

BILL ANALYSIS

Senate Research Center

S.B. 1942
By: Madla
Natural Resources
5-16-97
Committee Report (Amended)

DIGEST

One of the most prized possessions of rural west Texas towns is the commodity of water. It is used to sustain the livelihood of ranchers and farmers, as well as businesses and households. Being a necessity for life, new water sources are constantly being sought in urban areas of Texas for their ever-growing populations. This has prompted bigger cities to seek water from the nearest source. Often the nearest source is the sole water supply for a rural area. This bill creates the Culberson County Groundwater Conservation District.

PURPOSE

As proposed, S.B. 1942 creates the Culberson County Groundwater Conservation District.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. CREATION. Creates the Culberson County Groundwater Conservation District (district) subject to approval at a confirmation election under SECTION 8 of this Act.

SECTION 2. DEFINITION. Defines "district."

SECTION 3. BOUNDARIES. Sets forth the boundaries of the district.

SECTION 4. FINDING OF BENEFIT. Sets forth provisions outlining the benefit of this district.

SECTION 5. POWERS. Sets forth provisions regarding the powers of the district.

SECTION 6. BOARD OF DIRECTORS. Sets forth provisions regarding the composition of the board of directors of the district.

SECTION 7. TEMPORARY DIRECTORS. Sets forth provisions regarding the appointment of temporary directors of the district.

SECTION 8. CONFIRMATION AND INITIAL DIRECTORS' ELECTION. Sets forth provisions regarding an election to confirm the establishment of the district and to elect five initial directors.

SECTION 9. ELECTION OF DIRECTORS. Sets forth provisions regarding an election of directors.

SECTION 10. ADDITIONAL POWERS. Authorizes the district to contract for, sell, and distribute water from a water import authority or other entity.

SECTION 11. STATUTORY INTERPRETATION. Provides that this Act controls in a conflict between this Act and Chapter 36 or 49, Water Code. Provides that Chapter 36 controls in a conflict between Chapters 36 and 49.

SECTION 12. FINDINGS RELATED TO PROCEDURAL REQUIREMENTS. Sets forth provisions regarding findings related to procedural requirements.

SECTION 13. Emergency clause.

Effective date: upon passage.

SUMMARY OF COMMITTEE CHANGES

Amendment 1.

In SECTION 5, add a new Subsection (c), to read as follows:

(c) Notwithstanding Subsection (a) of this section, the following provisions prevail over a conflicting or inconsistent provision in this Act:

- (1) Sections 36.107-36.108, Water Code;
- (2) Sections 36.159-36.161, Water Code; and
- (3) Subchapter I, Water Code.