

Bryan W. Shaw, Ph.D., P.E., *Chairman*
Toby Baker, *Commissioner*
Zak Covar, *Commissioner*
Richard A. Hyde, P.E., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

March 27, 2015

The Honorable Joe Straus
Texas House of Representatives
Capitol Station
PO Box 2910
Austin, Texas 78768-2910

Re: Responsibility of the Texas Commission on Environmental Quality (TCEQ) Pursuant to Article XVI, Section 59(d), Texas Constitution

House Bill (HB) 1207, as Filed by Representative Andrew Murr-Relating to the election dates for directors of the Bandera County River Authority and Groundwater District.

Dear Speaker Straus:

The following comments are provided pursuant to the Constitutional requirements referenced above. Under those requirements, the TCEQ must submit, to the Governor, Lieutenant Governor and Speaker of the House of Representatives, the TCEQ's recommendations on specific legislation affecting water districts. We recommend that these comments be considered in the evaluation of the proposed legislation.

The bill amends the enabling statute of the Bandera County River Authority and Groundwater District, Section 1A, Chapter 654, Acts of the 71st Legislature, Regular Session, 1989 relating to district authority and also amends Section 10, relating to election dates for district directors. The bill clarifies that a legal reference to the Springhills Water Management District now means the Bandera County River Authority and Groundwater District. The bill also changes the directors' election date from the first Saturday in May of the second year after the district confirmation election. The directors now will serve a staggered four-year term with elections occurring every two years on the uniform election date in November to elect the appropriate numbers of directors. The bill sets the terms for the directors elected in May 2013 and May 2015.

Sincerely,

A handwritten signature in black ink that reads "Kellye Rila".

Kellye Rila, Director
Water Availability Division

cc: The Honorable Jim Keffer, Chairman, House Committee on Natural Resources
Representative Andrew Murr, Texas House of Representatives

LETTER OF TRANSMITTAL
HOUSE OF REPRESENTATIVES
STATE OF TEXAS

HB 1207

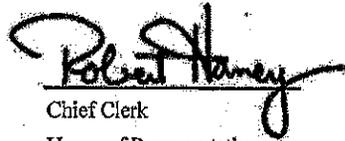
Bill Number

TO: The Honorable Governor of Texas
SUBJECT: A Bill Relating to a Conservation and Reclamation District

This is to transmit to you and the Texas Commission on Environmental Quality copies of a bill relating to a conservation and reclamation district and copies of the notice of intention to introduce the bill. One copy is for your files and one for you to forward to the Texas Commission on Environmental Quality, under Section 59(d), Article XVI, Constitution of the State of Texas.

2/9/2015

Date transmitted to
Governor's Office

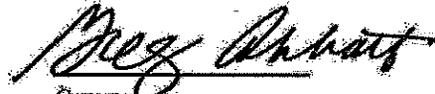

Chief Clerk
House of Representatives

TO: Texas Commission on Environmental Quality
SUBJECT: A Bill Relating to a Conservation and Reclamation District

This is to forward to you a copy of a bill relating to conservation and reclamation district and a copy of the notice of intention to introduce the bill.

3.3.2015

Date transmitted to
Texas Commission on Environmental Quality


Governor

TO: The Honorable Speaker of the House
The Honorable President of the Senate
The Honorable Governor of Texas
SUBJECT: A Bill Relating to a Conservation and Reclamation District

Attached are recommendations of the Texas Commission on Environmental Quality in compliance with Section 59(d), Article XVI, Constitution of the State of Texas.



Texas Commission on Environmental Quality



By: Murr

H.B. No. 1207

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the election dates for directors of the Bandera County
3 River Authority and Groundwater District.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
5 SECTION 1. Chapter 654, Acts of the 71st Legislature,
6 Regular Session, 1989, is amended by adding Section 1A and amending
7 Section 10 to read as follows:

8 Sec. 1A. REFERENCE IN LAW MEANING BANDERA COUNTY RIVER
9 AUTHORITY AND GROUNDWATER DISTRICT. The district name is the
10 Bandera County River Authority and Groundwater District. A
11 reference in law to the Springhills Water Management District means
12 the Bandera County River Authority and Groundwater District.

