

1-1 By: Ratliff S.B. No. 1418
1-2 (In the Senate - Filed March 17, 2003; March 20, 2003, read
1-3 first time and referred to Committee on Government Organization;
1-4 April 15, 2003, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 6, Nays 0; April 15, 2003,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1418 By: Ratliff

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to ex officio appointments of members of the Texas Senate
1-11 to boards and commissions.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Subsection (b), Section 2.004, Agriculture Code,
1-14 is amended to read as follows:

1-15 (b) The board is composed of the following voting members:

1-16 (1) the commissioner of the Texas Department of
1-17 Agriculture;

1-18 (2) the chair of the House Agriculture and Livestock
1-19 Committee;

1-20 (3) ~~[the chair of the Senate Natural Resources~~
1-21 ~~Committee Subcommittee on Agriculture];~~

1-22 ~~[(4)]~~ three members of the house of representatives to
1-23 be appointed by the speaker of the house, preferably with expertise
1-24 in agriculture or from predominately rural or agriculturally
1-25 oriented districts; and

1-26 (4) four ~~[(5) three]~~ members of the senate to be
1-27 appointed by the lieutenant governor, preferably with expertise in
1-28 agriculture or from predominately rural or agriculturally oriented
1-29 districts.

1-30 SECTION 2. Section 71.012, Government Code, is amended to
1-31 read as follows:

1-32 Sec. 71.012. EX OFFICIO MEMBERS. The ex officio members
1-33 are:

1-34 (1) the chief justice of the supreme court;

1-35 (2) the presiding judge of the court of criminal
1-36 appeals;

1-37 (3) two members ~~[the chair of the Senate Jurisprudence~~
1-38 ~~Committee];~~

1-39 ~~[(4) one member]~~ of the senate, appointed by the
1-40 lieutenant governor;

1-41 (4) ~~[(5)]~~ the chair of the House Judicial Affairs
1-42 Committee;

1-43 (5) ~~[(6)]~~ one member of the house of representatives,
1-44 appointed by the speaker of the house;

1-45 (6) ~~[(7)]~~ two justices of the courts of appeals
1-46 designated by the chief justice of the supreme court;

1-47 (7) ~~[(8)]~~ two district judges designated by the chief
1-48 justice of the supreme court;

1-49 (8) ~~[(9)]~~ two judges of county courts, statutory
1-50 county, or statutory probate courts designated by the chief justice
1-51 of the supreme court;

1-52 (9) ~~[(10)]~~ two justices of the peace designated by the
1-53 chief justice of the supreme court; and

1-54 (10) ~~[(11)]~~ two municipal court judges designated by
1-55 the chief justice of the supreme court.

1-56 SECTION 3. Section 71.052, Government Code, is amended to
1-57 read as follows:

1-58 Sec. 71.052. EX OFFICIO MEMBERS. The ex officio members
1-59 are:

1-60 (1) the following six members of the council:

1-61 (A) the chief justice of the supreme court;

1-62 (B) the presiding judge of the court of criminal
1-63 appeals;

2-1 (C) one of the members [~~member~~] of the senate
2-2 serving on the council who is designated [~~appointed~~] by the
2-3 lieutenant governor to serve on the Task Force on Indigent Defense;

2-4 (D) the member of the house of representatives
2-5 appointed by the speaker of the house;

2-6 (E) one of the courts of appeals justices serving
2-7 on the council who is designated by the governor to serve on the
2-8 Task Force on Indigent Defense; and

2-9 (F) one of the county court or statutory county
2-10 court judges serving on the council who is designated by the
2-11 governor to serve on the Task Force on Indigent Defense or, if a
2-12 county court or statutory county court judge is not serving on the
2-13 council, one of the statutory probate court judges serving on the
2-14 council who is designated by the governor to serve on the task
2-15 force;

2-16 (2) one other member [~~the chair~~] of the senate
2-17 appointed by the lieutenant governor [~~Senate Criminal Justice~~
2-18 ~~Committee~~]; and

2-19 (3) the chair of the House Criminal Jurisprudence
2-20 Committee.

2-21 SECTION 4. Subsection (a), Section 321.002, Government
2-22 Code, is amended to read as follows:

2-23 (a) The legislative audit committee consists of:

2-24 (1) the lieutenant governor;

2-25 (2) the speaker of the house of representatives;

2-26 (3) [~~the chairman of the senate state affairs~~
2-27 ~~committee;~~

2-28 [~~4~~] the chairman of the senate finance committee;

2-29 (4) one member of the senate appointed by the
2-30 lieutenant governor;

2-31 (5) the chairman of the house appropriations
2-32 committee; and

2-33 (6) the chairman of the house ways and means
2-34 committee.

2-35 SECTION 5. Subsection (a), Section 322.001, Government
2-36 Code, is amended to read as follows:

2-37 (a) The Legislative Budget Board consists of:

2-38 (1) the lieutenant governor;

2-39 (2) the speaker of the house of representatives;

2-40 (3) [~~the chairman of the senate state affairs~~
2-41 ~~committee;~~

2-42 [~~4~~] the chairman of the senate finance committee;

2-43 (4) [~~5~~] the chairman of the house appropriations
2-44 committee;

2-45 (5) [~~6~~] the chairman of the house ways and means
2-46 committee;

2-47 (6) three [~~7 two other~~] members of the senate
2-48 appointed by the lieutenant governor; and

2-49 (7) [~~8~~] two other members of the house appointed by
2-50 the speaker.

