

By: Ratliff

S.B. No. 1418

A BILL TO BE ENTITLED

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AN ACT

relating to ex officio appointments of members of the Texas Senate to boards and commissions.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subsection (b), Section 2.004, Agriculture Code, is amended to read as follows:

(b) The board is composed of the following voting members:

(1) the commissioner of the Texas Department of Agriculture;

(2) the chair of the House Agriculture and Livestock Committee;

~~(3) [the chair of the Senate Natural Resources Committee Subcommittee on Agriculture,~~

~~(4)]~~ three members of the house of representatives to be appointed by the speaker of the house, preferably with expertise in agriculture or from predominately rural or agriculturally oriented districts; and

(4) four ~~[(5) three]~~ members of the senate to be appointed by the lieutenant governor, preferably with expertise in agriculture or from predominately rural or agriculturally oriented districts.

SECTION 2. Section 71.012, Government Code, is amended to read as follows:

Sec. 71.012. EX OFFICIO MEMBERS. The ex officio members

1 are:

- 2 (1) the chief justice of the supreme court;
- 3 (2) the presiding judge of the court of criminal  
4 appeals;
- 5 (3) two members [~~the chair of the Senate Jurisprudence~~  
6 ~~Committee,~~  
7 [~~(4) one member~~] of the senate, appointed by the  
8 lieutenant governor;
- 9 (4) (4) [~~(5)~~] the chair of the House Judicial Affairs  
10 Committee;
- 11 (5) (5) [~~(6)~~] one member of the house of representatives,  
12 appointed by the speaker of the house;
- 13 (6) (6) [~~(7)~~] two justices of the courts of appeals  
14 designated by the chief justice of the supreme court;
- 15 (7) (7) [~~(8)~~] two district judges designated by the chief  
16 justice of the supreme court;
- 17 (8) (8) [~~(9)~~] two judges of county courts, statutory  
18 county, or statutory probate courts designated by the chief justice  
19 of the supreme court;
- 20 (9) (9) [~~(10)~~] two justices of the peace designated by the  
21 chief justice of the supreme court; and
- 22 (10) (10) [~~(11)~~] two municipal court judges designated by  
23 the chief justice of the supreme court.

24 SECTION 3. Section 71.052, Government Code, is amended to  
25 read as follows:

26 Sec. 71.052. EX OFFICIO MEMBERS. The ex officio members  
27 are:

1 (1) the following six members of the council:

2 (A) the chief justice of the supreme court;

3 (B) the presiding judge of the court of criminal  
4 appeals;

5 (C) one of the members [~~member~~] of the senate  
6 serving on the council who is designated [~~appointed~~] by the  
7 lieutenant governor to serve on the Task Force on Indigent Defense;

8 (D) the member of the house of representatives  
9 appointed by the speaker of the house;

10 (E) one of the courts of appeals justices serving  
11 on the council who is designated by the governor to serve on the  
12 Task Force on Indigent Defense; and

13 (F) one of the county court or statutory county  
14 court judges serving on the council who is designated by the  
15 governor to serve on the Task Force on Indigent Defense or, if a  
16 county court or statutory county court judge is not serving on the  
17 council, one of the statutory probate court judges serving on the  
18 council who is designated by the governor to serve on the task  
19 force;

20 (2) one other member [~~the chair~~] of the senate  
21 appointed by the lieutenant governor [~~Senate Criminal Justice~~  
22 ~~Committee~~]; and

23 (3) the chair of the House Criminal Jurisprudence  
24 Committee.

25 SECTION 4. Subsection (a), Section 321.002, Government  
26 Code, is amended to read as follows:

27 (a) The legislative audit committee consists of:

- 1 (1) the lieutenant governor;
- 2 (2) the speaker of the house of representatives;
- 3 (3) ~~[the chairman of the senate state affairs~~  
4 ~~committee;~~
- 5 [~~(4)~~] the chairman of the senate finance committee;
- 6 (4) one member of the senate appointed by the  
7 lieutenant governor;
- 8 (5) the chairman of the house appropriations  
9 committee; and
- 10 (6) the chairman of the house ways and means  
11 committee.

12 SECTION 5. Subsection (a), Section 322.001, Government  
13 Code, is amended to read as follows:

- 14 (a) The Legislative Budget Board consists of:
- 15 (1) the lieutenant governor;
- 16 (2) the speaker of the house of representatives;
- 17 (3) ~~[the chairman of the senate state affairs~~  
18 ~~committee;~~
- 19 [~~(4)~~] the chairman of the senate finance committee;
- 20 (4) [~~(5)~~] the chairman of the house appropriations  
21 committee;
- 22 (5) [~~(6)~~] the chairman of the house ways and means  
23 committee;
- 24 (6) three [~~(7) two other~~] members of the senate  
25 appointed by the lieutenant governor; and
- 26 (7) [~~(8)~~] two other members of the house appointed by  
27 the speaker.

