

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

March 21, 2017

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 Lance Gooden - Relating to the powers and duties of the Kaufman County Fresh Water Supply District No. 1-A; providing authority to issue bonds, impose a tax, and levy assessments for roadway purposes.

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.

This bill amends the Special District Local Laws Code by adding Chapter 6916 relating to the Kaufman County Fresh Water Supply District No. 1-A (District). The bill also: specifies that the following laws apply to the District: Chapters 49, 51, and 53, Water Code, Chapters 372 and 375, Local Government Code, and Chapter 257, Transportation Code; grants the District authority for road projects and joint road projects; specifies that a county or municipality may not impair the district's ability to exercise its powers; the District may reimburse expenditures as provided by Sections 257.003(a) and (b), Transportation Code, without the approval required by Section 257.003(c), Transportation Code; the District may reimburse for road projects and joint road projects without the approval from the Executive Director, required by Section 49.107(f), Water Code; specifies that Sections 49.181 and 49.182, Water Code, and Section 375.208, Local Government Code do not apply to road projects and joint road projects, bonds secured by an assessment of revenue, or bonds issued under Chapters 372 and 375, Local Government Code; the District may enter into a contract for road projects in the same manner as Chapter 257, Transportation Code, except that competitive bidding is governed by Subchapter I, Chapter 49, Water Code; allows the District to divide; and validates and confirms the creation of the District

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and any act or proceeding of the district not excepted by the bill and taken not more than three years before the effective date of the Act.

Sincerely,

A handwritten signature in black ink, reading "Cari-Michel LaCaille". The signature is written in a cursive style with a large, stylized initial "C".

Cari-Michel LaCaille, Director
Water Supply Division

cc: Honorable Jim Murphy, Chairman, House Special Purpose Districts Committee
Representative Lance Gooden, 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.

1/23/2017

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.

February 22, 2017

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