2-51 SECTION 6. Subsection (b), Section 323.001, Government
2-52 Code, is amended to read as follows:

2-53 (b) The council consists of:

2-54 (1) the lieutenant governor;

2-55 (2) the speaker of the house of representatives;

2-56 (3) the chairman [~~chairmen~~] of the [~~senate and~~] house
2-57 administration committee [~~committees~~];

2-58 (4) five [~~four other~~] senators from various areas of
2-59 the state appointed by the president of the senate; and

2-60 (5) nine other members of the house of representatives
2-61 from various areas of the state appointed by the speaker.

2-62 SECTION 7. Subsection (b), Section 324.004, Government
2-63 Code, is amended to read as follows:

2-64 (b) The board consists of:

2-65 (1) the lieutenant governor;

2-66 (2) the speaker of the house of representatives;

2-67 (3) [~~the chairman of the senate finance committee;~~
2-68 [~~4~~] the chairman of the house appropriations
2-69 committee;

3-1 (4) two members [~~(5) one other member~~] of the senate
3-2 appointed by the lieutenant governor; and
3-3 (5) [~~(6)~~] one other member of the house appointed by
3-4 the speaker.

3-5 SECTION 8. Section 436.003, Government Code, is amended to
3-6 read as follows:

3-7 Sec. 436.003. COMPOSITION. The commission is composed of:

3-8 (1) nine public members, appointed by the governor;
3-9 and

3-10 (2) the following ex officio members:

3-11 (A) the chair of the committee of the Texas House
3-12 of Representatives that has primary jurisdiction of matters
3-13 concerning state, federal, and international relations; and

3-14 (B) one member [~~the chair of the committee~~] of
3-15 the Texas Senate appointed by the lieutenant governor [~~that has~~
3-16 ~~primary jurisdiction of matters concerning veteran affairs and~~
3-17 ~~military installations~~].

3-18 SECTION 9. Subsection (a), Section 436.004, Government
3-19 Code, is amended to read as follows:

3-20 (a) The nine public members of the commission serve
3-21 staggered terms of three years with the terms of one-third of the
3-22 members expiring February 1 of each year. The house [~~A legislative~~]
3-23 ~~member vacates the person's position on the commission if the~~
3-24 ~~person ceases to be the chair of the applicable legislative~~
3-25 ~~committee. The senate member serves at the pleasure of the~~
3-26 ~~lieutenant governor.~~

3-27 SECTION 10. Subsection (f), Section 386.058, Health and
3-28 Safety Code, is amended to read as follows:

3-29 (f) Ex officio members of the advisory board are:

3-30 (1) one member [~~the presiding officer~~] of the senate
3-31 appointed by the lieutenant governor [~~standing committee having~~
3-32 ~~primary jurisdiction over matters related to natural resources~~];

3-33 (2) the presiding officer of the house standing
3-34 committee having primary jurisdiction over matters related to
3-35 environmental regulation;

3-36 (3) a representative of the commission, designated by
3-37 the executive director;

3-38 (4) a representative of the General Land Office,
3-39 designated by the Commissioner of the General Land Office;

3-40 (5) a representative of the comptroller's office,
3-41 designated by the comptroller;

3-42 (6) a representative of the Railroad Commission of
3-43 Texas, designated by the presiding officer of the agency; and

3-44 (7) a representative of the United States
3-45 Environmental Protection Agency's Region 6 office, designated by
3-46 the United States Environmental Protection Agency Region 6
3-47 administrator.

3-48 SECTION 11. Subsection (b), Section 91.1135, Natural
3-49 Resources Code, is amended to read as follows:

3-50 (b) The committee is composed of 10 members as follows:

3-51 (1) one member [~~the presiding officer~~] of the senate
3-52 appointed by the lieutenant governor [~~committee with primary~~
3-53 ~~jurisdiction over matters affecting natural resources~~];

3-54 (2) the presiding officer of the house committee with
3-55 primary jurisdiction over matters affecting energy resources;

3-56 (3) one public member appointed by the governor;

3-57 (4) one member appointed by the lieutenant governor
3-58 from the academic field of geology or economics;

3-59 (5) one member appointed by the speaker of the house of
3-60 representatives from the academic field of geology or economics;
3-61 and

3-62 (6) the executive officer, or a person designated by
3-63 the executive officer, of each of the following organizations:

3-64 (A) the Texas Oil and Gas Association;

3-65 (B) the Texas Independent Producers and Royalty
3-66 Owners Association;

3-67 (C) the Panhandle Producers and Royalty Owners
3-68 Association;

3-69 (D) the Permian Basin Petroleum Association; and

4-1 (E) the Alliance of Energy Producers.
4-2 SECTION 12. Section 39.907, Utilities Code, is amended by
4-3 amending Subsection (b) and adding Subsection (h) to read as
4-4 follows:

4-5 (b) The committee is composed of six members as follows:

4-6 (1) ~~[the chair of the Senate Committee on Economic~~
4-7 ~~Development and]~~ the chair of the House Committee on State
4-8 Affairs~~[, who shall serve as joint chairs of the committee];~~

4-9 (2) three ~~[two]~~ members of the senate appointed by the
4-10 lieutenant governor; and

4-11 (3) two members of the house of representatives
4-12 appointed by the speaker of the house of representatives.

4-13 (h) The chair of the House Committee on State Affairs and
4-14 one of the members of the senate serving on the committee,
4-15 designated by the lieutenant governor, shall serve as joint chairs
4-16 of the committee.

4-17 SECTION 13. This Act takes effect immediately if it
4-18 receives a vote of two-thirds of all the members elected to each
4-19 house, as provided by Section 39, Article III, Texas Constitution.
4-20 If this Act does not receive the vote necessary for immediate
4-21 effect, this Act takes effect September 1, 2003.

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