

BILL ANALYSIS

C.S.H.B. 3082
By: Puente
Natural Resources
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The Texas Water Advisory Council (Council) was originally created in S.B. 2, 77th Texas Legislature. The original purpose of the Council was to heighten the level of dialogue on significant water policy issues and, in an advisory role only, provide focus and recommendations on state water policy initiatives. This Council differs from interim committees in that it is intended to be an ongoing forum, not limited in term to a single interim. Council membership currently includes 13 members made up of elected officials, agency heads, and public members.

After four quarterly meetings last year, it became apparent to council members that the Council statute needed revisions to refine the structure, purpose, and duties of the council.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 3082 amends the Water Code to provide that the Council is created to provide information to the Governor, Lieutenant Governor, and Speaker of the House of Representatives. The bill also allows two more public members to serve on the Council. The bill further allows agency commissioners to delegate responsibilities for serving on the Council to their designee. The bill also makes changes in regard to terms and alternation of the chairman.

C.S.H.B. 3082 also provides that the Senate and House Committees on Natural Resources will staff the Council. The bill also provides for fewer mandatory meetings of the Council and allows public members to be reimbursed for expenses.

C.S.H.B. 3082 also allows the Governor, Lieutenant Governor, and Speaker of the House of Representatives to issue charges to the Council and allows the Council to provide recommendations. Also, the Council may create a list of state water issues if not provided a charge, review reports from river authorities, and legislation. The Council may also appoint a technical committee. The Council is also required to submit a report with recommendations and is dissolved if not extended by the 79th Texas Legislature.

EFFECTIVE DATE

September 1, 2003

COMPARISON OF ORIGINAL TO SUBSTITUTE

The substitute changes the membership of the Council from 13 members to 15 members, which include one additional Senator and one additional public member. The substitute also provides for an increased role

of participation and involvement from the Governor, Lt. Governor, and Speaker of the House of Representatives. Finally, the substitute allows a council member, who is a member of the governing body of a state agency, to delegate participation and council duties to the executive administrator, executive director, or deputy commissioner, as applicable, of that agency.