The four-year term of office provided by Section
20 15(f), Chapter 377, Acts of the 69th Legislature, Regular Session,
21 1985, as added by this Act, does not affect the terms of office of
22 directors of the Sutton County Underground Water Conservation
23 District elected before the effective date of this Act.

24 SECTION 3. (a) Notwithstanding Section 15(e), Chapter 377,

1 Acts of the 69th Legislature, Regular Session, 1985, as amended by
2 this Act, the Sutton County Underground Water Conservation District
3 shall hold an election in the district on the first Saturday in
4 May, 1992, to elect three directors for the terms beginning in
5 1992. Notwithstanding Section 15(f) of that chapter, as added by
6 this Act, the three directors elected at that election serve
7 three-year terms.

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9 and thereafter serve four-year terms.

10 SECTION 4. This Act takes effect September 1, 1991.

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

HB 2831
By: Hilderbran

Committee on
Natural Resources

BILL ANALYSIS

BACKGROUND

The people of Sutton County incur election costs every year due to the staggered two-year terms of Sutton County Underground Water Conservation District directors. This bill is an effort to reduce election costs by lengthening the term of board members to four years.

PURPOSE OF THE BILL

This bill increases the length of a term for director of the Sutton County Underground Water Conservation District to four years.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 15, Chapter 377, Acts of the 69th Legislature, Regular Session, 1985, by eliminating outdated language, setting election dates for the first Saturday in May each odd-numbered year and increasing directors' terms to four years.

SECTION 2. Grandfather clause.

SECTION 3. Provides for a transition election to facilitate four-year staggered terms.

SECTION 4. Effective date: September 1, 1991.

SECTION 5. 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 2831 was referred directly to subcommittee on April 16, 1991. Pursuant to the suspension of the five-day posting rule, HB 2831 was heard in a public hearing of the subcommittee on April 30, 1991. A resource witness served on the bill. The motion to report HB 2831 favorably back to the full committee carried by a vote of 2 ayes, 0 nay, 0 PNV and 1 absent. The subcommittee report on HB 2831 was taken up at a full committee public hearing on May 6, 1991. No witnesses were present on the bill. The motion to report HB 2831 favorably back to the full House, with the recommendation that it be placed on the Local and Consent calendar carried by a vote of 8 ayes, 0 nay, 0 PNV and 1 absent.

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE

April 19, 1991

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

**IN RE: House Bill No. 2831
By: Hilderbran**

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on House Bill No. 2831 (relating to the terms of directors of the Sutton County Underground Water Conservation District) this office has determined the following:

No fiscal implication to the State is anticipated.

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

Source: LBB Staff: JO, JWH, DF, CKM

The Texas House of Representatives

Harvey Hilderbran

State Representative
District 67

Committees:
Natural Resources
Human Services
Rules and Resolutions

April 18, 1991

P.O. Box 2910
Austin, Texas 78768-2910
512-463-0536

420 Water Street
Suite 105
Kerrville, Texas 78028
512-257-2333

The Honorable Ron Lewis
Chairman, Natural Resources Committee
Reagan 214

Re: Author's Fiscal Statement. HB2831 relating to the terms of directors of the Sutton County Underground Water Conservation District.

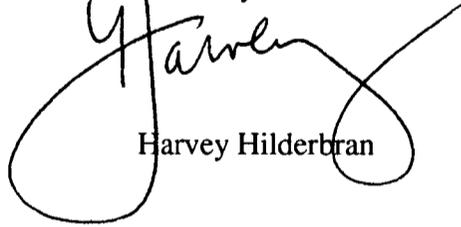
Sir:

In response to your request for an Author's Fiscal Statement on HB2831, I have determined the following:

1. COST TO STATE GOVERNMENT: absolutely no fiscal implication is anticipated.
2. COST TO SUTTON COUNTY GOVERNMENT: Funding is not an issue in this legislation. It directs the election to the Board of Directors of the Sutton County Underground Water Conservation District to be held on the first Saturday in May of each odd-numbered year.
3. FISCAL YEAR PROJECTIONS:
1991.....no cost is anticipated
1992.....no cost is anticipated
1993.....no cost is anticipated
1994.....no cost is anticipated
1995.....no cost is anticipated

Please let me know if I can be of any further assistance to you.

