

House Bill 163
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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 three ~~[seven]~~ commissioners as follows:

- (1) ~~[who are appointed by]~~ the governor or the governor's designee;
- (2) a member of the standing committee of the house of representatives that has jurisdiction over natural resources, appointed by the governor; and
- (3) a member of the standing committee ~~[with the advice and~~

SENATE VERSION (CS)

SECTION 1. Same as House version.

SECTION 2. Same as House version.

SECTION 3. Same as House version.

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 three ~~[seven]~~ commissioners as follows:

- (1) ~~[who are appointed by]~~ the governor or the governor's designee;
- (2) a member of the standing committee of the house of representatives that has jurisdiction over natural resources, appointed by the governor; and
- (3) a member of the standing committee ~~[with the advice and~~

CONFERENCE

House Bill 163
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

~~consent~~] of the senate that has jurisdiction over natural resources, appointed by the governor.

(b) The governor or the governor's designee shall act as the official representative of this state on the commission and shall exercise all powers and duties of this state as a member of the commission ~~[make the appointments so that each member is from a different section of the state].~~

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

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

Sec. 8.015. ~~TERMS [OF OFFICE]~~. (a) The two appointed commissioners serve ~~[Commissioners hold office for]~~ staggered terms of four ~~[six]~~ years, with the term ~~[terms]~~ of one appointed commissioner ~~[two or three commissioners]~~ expiring on February 1 of each odd-numbered year.

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

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

SENATE VERSION (CS)

~~consent~~] of the senate that has jurisdiction over water issues, appointed by the governor.

(b) The governor or the governor's designee shall act as the official representative of this state on the commission and shall exercise all powers and duties of this state as a member of the commission ~~[make the appointments so that each member is from a different section of the state].~~

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

SECTION 5. Same as House version.

CONFERENCE

House Bill 163
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SECTION 6. Section 8.016, Water Code, is amended to read as follows:

Sec. 8.016. CHAIRMAN. The governor or the governor's designee shall serve [~~designate one commissioner~~] as chairman of the commission [~~to serve at the will of the governor~~].

SECTION 7. Section 8.017(c), Water Code, is amended to read as follows:

(c) The chairman or two commissioners may call a special meeting at any time by giving notice to the other commissioner or commissioners.

SECTION 8. Section 8.019, Water Code, is amended to read as follows:

Sec. 8.019. ADMINISTRATIVE SUPPORT [~~STAFF~~]. The board shall provide administrative [~~necessary staff and~~] support to the commission to assist the commission in carrying out this chapter.

SECTION 9. Section 8.051, Water Code, is amended to read as follows:

Sec. 8.051. INTERACTION WITH OTHER STATES. (a) In cooperation with representatives of neighboring states, the commission may discuss [~~shall study~~] the water needs of the region [~~after the year 2000~~].

(b) The commission may [~~shall~~] initiate and carry out discussions with representatives of neighboring states relating to the identification and development of sources and methods

SENATE VERSION (CS)

SECTION 6. Same as House version.

SECTION 7. Same as House version.

SECTION 8. Same as House version.

SECTION 9. Same as House version.

CONFERENCE

House Bill 163
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

of augmenting water supplies on a regional basis after existing water supplies are fully committed.

SECTION 10. Section 8.052, Water Code, is amended to read as follows:

Sec. 8.052. INTERACTION WITH MEXICO. The commission may [~~shall—contract—and~~] confer with the government of Mexico concerning water needs and development of sources of water supply.

SECTION 11. Section 8.056, Water Code, is amended to read as follows:

Sec. 8.056. COMPACTS. The commission may [~~shall~~] contact and negotiate with other states regarding the need for establishing interstate compacts, addressing groundwater problems, needs, and supplies, if an aquifer underlies several states, and addressing other related subjects that would be beneficial to the states including the conservation and beneficial use of water.

SECTION 12. Sections 8.014, 8.018, and 8.053, Water Code, are repealed.

SECTION 13. (a) Promptly after this Act takes effect, the governor shall appoint the initial appointed members of the Southwestern States Water Commission under Chapter 8, Water Code, as amended by this Act.

(b) In appointing the initial appointed members of the

SENATE VERSION (CS)

SECTION 10. Same as House version.

SECTION 11. Same as House version.

SECTION 12. Same as House version.

SECTION 13. Same as House version.

CONFERENCE

House Bill 163
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

commission, the governor shall appoint one person to a term expiring February 1, 2017, and one person to a term expiring February 1, 2019.

SECTION 14. This Act takes effect September 1, 2015.

SENATE VERSION (CS)

SECTION 14. Same as House version.

CONFERENCE