

By: West

H.J.R. No. 73

A JOINT RESOLUTION

1 proposing a constitutional amendment to provide that the Railroad
2 Commission of Texas is governed by a five-member commission, two of
3 whom are appointed by the governor.

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

5 SECTION 1. Section 30(b), Article XVI, Texas Constitution,
6 is amended to read as follows:

7 (b) When a Railroad Commission is created by law it shall be
8 composed of five [~~three~~] Commissioners. Three of the Commissioners
9 ~~[who]~~ shall be elected by the people at a general election for State
10 officers and two of the Commissioners shall be appointed by the
11 Governor. Their [~~, and their~~] terms of office shall be for six years.
12 And one or two Railroad Commissioners [~~Commissioner~~] shall be
13 elected or appointed every two years. In case of vacancy in an
14 elected position [~~said office~~] the Governor of the State shall fill
15 said vacancy by appointment until the next general election.

16 SECTION 2. The following temporary provision is added to
17 the Texas Constitution:

18 TEMPORARY PROVISION. (a) This temporary provision applies
19 to the constitutional amendment proposed by the 78th Legislature,
20 Regular Session, 2003, providing that the Railroad Commission of
21 Texas will be governed by a five-member commission consisting of
22 three elected commissioners and two appointed commissioners
23 instead of an elected three-member commission.

24 (b) The first two railroad commissioners appointed under

1 the amendment shall be appointed by the governor to serve terms that
2 expire January 1, 2007, and January 1, 2009, respectively.

3 (c) This temporary provision expires January 1, 2009.

4 SECTION 3. This proposed constitutional amendment shall be
5 submitted to the voters at an election to be held November 4, 2003.
6 The ballot shall be printed to permit voting for or against the
7 proposition: "The constitutional amendment to provide that the
8 Railroad Commission of Texas will be governed by a five-member
9 commission consisting of three elected commissioners and two
10 commissioners appointed by the governor instead of an elected
11 three-member commission."