13 Sec. 10. ELECTION OF DIRECTORS. (a) Directors serve
14 staggered four-year terms.

15 (b) Every two years [~~On the first Saturday in May of the~~
16 ~~second year after the year in which the district is authorized to be~~
17 ~~created at a confirmation election,~~] an election shall be held in
18 the district on the uniform election date in November for the
19 election of the appropriate number of directors. Two directors
20 shall be elected from each commissioner precinct and one director
21 shall be elected at large. The director elected from each
22 commissioner precinct who receives the fewer number of votes shall
23 serve a two-year term, and the director elected from each
24 commissioner precinct who receives the most votes and the director

1 elected at large shall serve a four-year term. Thereafter, on the
2 same date in each subsequent second year, the appropriate number of
3 directors shall be elected to the board.

4 SECTION 2. The term of a director elected to the board of
5 the Bandera County River Authority and Groundwater District in May
6 2013 expires on December 1, 2016, and the term of a director elected
7 to the board in May 2015 expires December 1, 2018.

8 SECTION 3. (a) The legislature finds that the Bandera
9 County River Authority and Groundwater District was originally
10 created by Chapter 629, Acts of the 62nd Legislature, Regular
11 Session, 1971, as the Bandera County River Authority, and then
12 modified or merged by Chapter 654, Acts of the 71st Legislature,
13 Regular Session, 1989, as the Springhills Water Management
14 District.

15 (b) The legislature further finds that the Springhills
16 Water Management District was renamed the Bandera County River
17 Authority and Groundwater District in 2003.

18 SECTION 4. (a) The legal notice of the intention to
19 introduce this Act, setting forth the general substance of this
20 Act, has been published as provided by law, and the notice and a
21 copy of this Act have been furnished to all persons, agencies,
22 officials, or entities to which they are required to be furnished
23 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
24 Government Code.

25 (b) The governor has submitted the notice and Act to the
26 Texas Commission on Environmental Quality.

27 (c) The Texas Commission on Environmental Quality has filed

1 its recommendations relating to this Act with the governor, the
2 lieutenant governor, and the speaker of the house of
3 representatives within the required time.

4 (d) All requirements of the constitution and laws of this
5 state and the rules and procedures of the legislature with respect
6 to the notice, introduction, and passage of this Act are fulfilled
7 and accomplished.

8 SECTION 5. This Act takes effect September 1, 2015.



BANDERA COUNTY

www.bccourier.com

Today's News with Yesterday's Values

COURIER

PROOF OF PUBLICATION

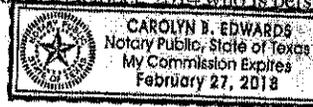
STATE OF TEXAS
County of Bandera

Before the undersigned authority personally appeared Gail S. Joiner, who on oath says that she is the Publisher of the Bandera County Courier, a newspaper of general circulation published at Bandera, in Bandera County, Texas; that the attached Notice of Intent, was published in the October 30, 2014 edition.

Gail S. Joiner
Gail Joiner, Publisher, Bandera County Courier

Sworn to and subscribed before me this 30th day of October, 2014 who is personally known to me:

Carolyn B. Edwards
Notary Public, Bandera County, Texas



Notary Commission Expiration

Campbell, Ky., Germany, Southwest Asia supporting the 18th Airborne Corps during Operation Desert Shield and Storm. Almost third of his career was in Command positions; the best place for a soldier's soldier with a penchant for common sense and

as a valued veteran in the Bandera County community. General Ken Guest revealed that he's a student

ward to "sharing some special moments in Bandera's military history."

NOTICE

This is to give notice of intent to introduce in the 84th Legislature Regular Session, a bill to be entitled an Act relating to the election of directors of the Bandera County River Authority and Groundwater District.

1136 Main Street • P.O. Box 1000
Phone 830-796-9799 FAX 830-796-9399
bccourier@sbcglobal.net