

## **BILL ANALYSIS**

Senate Research Center  
76R13375 MI-D

H.B. 3849  
By: Swinford (Bivins)  
Natural Resources  
5/13/1999  
Engrossed

### **DIGEST**

H.B. 3849 changes the name of the North Plains Ground Water Conservation District No. Two to the North Plains Groundwater Conservation District (district). This bill also amends the powers and duties of the district to include regulation of all groundwater within the district, and ratifies certain actions of the district.

### **PURPOSE**

As proposed, H.B. 3849 changes the name of the North Plains Ground Water Conservation District No. Two to the North Plains 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. Amends Section 1, Chapter 498, Acts of the 54th Legislature, Regular Session, 1955, to rename the North Plains Ground Water Conservation District No. Two to the North Plains Groundwater Conservation District (district). Includes Dallam County in the territory of the district. Establishes that there are to be seven directors of the district, rather than five. Makes a conforming change.

SECTION 2. Amends Sections 1A(b) and (c), Chapter 498, Acts of the 54th Legislature, Regular Session, 1955, to require the director's election to be in May, rather than April. Provides that the election is subject to Chapter 36 (Groundwater Conservation Districts), Water Code, rather than Chapter 51 (Water Control and Improvement Districts), Water Code. Makes a nonsubstantive change.

SECTION 3. Amends Section 2, Chapter 498, Acts of the 54th Legislature, Regular Session, 1955, to regulate groundwater reservoirs in the district, rather than underground water reservoirs. Includes qualified groundwater scientists among those who may perform surveys of underground water of reservoirs. Includes notes in the name of the district among the instruments of indebtedness the district may issue. Provides that the maximum amount of maintenance and operating taxes, rather than the aggregate amount of taxes, may not exceed five, rather than 50, cents on the \$100 assessed valuation. Makes conforming and nonsubstantive changes.

SECTION 4. Sets forth specified acts of the North Plains Ground Water Conservation District No. Two, which are validated and confirmed in all respects as if the actions had been taken as authorized by law.

SECTION 5. Provides that SECTION 4 does not apply to any act, proceeding, director, bond, or obligation that is the subject of pending litigation.

SECTION 6. Emergency clause.  
Effective date: upon passage.