

BILL ANALYSIS

C.S.S.B. 374
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Natural Resources
Committee Report (Substituted)

BACKGROUND AND PURPOSE

During the 77th Texas Legislature in 2001, Senate Bill 312 (the sunset bill for the Texas Water Development Board) was passed and signed into law. A provision in S.B. 312 required the agency to specify, through a spending plan, water project priorities to be supported by state-funded programs. The plan, as envisioned by the Sunset Advisory Commission, would provide greater structure and oversight for the use of state-issued debt.

Since the passage of S.B. 312, the Texas Water Development Board (TWDB) issued two capital spending plans, one in 2003 and the other in 2005. Much of the information in the capital spending plan is duplicative of information contained in other statutorily-required or agency-initiated reports. For instance, the FY 2006-2007 Legislative Appropriations Request (including specific agency-initiated performance measures), FY 2005-2009 TWDB Strategic Plan, 2003 Assessment of Water and Wastewater Facility Needs for EDAP Counties, 2002 State Water Plan (Water for Texas), and the 2002 Infrastructure Financing Report. The publication deadline for the capital spending plan also differs from other statutorily-required reports creating additional staff workload.

There is a benefit to identifying priorities and planning the necessary allocation of resources, but a separate, stand-alone report is not efficient. The TWDB voted unanimously on November 16, 2004 to ask the Legislature to repeal this provision.

The purpose of this bill is to repeal §6.110 of the water code, requiring the executive administrator of the Texas Water Development Board to develop and prepare a plan due to the Board, the Legislature and the LBB detailing the capital spending plans for several agency-administered programs.

Repealing this provision of the Water Code will save staff time, publication costs, distribution costs and other in-direct costs associated with creation of this report.

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

SECTION 1. Repeals §6.110, Water Code, requiring a capital spending plan for several agency-administered programs.

SECTION 2. Transition language clarifying that the Act does not affect the amount or use of money in any fund administered by the Texas Water Development Board, including the agricultural water conservation fund.

SECTION 3. Emergency Clause. Immediate effect if passed by 2/3rd vote in each chamber, otherwise effective 1 September 2005.

EFFECTIVE DATE

Immediate effect if passed by 2/3rd vote in each chamber, otherwise effective 1 September 2005.

COMPARISON OF ORIGINAL TO SUBSTITUTE

The substitute adds a new SECTION 2 providing transition language stating that the Act does not affect use of funds administered by the Texas Water Development Board.