

**SUBJECT:** Franklin County Municipal Water District single-member director districts

**COMMITTEE:** Natural Resources — committee substitute recommended

**VOTE:** 7 ayes — Counts, Walker, Cook, Corte, King, R. Lewis, Puente  
0 nays  
2 absent — Culberson, Moffat

**WITNESSES:** For — Tim Brown and Ed Withers, Franklin County Water District  
Against — none

**BACKGROUND :** The five directors of the Franklin County Water District, located 100 miles east of Dallas, are elected at-large by the voters of Franklin County. The boundaries of the district are identical to those of Franklin County. Directors are elected to four-year terms; two terms are up in 1997, the other three in 1999. Elections are held the first Saturday in April of odd-numbered years.

The Election Code sets uniform election dates in January, May, August and November and requires that elections be ordered 45 days before they take place. All election changes must be precleared by the U.S. Department of Justice or the U.S. District Court for the District of Columbia under section 5 of the federal Voting Rights Act.

**DIGEST:** CSHB 338 would require four of the five directors of the Franklin County Water District to be elected from single-member districts that would conform to the four county commissioners precincts in Franklin County. Directors would have to live in the precinct from which they were elected.

The fifth director of the district also would be required to live in the district but would be elected at-large from the district as a whole. All directors would have to be qualified voters. Director elections would be held on the first Saturday in May of odd-numbered years.

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The two current at-large directors with terms expiring in 1997 would continue in office until directors were elected to represent precincts one and two. The election would be in May 1997, if HB 338 takes effect and is precleared by March 9, or on the first uniform election date at least 45 days after the bill is precleared. The bill also provides for an alternate election date if preclearance is refused.

The three other directors, whose terms expire in 1999, would be required to represent the interests of all district residents and would continue in office until May 1999, when elections for precincts three and four and the at-large district would be held.

HB 338 would take immediate effect if finally approved by a two-thirds record vote of the membership in each house.

NOTES:

The committee substitute added contingency provisions for elections in case preclearance is delayed or refused.