Sincerely,



Harvey Hilderbran

HRH/dm

Concho, Crockett, Edwards, Gillespie, Irion, Kerr, Kimble, Mason,
Menard, Real, Schleicher, Sutton and Uvalde Counties

7

91 MAY 17 PM 11:44

HOUSE OF REPRESENTATIVES

ENGROSSED
SECOND READING

By Hilderbran

H.B. No. 2831

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12 crowded condition of the calendars in both houses create an
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HOUSE ENGROSSMENT

91 MAY 21 AM 12:33
HOUSE OF REPRESENTATIVES

By Hilderbran

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**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE

April 19, 1991

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

IN RE: House Bill No. 2831
By: Hilderbran

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on House Bill No. 2831 (relating to the terms of directors of the Sutton County Underground Water Conservation District) this office has determined the following:

No fiscal implication to the State is anticipated.

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

Source: LBB Staff: JO, JWH, DF, CKM



The Texas House of Representatives

Harvey Hilderbran

State Representative
District 67

Committees:
Natural Resources
Human Services
Rules and Resolutions

April 18, 1991

P.O. Box 2910
Austin, Texas 78768-2910
512-463-0536

420 Water Street
Suite 105
Kerrville, Texas 78028
512-257-2333

The Honorable Ron Lewis
Chairman, Natural Resources Committee
Reagan 214

Re: Author's Fiscal Statement. HB2831 relating to the terms of directors of the Sutton County Underground Water Conservation District.

Sir:

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Please let me know if I can be of any further assistance to you.

Sincerely,

A handwritten signature in cursive script that reads "Harvey Hilderbran". The signature is written in black ink and is positioned above the printed name.

Harvey Hilderbran

HRH/dm

Concho, Crockett, Edwards, Gillespie, Irion, Kerr, Kimble, Mason,
Menard, Real, Schleicher, Sutton and Uvalde Counties

2

1 By: Hilderbran (Senate Sponsor - Sims) H.B. No. 2831
 2 (In the Senate - Received from the House May 21, 1991;
 3 May 21, 1991, read first time and referred to Committee on Natural
 4 Resources; May 23, 1991, reported favorably by the following vote:
 5 Yeas 6, Nays 0; May 23, 1991, sent to printer.)

6 COMMITTEE VOTE

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

19 A BILL TO BE ENTITLED
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 57 constitutional rule requiring bills to be read on three several
 58 days in each house be suspended, and this rule is hereby suspended.

* * * * *

Austin, Texas
May 23, 1991

Hon. Bob Bullock
President of the Senate

Sir:

We, your Committee on Natural Resources to which was referred H.B. No. 2831, 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

**FAVORABLE
SENATE COMMITTEE REPORT ON**

SB SCR SJR SR (HB) HCR HJR 2831

By Hildebran/Sims
(Author/Senate Sponsor)

5-23-91
(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 5-23-91, 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	6		5	

COMMITTEE ACTION

S269 Considered in public hearing
 S270 Testimony taken

Juan Marquez
COMMITTEE CLERK

Price
CHAIRMAN

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE

May 21, 1991

TO: Honorable Bill Sims, Chairman
Committee on Natural Resources
Senate Chamber
Austin, Texas

IN RE: House Bill No. 2831,
as engrossed
By: Hilderbran

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on House Bill No. 2831, as engrossed (relating to the terms of directors of the Sutton County Underground Water Conservation District) this office has determined the following:

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Source: LBB Staff: JO, JWH, DF, LC

LEGISLATIVE BUDGET BOARD
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FISCAL NOTE

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House of Representatives
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The Texas House of Representatives

Harvey Hilderbran

State Representative
District 67

Committees:
Natural Resources
Human Services
Rules and Resolutions

April 18, 1991

P.O. Box 2910
Austin, Texas 78768-2910
512-463-0536

420 Water Street
Suite 105
Kerrville, Texas 78028
512-257-2333

The Honorable Ron Lewis
Chairman, Natural Resources Committee
Reagan 214

Re: Author's Fiscal Statement. HB2831 relating to the terms of directors of the Sutton County Underground Water Conservation District.

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Please let me know if I can be of any further assistance to you.

Sincerely,

A handwritten signature in black ink that reads "Harvey Hilderbran". The signature is stylized with a large, looping "H" and "A".