1 SECTION 6. Subsection (b), Section 323.001, Government  
2 Code, is amended to read as follows:

3 (b) The council consists of:

4 (1) the lieutenant governor;

5 (2) the speaker of the house of representatives;

6 (3) the chairman [~~chairmen~~] of the [~~senate and~~] house  
7 administration committee [~~committees~~];

8 (4) five [~~four other~~] senators from various areas of  
9 the state appointed by the president of the senate; and

10 (5) nine other members of the house of representatives  
11 from various areas of the state appointed by the speaker.

12 SECTION 7. Subsection (b), Section 324.004, Government  
13 Code, is amended to read as follows:

14 (b) The board consists of:

15 (1) the lieutenant governor;

16 (2) the speaker of the house of representatives;

17 (3) [~~the chairman of the senate finance committee,~~

18 [~~(4)~~] the chairman of the house appropriations  
19 committee;

20 (4) two members [~~(5) one other member~~] of the senate  
21 appointed by the lieutenant governor; and

22 (5) [~~(6)~~] one other member of the house appointed by  
23 the speaker.

24 SECTION 8. Section 436.003, Government Code, is amended to  
25 read as follows:

26 Sec. 436.003. COMPOSITION. The commission is composed of:

27 (1) nine public members, appointed by the governor;

1 and

2 (2) the following ex officio members:

3 (A) the chair of the committee of the Texas House  
4 of Representatives that has primary jurisdiction of matters  
5 concerning state, federal, and international relations; and

6 (B) one member [~~the chair of the committee~~] of  
7 the Texas Senate appointed by the lieutenant governor [~~that has~~  
8 ~~primary jurisdiction of matters concerning veteran affairs and~~  
9 ~~military installations~~].

10 SECTION 9. Subsection (a), Section 436.004, Government  
11 Code, is amended to read as follows:

12 (a) The nine public members of the commission serve  
13 staggered terms of three years with the terms of one-third of the  
14 members expiring February 1 of each year. The house [~~A legislative~~]  
15 member vacates the person's position on the commission if the  
16 person ceases to be the chair of the applicable legislative  
17 committee. The senate member serves at the pleasure of the  
18 lieutenant governor.

19 SECTION 10. Subsection (f), Section 386.058, Health and  
20 Safety Code, is amended to read as follows:

21 (f) Ex officio members of the advisory board are:

22 (1) one member [~~the presiding officer~~] of the senate  
23 appointed by the lieutenant governor [~~standing committee having~~  
24 ~~primary jurisdiction over matters related to natural resources~~];

25 (2) the presiding officer of the house standing  
26 committee having primary jurisdiction over matters related to  
27 environmental regulation;

1           (3) a representative of the commission, designated by  
2 the executive director;

3           (4) a representative of the General Land Office,  
4 designated by the Commissioner of the General Land Office;

5           (5) a representative of the comptroller's office,  
6 designated by the comptroller;

7           (6) a representative of the Railroad Commission of  
8 Texas, designated by the presiding officer of the agency; and

9           (7) a representative of the United States  
10 Environmental Protection Agency's Region 6 office, designated by  
11 the United States Environmental Protection Agency Region 6  
12 administrator.

13           SECTION 11. Subsection (b), Section 91.1135, Natural  
14 Resources Code, is amended to read as follows:

15           (b) The committee is composed of 10 members as follows:

16           (1) one member [~~the presiding officer~~] of the senate  
17 appointed by the lieutenant governor [~~committee with primary~~  
18 ~~jurisdiction over matters affecting natural resources~~];

19           (2) the presiding officer of the house committee with  
20 primary jurisdiction over matters affecting energy resources;

21           (3) one public member appointed by the governor;

22           (4) one member appointed by the lieutenant governor  
23 from the academic field of geology or economics;

24           (5) one member appointed by the speaker of the house of  
25 representatives from the academic field of geology or economics;  
26 and

27           (6) the executive officer, or a person designated by

1 the executive officer, of each of the following organizations:

2 (A) the Texas Oil and Gas Association;

3 (B) the Texas Independent Producers and Royalty  
4 Owners Association;

5 (C) the Panhandle Producers and Royalty Owners  
6 Association;

7 (D) the Permian Basin Petroleum Association; and

8 (E) the Alliance of Energy Producers.

9 SECTION 12. Section 39.907, Utilities Code, is amended by  
10 amending Subsection (b) and adding Subsection (h) to read as  
11 follows:

12 (b) The committee is composed of six members as follows:

13 (1) ~~[the chair of the Senate Committee on Economic~~  
14 ~~Development and]~~ the chair of the House Committee on State  
15 Affairs~~[, who shall serve as joint chairs of the committee];~~

16 (2) three ~~[two]~~ members of the senate appointed by the  
17 lieutenant governor; and

18 (3) two members of the house of representatives  
19 appointed by the speaker of the house of representatives.

20 (h) The chair of the House Committee on State Affairs and  
21 one of the members of the senate serving on the committee,  
22 designated by the lieutenant governor, shall serve as joint chairs  
23 of the committee.

24 SECTION 13. This Act takes effect immediately if it  
25 receives a vote of two-thirds of all the members elected to each  
26 house, as provided by Section 39, Article III, Texas Constitution.  
27 If this Act does not receive the vote necessary for immediate



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1 effect, this Act takes effect September 1, 2003.