

BILL ANALYSIS

S.B. 1953
By: Hegar
Transportation
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The Aransas County Navigation District (district) includes all of Aransas County and its waterways and harbors. The district owns and operates the principal harbors in Aransas County, including Rockport Harbor, Fulton Harbor, and Cove Harbor. At the inception of the Aransas County Navigation District (district) No. 1, it was anticipated that there would ultimately be more than one navigation district within that county. It has become apparent that this is extremely unlikely. Therefore, eliminating the "No. 1" from the district title would help eliminate public confusion and associated problems. Furthermore, as a political subdivision of the state, an elected five-member commission governs the district. The structure of the district's election schedule needs to be changed to match the election schedule and terms utilized by the Aransas County Commissioners Court in order to create a more effective level of continuity in the management of the district's business.

As proposed, S.B. 1953 changes the structure of the district's election schedule by staggering and lengthening the terms of office for its commissioners to match the election schedule and terms utilized by the Aransas County Commissioners Court. This bill also deletes "No. 1" from the district's name. Finally, this bill authorizes the district to purchase or lease property in the same manner as a county.

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. Amends the heading to Chapter 5001, Special District Local Laws Code, to read as follows:

CHAPTER 5001. ARANSAS COUNTY NAVIGATION DISTRICT

SECTION 2. Amends Section 5001.001, Special District Local Laws Code, as follows:

Sec. 5001.001. New heading: DEFINITIONS. Defines "commission" and "commissioner" and redefines "district."

SECTION 3. Amends Chapter 5001, Special District Local Laws Code, by adding Subchapter A-1, as follows:

SUBCHAPTER A-1. COMMISSION

Sec. 5001.021. COMMISSION; TERMS. (a) Provides that the Aransas County Navigation District (district) is governed by a navigation and canal commission of the district (commission) consisting of five elected commissioners.

(b) Provides that commissioners of the district (commissioners) serve staggered four-year terms of office, with two or three commissioners' terms expiring January 1 of each odd-numbered year.

(c) Provides that one commissioner is elected from each Aransas County commissioners precinct and one commissioner is elected from the district at large.

Sec. 5001.022. ELECTION OF COMMISSIONERS. Requires the appropriate number of commissioners to be elected on the uniform election date in November of each even-numbered year.

Sec. 5001.023. COMPENSATION OF COMMISSIONERS. Requires the commission, notwithstanding Section 62.070 (Compensation of Commissioners), Water Code, to set the amount of the compensation, office and travel expenses, and other allowances for the commissioners, other district officers, and employees who are paid wholly from district money.

SECTION 4. Amends Section 5001.051, Special District Local Laws Code, as follows:

Sec. 5001.051. New heading: DEFINITION. Deletes existing text defining "commission." Makes nonsubstantive changes.

SECTION 5. Amends Chapter 5001, Special District Local Laws Code, by adding Subchapter C, as follows:

SUBCHAPTER C. PROPERTY MANAGEMENT

Sec. 5001.101. PURCHASE OR LEASE OF PROPERTY. Authorizes the district to purchase or lease property in the same manner as a county.

SECTION 6. (a) Provides that the changes in law made by this Act do not affect the selection of the members of the commission serving before January 1, 2008.

(b) Requires five members of the commission, on the uniform election date in November 2007, to be elected, notwithstanding Section 5001.022, Special District Local Laws Code, as added by this Act. Requires the members to possess the qualifications provided by Section 5001.021(c), Special District Local Laws Code, as added by this Act. Provides that the members elected take office January 1, 2008. Provides that the terms of the members elected from Aransas County commissioners precincts one and three expire January 1, 2009. Provides that the terms of the members elected from Aransas County commissioners precincts two and four and of the member elected from the district at large expire January 1, 2011.

(c) Provides that the term of a member of the commission serving on December 31, 2007, expires on January 1, 2008.

(d) Requires, on the uniform election date in November of each even-numbered year, the appropriate number of members of the commission to be elected to four-year terms as provided by Subchapter A-1, Chapter 5001, Special District Local Laws Code, as added by this Act.

SECTION 7. Effective date: September 1, 2007.

EFFECTIVE DATE

September 1, 2007.