Harvey Hilderbran

HRH/dm

Concho, Crockett, Edwards, Gillespie, Irion, Kerr, Kimble, Mason,
Menard, Real, Schleicher, Sutton and Uvalde Counties

**REQUEST FOR LOCAL & UNCONTESTED CALENDAR
PLACEMENT**

Hon. Bill Haley, Chairman
Administration Committee

Sir:

Notice is hereby given that HB 2831, by: Sims,
(Bill No.) (author)
was heard by the Committee on Natural Resources on 5-23 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. 2831

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5 SECTION 1. Section 15, Chapter 377, Acts of the 69th
6 Legislature, Regular Session, 1985, is amended by amending
7 Subsection (e) and adding Subsection (f) to read as follows:

8 (e) The district shall hold [~~The three directors receiving~~
9 ~~the highest number of votes at the confirmation election shall~~
10 ~~serve as directors until the three persons elected at the second~~
11 ~~regular election of directors have qualified, and the other two~~
12 ~~directors shall serve until the two persons elected at the first~~
13 ~~regular election of directors have qualified. After the second~~
14 ~~election of directors,~~] an election in the district to elect
15 directors on the first Saturday in May of [~~shall be held~~] each
16 odd-numbered year [~~with two directors elected one year and three~~
17 ~~the next year in continuing sequence~~].

18 (f) The directors serve staggered four-year terms.

19 SECTION 2. The four-year term of office provided by Section
20 15(f), Chapter 377, Acts of the 69th Legislature, Regular Session,
21 1985, as added by this Act, does not affect the terms of office of
22 directors of the Sutton County Underground Water Conservation
23 District elected before the effective date of this Act.

24 SECTION 3. (a) Notwithstanding Section 15(e), Chapter 377,

1 Acts of the 69th Legislature, Regular Session, 1985, as amended by
2 this Act, the Sutton County Underground Water Conservation District
3 shall hold an election in the district on the first Saturday in
4 May, 1992, to elect three directors for the terms beginning in
5 1992. Notwithstanding Section 15(f) of that chapter, as added by
6 this Act, the three directors elected at that election serve
7 three-year terms.

8 (b) The directors elected at the election to be held in 1993
9 and thereafter serve four-year terms.

10 SECTION 4. This Act takes effect September 1, 1991.

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

H.B. No. 2831

President of the Senate

Speaker of the House

I certify that H.B. No. 2831 was passed by the House on May 20, 1991, by a non-record vote.

Chief Clerk of the House

I certify that H.B. No. 2831 was passed by the Senate on May 26, 1991, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED:

Date

Governor

H. B. No.

2831

By

J. Felder

MAY 20 1991

A BILL TO BE ENTITLED
AN ACT

relating to the terms of directors of the Sutton County
Underground Water Conservation District.

APR 12 1991

1. Filed with the Chief Clerk.

APR 15 1991

2. Read first time and Referred to Committee on

Natural Resources

MAY 9 1991

3. Reported favorably (as amended) and sent to Printer at 4:20pm
(as substituted) MAY 7 1991

MAY 07 1991

4. Printed and distributed at 11:26p

MAY 8 1991

5. Sent to Committee on Calendars at 8:57am
LC

MAY 17 1991

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

MAY 14 1991

Motion to postpone further consideration
of HB No. 2831 until Fri
May 15 at 4PM
prevailed by a non-record vote.

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

MAY 20 1991

12. Ordered Engrossed at 5:22pm

MAY 21 1991

13. Engrossed.

MAY 21 1991

14. Returned to Chief Clerk at 12:33am

MAY 21 1991

15. Sent to Senate.

Betty Murray
Chief Clerk of the House

MAY 21 1991

16. Received from the House

MAY 21 1991

17. Read, referred to Committee on *Natural Resources*

MAY 23 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.)
(_____ yeas, _____ nays.)

President of the Senate

Speaker of the House

I certify that H.B. No. 2831[✓] was passed by the House
(1)
on May 20[✓], 1991, by a non-record vote.
(2)

Chief Clerk of the House

I certify that H.B. No. 2831[✓] was passed by the Senate
on May 26[✓], 1991, by the following vote:
(3)
Yeas 31[✓], Nays 0[✓]
(4) (5)

Secretary of the Senate

APPROVED:

Date

Governor

**** Preparation: CT27;