

Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Toby Baker, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

March 21, 2019

The Honorable Dennis Bonnen
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) 2105, as Filed by Representative Hugh Shine - Relating to the territory and board of directors of the Bell County Water Control and Improvement District No. 1; creating a criminal offense.

Dear Speaker Bonnen:

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 Section 9005, Special District Local Laws Code, related to the Bell County Water Control and Improvement District No. 1 (District). The bill defines "director" as a member of the board of directors of the District. The bill specifies that the District is governed by a board of seven elected directors. The appropriate number of directors will be elected on the uniform election date in November of each even-numbered year, with the first election on the uniform election date in November 2020. The terms of the directors serving on the board of the District on the effective date of this Act expire on the date the directors are elected pursuant to this bill. A director elected to a term that expires in May 2020 serves until the director's successor has qualified after the November 2020 election.

The bill requires the board to divide the District into seven single-member director precincts, each containing an approximately equal number of voters with the population of the City of Killeen divided into three precincts composed only of residents of the City of Killeen. The bill specifies that Section 49.052, Water Code, related to the disqualification of directors, does not apply to a director. The bill further specifies criteria for the disqualification of a director. The bill specifies that the territory of the District is to include the territory inside the corporate boundaries of the City of Harker Heights, the City of Copperas Cove, the City of Belton, the City of Killeen, the service area of the 439 Water Supply Corporation, the territory of the Bell County Water Control and Improvement District No. 3, and the Bell County portion of the Fort Hood Military Reservation.

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The bill makes several changes to the District's authority to annex territory to correspond with the changes made by the bill regarding the District's territory. The bill specifies that in the territory of the District that coincides with the territory of the Bell County Water Control and Improvement District No. 3, the powers of the District, including the power to issue bonds and exercise eminent domain, are limited to the powers necessary to provide wholesale water service.

Sincerely,

A handwritten signature in black ink, reading "Cari-Michel La Caille". The signature is written in a cursive, flowing style.

Cari-Michel La Caille, Director
Water Supply Division

cc: Honorable Lyle Larson, Chairman, House Natural Resources Committee
Representative Hugh Shine, Texas House of Representatives

LETTER OF TRANSMITTAL
HOUSE OF REPRESENTATIVES
STATE OF TEXAS

HB 2105

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.

2/21/2019

Date transmitted to
Governor's Office

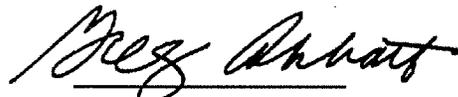

Chief Clerk
House of Representatives

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, 2019

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

