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

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

May 2, 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) 4695, as Filed by Representative Joe Deshotel-relating to the administration of the Port of Port Arthur Navigation District of Jefferson County, including the authority to impose taxes.

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.

The bill provides changes to the Port of Port Arthur, Acts of the 58th Texas Legislature, Regular Session, Chapter 197. The bill changes Section 11, to add benefits to the compensation for performing duties as a Port Commissioner. The bill also provides changes to Section 23, to allow the Board of Port Commissioners to impose necessary taxes rather than the Commissioners Court of Jefferson County, Texas. The bill confirms and validates, in all respects, all acts and district proceedings before the effective date of this Act and the issuance of any bonds, taxes, including maintenance and operations taxes, in furtherance of any bonds issued by the district. Section 23 does not apply to any matter involving litigation if the ultimate result is held invalid, or ultimately held invalid, by a final judgment of a court of competent jurisdiction occurring on the effective date of this Act.

Sincerely,

Kim Nygren, Director
Water Availability Division

cc: The Honorable Terry Canales, Chairman, House Committee on Transportation
Representative Joe Deshotel, Texas House of Representatives

LETTER OF TRANSMITTAL
HOUSE OF REPRESENTATIVES
STATE OF TEXAS

HB 4695
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.

3/29/2019
Date transmitted to
Governor's Office

Robert Haney
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 3, 2019
Date transmitted to
Texas Commission on Environmental Quality

Greg Abbott
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

86R HB 04695