

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*

May 13, 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) 4206, as Filed by Representative Debbie Riddle - Relating to the powers and duties of the Dowdell Public Utility District; providing authority to issue bonds; providing authority to impose fees and taxes

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 Chapter 8184, Special District local Laws Code, relating to Dowdell Public Utility District (the "District") as detailed below.

Specifies that the District is a municipal utility district.

Grants the District road powers.

Specifies that the District may establish and administer defined areas as provided by Subchapter J, Chapter 54, Water Code, regardless of the District's acreage. Currently, District's wishing to establish defined areas must contain at least 1,500 acres pursuant to Water Code Section 54.801(a).

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Specifies that the District retains all rights, powers, privileges, authority, duties, and functions that it had before the effective date of the bill, and that the legislature validates and confirms all acts and proceedings of the board of directors of the District that were taken before the effective date of the bill. The validation does not apply to any matter of the District that on the effective date of the bill: is involved in litigation if the litigation ultimately results in the matter being held invalid by a final judgment of a court; or (2) has been held invalid by a final judgment of a court.

Sincerely,



Linda Brookins, Director

Water Supply Division

Texas Commission on Environmental Quality

cc: Honorable Doug Miller, Chairman, House Committee on Special Purpose Districts  
Representative Debbie Riddle, Texas House of Representatives

LETTER OF TRANSMITTAL  
HOUSE OF REPRESENTATIVES  
STATE OF TEXAS

HB 4206

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.

4/28/2015

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.

May 11, 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



84R HB 04206