

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION**

**May 23, 2003**

**TO:** Honorable Robert Puente, Chair, House Committee on Natural Resources

**FROM:** John Keel, Director, Legislative Budget Board

**IN RE: SB1374** by Armbrister (Relating to public waters and provision for environmental flows by the Texas Commission on Environmental Quality.), **Committee Report 2nd House, As Amended**

**Estimated Two-year Net Impact to General Revenue Related Funds** for SB1374, Committee Report 2nd House, As Amended: a negative impact of (\$88,000) through the biennium ending August 31, 2005.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

**General Revenue-Related Funds, Five-Year Impact:**

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2004	(\$44,000)
2005	(\$44,000)
2006	\$0
2007	\$0
2008	\$0

**All Funds, Five-Year Impact:**

Fiscal Year	Probable (Cost) from <i>GENERAL REVENUE FUND</i> 1	Probable (Cost) from <i>GAME, FISH, WATER SAFETY AC</i> 9	Change in Number of State Employees from FY 2003
2004	(\$44,000)	(\$27,077)	1.1
2005	(\$44,000)	(\$20,308)	1.1
2006	\$0	\$0	0.0
2007	\$0	\$0	0.0
2008	\$0	\$0	0.0

**Fiscal Analysis**

The bill would create a 17-member study commission on water rights for instream uses. The chairs of the Texas Commission on Environmental Quality (TCEQ), Texas Water Development Board (TWDB) and Texas Parks and Wildlife Department (TPWD) and the Agriculture Commissioner would each serve on the commission. The commission would be required to conduct public hearings and study public policy implications for granting permits for instream uses of fresh water and other issues relating to the permitting of instream uses of water. The TCEQ would provide staff to the newly-created commission.

Members of the new commission would be eligible for reimbursement of travel expenses incurred by

the member while conducting the business of the study commission.

### **Methodology**

There would be some costs to each the TCEQ, the TWDB, the TPWD and the Department of Agriculture in supporting the commission and the preparation of its report.

The TCEQ and Water Development Board each expect that the bill would require \$15,000 and 0.3 FTE for each agency in each fiscal year 2004 and 2005. This estimate assumes that these costs would be paid out of the General Revenue Fund. The Department of Agriculture expects that additional costs to that agency would total no more than \$1,000, with no additional FTE required. These costs also are expected to be paid out of the General Revenue Fund. The TPWD estimates a cost of \$27,077 in 2004 and \$20,308 in 2005, along with 0.5 FTE. This estimate assumes TPWD costs would be paid out of the Game, Fish and Water Safety Account No. 009. It is expected that costs associated with this bill to the four agencies could be reasonably absorbed within the existing resources of each of the respective agencies.

Assuming the 13 members of the newly-created commission not representing TCEQ, TPWD, the Department of Agriculture and the Water Development Board would incur travel expenses of \$1,000 each per year, an additional \$13,000 in travel costs would be expected to be paid out of the General Revenue Fund. This estimate assumes that these costs would be paid out of existing appropriations to the TCEQ.

### **Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 580 Water Development Board, 582 Commission on Environmental Quality, 802 Parks and Wildlife Department, 551 Department of Agriculture

**LBB Staff:** JK, CL, TL