

BILL ANALYSIS

S.B. 987
By: Hegar
Natural Resources
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The purpose of the proposed legislation is to broaden the Colorado County Groundwater Conservation District's (district) directors' precincts in order to get candidates to run for office. The district's enabling legislation has seven directors, with four representing the commissioners' precincts, and the other three directors representing and each residing within the city limits of Columbus, Eagle Lake, and Weimer. Each of these cities have populations between 2,000 and 4,000 people, and it has been difficult finding candidates for office who live within the city limits. There have been volunteers for candidacy who live outside of the city limits, but they do not qualify. One of the directors' positions has been vacant for the past year.

The proposed legislation maintains seven directors, with four representing the commissioners' precincts and three at-large positions. The only other requested change is that it is specified that the term limits apply to two "full" terms (rather than two terms, which could include partial terms) and that they are specific to a director's position.

As proposed, S.B. 987 amends current law relating to the term of office and qualifications for a director of the Colorado County Groundwater Conservation District.

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 Section 8824.051(c), Special District Local Laws Code, to authorize a director of the Colorado County Groundwater Conservation District (district) to serve only two full consecutive terms in the same position.

SECTION 2. Amends Section 8824.052(a), Special District Local Laws Code, as follows:

- (a) Requires the district, except as provided by Subsection (e) (relating to requiring the board of directors of the district to change the method of electing directors if territory is added to the district), to be elected as follows:

- (1) Makes no changes to this subdivision.

- (2) the directors for positions 5 through 7 must reside in Colorado County, rather than in the cities of Columbus, Eagle Lake, and Weimar, respectively, and are elected at large by the voters of the district.

SECTION 3. Provides that the change in law made by this Act does not affect the term of a member of the board of directors of the district serving on the effective date of this Act. Requires a director appointed to fill a vacancy occurring on or after the effective date of this Act to be appointed in accordance with Sections 8824.051(c) and 8824.052(a), Special District Local Laws Code, as amended by this Act.

SECTION 4. (a) Provides that the legal notice of the intention to introduce this Act, setting forth 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 under Section 59 (Conservation and Development of Natural Resources and Parks and Recreational Facilities; Conservation and Reclamation Districts), Article XVI (General Provisions), Texas Constitution, and Chapter 313 (Notice for Local and Special Laws), Government Code.

(b) Provides that the governor, one of the required recipients, has submitted the notice and Act to the Texas Commission on Environmental Quality (TCEQ).

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

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

SECTION 5. Provides for the effective date of this Act.

EFFECTIVE DATE

This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2011.