

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

April 20, 2017

The Honorable Dan Patrick
Lieutenant Governor of Texas
Capitol Station
PO Box 12068
Austin, Texas 78711

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

Senate Bill (SB) 2243, as Filed by Senator Dawn Buckingham - Relating to the powers and duties and election of the board of directors of the West Travis County Municipal Utility District No. 3.

Dear Governor Patrick:

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 Subchapter B, Chapter 8440, Special District Local Laws Code, regarding West Travis County Municipal Utility District No. 3 (District); this bill adds Section 8440.052 which specifies that the District shall hold an election to elect the appropriate number of directors on the uniform election date prescribed by Section 41.001, Election Code, in November of each even-numbered year; this bill specifies that the District has the rights, powers, privileges, functions and duties: applicable to a municipal utility district; relating to a road district or road utility district; and relating to the provision of potable and nonpotable water to residents and businesses of Travis and Hays Counties; and, this bill specifies that the District may not construct, acquire, operate, or maintain a toll road.

Sincerely,

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

Cari-Michel LaCaille, Director
Water Supply Division

cc: Honorable Eddie Lucio, Jr., Chairman, Senate Intergovernmental Relations Committee
Senator Dawn Buckingham, Texas Senate

LETTER OF TRANSMITTAL
TEXAS SENATE
STATE OF TEXAS

SB 2243

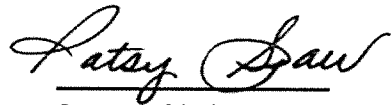
Bill Number

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.

3/15/2017

Date transmitted to
Governor's Office


Secretary of the Senate

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.

March 24, 2017

Date transmitted to
Texas Commission on Environmental Quality


Governor

TO: The Honorable President of the Senate
The Honorable Speaker of the House of Representatives
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: Buckingham

S.B. No. 2243

A BILL TO BE ENTITLED

AN ACT

relating to the powers and duties and election of the board of directors of the West Travis County Municipal Utility District No. 3.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter B, Chapter 8440, Special District Local Laws Code, is amended by adding Section 8440.052 to read as follows:

Sec. 8440.052. ELECTION DATE. The district shall hold an election to elect the appropriate number of directors on the uniform election date prescribed by Section 41.001, Election Code, in November of each even-numbered year.

SECTION 2. Section 8440.101, Special District Local Laws Code, is amended to read as follows:

Sec. 8440.101. GENERAL [~~MUNICIPAL UTILITY DISTRICT~~] POWERS AND DUTIES. (a) The district has the rights, powers, privileges, functions, and duties;

(1) provided by general law applicable to a municipal utility district created under Section 59, Article XVI, Texas Constitution, including Chapters 49, 50, and 54, Water Code;

(2) relating to a road district or road utility district created under Section 52, Article III, Texas Constitution;
and

(3) relating to the provision of potable and

1 nonpotable water to the residents and businesses of Travis and Hays
2 Counties, including the construction, acquisition, operation, and
3 maintenance of a supply and distribution facility or system [7
4 applicable to a municipal utility district created under Section
5 59, Article XVI, Texas Constitution].

6 (b) Notwithstanding Subsection (a), the district may not
7 construct, acquire, operate, or maintain a toll road.

8 SECTION 3. (a) The legal notice of the intention to
9 introduce this Act, setting forth the general substance of this
10 Act, has been published as provided by law, and the notice and a
11 copy of this Act have been furnished to all persons, agencies,
12 officials, or entities to which they are required to be furnished
13 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
14 Government Code.

15 (b) The governor, one of the required recipients, has
16 submitted the notice and Act to the Texas Commission on
17 Environmental Quality.

18 (c) The Texas Commission on Environmental Quality has filed
19 its recommendations relating to this Act with the governor, the
20 lieutenant governor, and the speaker of the house of
21 representatives within the required time.

22 (d) All requirements of the constitution and laws of this
23 state and the rules and procedures of the legislature with respect
24 to the notice, introduction, and passage of this Act are fulfilled
25 and accomplished.

