

By: Larson

H.B. No. 1189

A BILL TO BE ENTITLED

AN ACT

relating to interstate cooperation to address regional water issues.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. The heading to Chapter 8, Water Code, is amended to read as follows:

CHAPTER 8. SOUTHWESTERN STATES WATER [~~MULTI-STATE WATER RESOURCES PLANNING~~] COMMISSION

SECTION 2. Section 8.001(1), Water Code, is amended to read as follows:

(1) "Commission" means the Southwestern States Water [~~Multi-State Water Resources Planning~~] Commission.

SECTION 3. Section 8.011, Water Code, is amended to read as follows:

Sec. 8.011. CREATION OF COMMISSION. The Southwestern States Water [~~Multi-State Water Resources Planning~~] Commission is created as an advisory commission to the governor and the legislature [~~agency of the state~~].

SECTION 4. Section 8.013, Water Code, is amended to read as follows:

Sec. 8.013. COMMISSIONERS [~~MEMBERS OF COMMISSION~~]; APPOINTMENT. [~~(a)~~] The commission is composed of six [~~seven~~] commissioners. Two commissioners [~~who~~] are appointed by the governor, two commissioners are appointed by the lieutenant

1 governor, and two commissioners are appointed by the speaker of the
2 house of representatives [~~with the advice and consent of the~~
3 ~~senate~~].

4 [~~(b) The governor shall make the appointments so that each~~
5 ~~member is from a different section of the state.~~

6 [~~(c) Three commissioners must be members of the general~~
7 ~~public, one commissioner must have a background in the field of~~
8 ~~higher education, one commissioner must have a background in~~
9 ~~private business, one commissioner must have a background in~~
10 ~~agriculture, and one commissioner must have a background in an~~
11 ~~energy-related field.~~]

12 SECTION 5. Section 8.015, Water Code, is amended to read as
13 follows:

14 Sec. 8.015. TERMS [~~OF OFFICE~~]. (a) Commissioners serve
15 [~~hold office~~] for staggered terms of six years, with the terms of
16 two or three commissioners expiring on February 1 of each
17 odd-numbered year.

18 (b) Each commissioner serves [~~holds office~~] until the
19 commissioner's [~~his~~] successor is appointed [~~and has qualified for~~
20 ~~office~~].

21 (c) A [~~If a~~] vacancy on the commission [~~occurs in the office~~
22 ~~of commissioner, the governor~~] shall be filled [~~appoint a successor~~
23 ~~to serve~~] for the unexpired portion of the term in the same manner
24 as the original appointment.

25 SECTION 6. Section 8.051, Water Code, is amended to read as
26 follows:

27 Sec. 8.051. INTERACTION WITH OTHER STATES. (a) In

1 cooperation with representatives of neighboring states, the
2 commission shall study the water needs of the region, including:

- 3 (1) water needs for environmental purposes;
- 4 (2) the effect of energy production on the need for
5 water;
- 6 (3) the effect of take or pay provisions in water
7 supply contracts on the need for water; and
- 8 (4) rights to and uses of water [~~after the year 2000~~].

9 (b) The commission shall initiate and carry out discussions
10 with representatives of neighboring states relating to:

11 (1) the identification and development of sources and
12 methods of augmenting water supplies on a regional basis after
13 existing water supplies are fully committed, including:

- 14 (A) innovative methods or alternative
15 technologies for augmenting water supplies, such as aquifer storage
16 and recovery, desalination, and weather modification;
- 17 (B) management of snow;
- 18 (C) conservation and reuse of water; and
- 19 (D) transfers of water from agricultural to urban
20 areas;

- 21 (2) water planning, including drought contingency
22 planning;
- 23 (3) funding for water supply projects; and
- 24 (4) legislation needed to address water supply needs.

25 SECTION 7. Section 8.052, Water Code, is amended to read as
26 follows:

27 Sec. 8.052. INTERACTION WITH MEXICO. The commission shall

1 [~~contract and~~] confer with the government of Mexico concerning
2 water needs and development of sources of water supply.

3 SECTION 8. Section 8.056, Water Code, is amended to read as
4 follows:

5 Sec. 8.056. COMPACTS. The commission shall contact and
6 negotiate with other states regarding the need for establishing
7 interstate compacts, addressing groundwater problems, needs, and
8 supplies, if an aquifer underlies several states, and addressing
9 other related subjects that would be beneficial to the states
10 including the conservation and beneficial use of water and the
11 issues identified in Section 8.051(b).

12 SECTION 9. Section 8.014, Water Code, is repealed.

13 SECTION 10. (a) Promptly after this Act takes effect, the
14 governor, lieutenant governor, and speaker of the house of
15 representatives shall appoint the initial members of the
16 Southwestern States Water Commission under Chapter 8, Water Code,
17 as amended by this Act.

18 (b) In appointing the initial members of the commission:

19 (1) the governor shall appoint one person to a term
20 expiring February 1, 2015, and one person to a term expiring
21 February 1, 2017;

22 (2) the lieutenant governor shall appoint one person
23 to a term expiring February 1, 2015, and one person to a term
24 expiring February 1, 2019; and

25 (3) the speaker of the house of representatives shall
26 appoint one person to a term expiring February 1, 2017, and one
27 person to a term expiring February 1, 2019.

1 SECTION 11. This Act takes effect September 1, 2013.