

BILL ANALYSIS

Senate Research Center
80R13310 SGA-F

H.B. 2444
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Natural Resources
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Southmost Regional Water Authority (authority) was created in 1981 and is comprised of the cities of Brownsville, Los Fresnos, and Indian Lake; Brownsville Navigation of Cameron County; Laguna Madre Water District of Cameron County; and Valley Municipal Utility District No. 2 of Cameron County. Pervasive drought conditions and a growing demand for utility services prompted the authority to construct a 7.5 mgd ground water desalination facility in April 2004. The facility is producing quality drinking water and is helping the authority members meet the water demands of their respective populations.

Members of the authority have recognized the need for wastewater treatment facilities and would like to expand its authority to include regional wastewater treatment facilities. This provides the members of the authority with a more economical means for planning, financing, constructing, and operating wastewater treatment facilities and eliminates having multiple wastewater treatment facilities built and operated independently by the members.

H.B. 2444 will allow the authority to purchase, construct, acquire, own, lease, operate, maintain, repair, improve, and extend inside its boundaries for water and wastewater projects, including disposal and control of all domestic industrial or communal wastes, whether fluids, solids, or composites. The bill will enable the authority to contract with any person, or public or private entity to conduct the aforementioned projects; and provides the authority with all the powers and rights of procedure, financing, construction, maintenance, rehabilitation, operation, rulemaking, and administration as given in Section 59, Article XVI, Texas Constitution, and Chapters 49 and 51 of the Water Code.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Southmost Regional Water Authority in SECTION 1 (Section 7A, Chapter 511, Acts of the 67th Legislature, Regular Session) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 511, Acts of the 67th Legislature, Regular Session, 1981, by adding Section 7A, as follows:

Sec. 7A. (a) Authorizes the Southmost Regional Water Authority (authority) to purchase, construct, acquire, own, lease, operate, maintain, repair, improve, and extend inside its boundaries, at any location whatsoever, in the sole discretion of the authority, land and interest in land, any and all works, improvements, facilities, plants, equipment, and appliances incident, helpful, or necessary to provide for the collection, transportation, processing, disposal, and control of all domestic, industrial, or communal wastes, whether fluids, solids, or composites.

(b) Requires that the authority have the authority to perform any act consistent with the powers granted under Subsection (a) of this section, including the authority to contract with any person or public or private entity in the performance of a purpose or power granted by this section. Provides that, to accomplish the purposes of this section, the authority has all the powers and rights of procedure, financing, construction, maintenance, rehabilitation, operation,

rulemaking, and administration conferred by Section 59, Article XVI, Texas Constitution, this Act, and Chapters 49 and 51, Water Code.

SECTION 2. (a) Provides that the proper and legal notice of the intention to introduce this Act, setting out the general substance of this Act, has been published as provided by law, and the notice and a copy of this Act have been furnished to all persons, agencies, officials, or entities to which they are required to be furnished by the constitution and other laws of this state, including the governor, who has submitted the notice and this Act to the Texas Commission on Environmental Quality (TCEQ).

(b) Provides that TCEQ has filed its recommendations relating to this Act with the governor, lieutenant governor, and speaker of the house of representatives within the required time.

(c) Provides that all requirements of the constitution and laws of this state and the rules and procedures of the legislature with respect to notice, introduction, and passage of this Act are fulfilled and accomplished.

SECTION 3. Effective date: upon passage or September 1, 2007.