26 SECTION 4. This Act takes effect immediately if it receives
27 a vote of two-thirds of all the members elected to each house, as

S.B. No. 2243

1 provided by Section 39, Article III, Texas Constitution. If this
2 Act does not receive the vote necessary for immediate effect, this
3 Act takes effect September 1, 2017.

Austin American-Statesman
statesman.com | austin360.com

**NOTICE OF INTENTION TO
INTRODUCE A BILL**

NOTICE is hereby given that the undersigned intends to apply to the 85th Legislature of the State of Texas, Regular Session to be held in 2017, for the passage of a bill relating to the rights, powers, function, duties, and election date of West Travis County Municipal Utility District No. 3 (the "District") by amending the District's enabling act and making findings as to compliance with Article XVI, Section 59 of the Texas Constitution.

THIS NOTICE is given in accordance with the requirements of Section 59 of Article XVI of the Texas Constitution, and said legislation will find that said requirements have been met.

West Travis County Municipal Utility
District No. 3,
2-2/2017 #704564

STATE OF TEXAS
COUNTY OF TRAVIS

Before me, the undersigned authority, a Notary Public in and for the County of Travis, State of Texas, on this day personally appeared Alejandro Cado. Advertising Agent of the Austin American-Statesman, a daily newspaper published in said County and State that is generally circulated in Bastrop, Bell, Blanco, Brazos, Burleson, Burnet, Caldwell, Colorado, Comal, Coryell, Fayette, Gillespie, Gonzales, Guadalupe, Hays, Kerr, Lampasas, Lee, Llano, Milam, Nueces, San Saba, Travis, Washington and Williamson Counties, who being duly sworn by me, states that the attached advertisement was published at the lowest published rate for Classified advertising in said newspaper on the following date(s), to wit: LLOYD GOSSELINK BELVINS,, First date of Publication 02/02/2017, Last date of Publication 02/02/2017, Web and print times Published 2, Legal Notices, 1 X 25, and that the attached is a true copy of said advertisement.

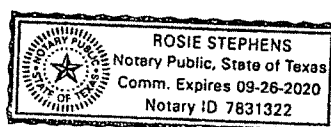
NOTICE OF INTENTION TO INTRODUCE

Ad ID: 1382872

Ad Cost: 247.75

SWORN AND SUBSCRIBED TO BEFORE ME, on
02/06/2017

Notary Public





816 Congress Avenue, Suite 1900
Austin, Texas 78701
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February 1, 2017

The Honorable Greg Abbott
Office of the Governor
P.O. Box 12428
Austin, Texas 78711-2428

VIA First-Class Mail and Hand Delivery

RE: Notice of Proposed Legislation Amending the Enabling Act of a Local
Political Subdivision in the 85th Texas Legislature, Regular Session

Dear Governor Abbott:

This letter and attachment shall serve to give notice of the intent to introduce in the 85th Texas Legislature, Regular Session, a bill relating to the amendment of the enabling act for West Travis County Municipal Utility District No. 3 (the "District"), which is located in Travis County. It is anticipated that the legislation will amend the District's enabling act relating to the District's rights, powers, function, duties, and election date.

Enclosed please find a copy of the draft proposed legislation. This notice is being provided to you in accordance with the notice requirements of the Texas Constitution.

Sincerely,

A handwritten signature in cursive script that reads "Stefanie Albright".
Stefanie Albright

SPA/heg

Enclosures

NOTICE OF INTENTION TO INTRODUCE A BILL

NOTICE is hereby given that the undersigned intends to apply to the 85th Legislature of the State of Texas, Regular Session to be held in 2017, for the passage of a bill relating to the rights, powers, function, duties, and election date of West Travis County Municipal Utility District No. 3 (the "District") by amending the District's enabling act and making findings as to compliance with Article XVI, Section 59 of the Texas Constitution.

THIS NOTICE is given in accordance with the requirements of Section 59 of Article XVI of the Texas Constitution, and said legislation will find that said requirements have been met.

West Travis County Municipal Utility District No. 3