

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

May 4, 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) 4314, as Filed by Representative Jason Isaac - Relating to the temporary board of and financing of certain facilities and improvements by the LaSalle Municipal utility District No. 5; providing authority to impose an assessment.

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 makes several changes to Chapter 8476, Special District Local Laws Code, regarding LeSalle Municipal Utility District No. 5; the bill removes the requirement for the TCEQ to appoint the five initial temporary directors upon receipt of a petition from the owners of a majority of the assessed value of the real property in the District. The bill appoints five members to the temporary board; the bill specifies that the board may finance the construction or maintenance of a recreational facility or improvement with assessments on property under this subchapter only if: a written petition requesting that facility or improvement has been filed with the board; and the board holds a hearing on the proposed assessments. The bill further states that the petition must be signed by the owners of a majority of the assessed value of real property in the District subject to assessment according to the most recent certified tax appraisal roll for the county; the bill specifies that an improvement or recreational facility project may include the planning, design, construction, improvement, and maintenance of: landscaping; marinas and bridges; lighting, banners, and signs; hiking and cycling paths or trails; sidewalks, pedestrian walkways, skywalks, crosswalks, or tunnels; ponds, lakes, recreational facilities, or scenic areas; plazas or pedestrian malls; drainage or navigation improvements; or solid waste, water, sewer, or power facilities, including electrical and gas power facilities; the bill specifies that the District may not impose an assessment on the property of: an electric utility or a power generation company; a gas utility; a telecommunications provider; or a person who provides to the public cable television or advanced telecommunications services; and, the bill amends

Hon. Joe Straus
Page 2
May 4, 2017

Section 2, Chapter 503, Acts of the 83rd Legislature, Regular Session, 2013, by revising the initial territory description.

Sincerely,

A handwritten signature in cursive script that reads "Cari-Michel LaCaille".

Cari-Michel LaCaille, Director
Water Supply Division

cc: Honorable Jim Murphy, Chairman, House Special Purpose Districts Committee
Representative Jason Isaac, Texas House of Representatives

LETTER OF TRANSMITTAL
HOUSE OF REPRESENTATIVES
STATE OF TEXAS

HB 4314

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.

4/7/2017

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.

April 7, 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



85R HB 04314