

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

March 22, 2019

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) 872, as Filed by Senator Charles Perry-relating to the composition of the board of directors of the Gateway Groundwater Conservation District.

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.

The bill provides changes to the Gateway Groundwater Conservation District (GCD), Special District Local Laws Code, Chapter §8839. The bill amends Section §8839.051(a), changing the number of board directors to be composed of not more than two directors from each county within the GCD boundaries and with each county possessing an equal number of board directors. The bill also provides for the directors to change the total number of the board directors if the GCD adds territory.

Sincerely,

A handwritten signature in black ink, appearing to read "Kim Nygren".

Kim Nygren, Director
Water Availability Division

cc: The Honorable Charles Perry, Chairman, Senate Committee on Water and Rural Affairs

LETTER OF TRANSMITTAL
TEXAS SENATE
STATE OF TEXAS

SB 872

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.

2/19/2019

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.

February 22, 2019

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: Perry

S.B. No. 872

A BILL TO BE ENTITLED

1

AN ACT

2 relating to the composition of the board of directors of the Gateway
3 Groundwater Conservation District.

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

5 SECTION 1. Section 8839.051(a), Special District Local Laws
6 Code, is amended to read as follows:

7 (a) The district is governed by a board of not more than two
8 directors for each county in the district [~~in the manner provided by~~
9 ~~Section 36.051, Water Code~~]. The board may change the total number
10 of directors on the board if the district annexes territory.

11 SECTION 2. (a) The legal notice of the intention to
12 introduce this Act, setting forth the general substance of this
13 Act, has been published as provided by law, and the notice and a
14 copy of this Act have been furnished to all persons, agencies,
15 officials, or entities to which they are required to be furnished
16 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
17 Government Code.

18 (b) The governor, one of the required recipients, has
19 submitted the notice and Act to the Texas Commission on
20 Environmental Quality.

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

S.B. No. 872

1 (d) All requirements of the constitution and laws of this
2 state and the rules and procedures of the legislature with respect
3 to the notice, introduction, and passage of this Act are fulfilled
4 and accomplished.

5 SECTION 3. This Act takes effect immediately if it receives
6 a vote of two-thirds of all the members elected to each house, as
7 provided by Section 39, Article III, Texas Constitution. If this
8 Act does not receive the vote necessary for immediate effect, this
9 Act takes effect September 1, 2019.

AFFP
NOTICE OF INTENT TO INTRODUCE

Affidavit of Publication

STATE OF TEXAS)
COUNTY OF LUBBOCK) SS

NOTICE OF INTENT
TO INTRODUCE LEGISLATION
This is to give notice of Intent to Introduce in the 86th Legislature, Regular Session,
a bill to be entitled an Act relating to the number of directors to serve on the Board of
the Gateway Groundwater Conservation District, in Hardeman, Childress, Cottle,
Foard, Motley and King counties

Robin Morse, being duly sworn, says:

That she is Advertising Sales Manager of the Lubbock
Avalanche-Journal, a daily newspaper of general
circulation, printed and published in Lubbock, Lubbock
County, Texas; that the publication, a copy of which is
attached hereto, was published in the said newspaper on
January 15, 2019

That said newspaper was regularly issued and circulated
on those dates.

SIGNED:



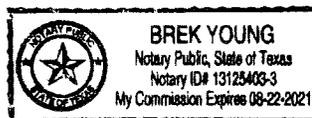
Advertising Sales Manager

Subscribed to and sworn to me this 15th day of January
2019.



Brek Young, Notary Public, Lubbock County, Texas

My commission expires: August 22, 2021



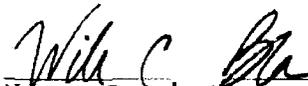
00006874 16038924

Gateway Groundwater Conservation District
109 W. 11th Street
Quanah, TX 79252

PUBLISHER'S AFFIDAVIT

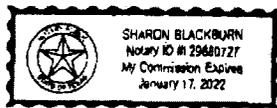
Before me, the undersigned authority, on this day personally appeared Chris Blackburn, who being by me duly sworn, deposes and says that he is the publisher of the Red River Sun; that this newspaper is regularly published or circulated in Childress, Hall, & Collingsworth County, Texas and that the enclosed notice was published in said newspaper on the following date (s);

December 26, 2018


Newspaper Representative Signature

Subscribed and sworn to before me this the 26th day of December, 2018, to certify which witness my hand and seal of office.


Notary Public, State of Texas



Sharon Blackburn
Printed name

My commission expires 01-17-22

PROOF OF PUBLICATION

The State of Texas

The County of Foard

I, Lisa Hopkins, proprietor of The Foard County News, a weekly newspaper published and circulated in Foard County, Texas, affirm that the attached

notice of intent to introduce legislation
regarding Gateway Groundwater District Board
of Directors

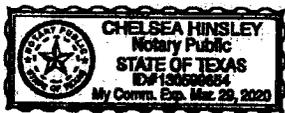
was published in The Foard County News for 1 consecutive weeks, as follows:

Thursday, January 17, 2019

Publisher's Fee \$ 21.60

Lisa Hopkins Proprietor

Sworn and subscribed before me this 23 day of January, 2019



Chelsea Hinsley

Notary Public, Foard County, Texas

My commission expires March 29, 2020

PUBLISHER'S AFFIDAVIT

STATE OF TEXAS
COUNTY OF HARDEMAN

On this 7th day of January, 20 19, personally appeared before me, the undersigned, a Notary Public in and for said county and state, Shane Lance, Editor of the Quanah Tribune-Chief, a newspaper published at Quanah, County of Hardeman, State of Texas, who, being by me duly sworn, on oath, states that the attached advertisement, a true copy of which is hereto annexed, was published in said newspaper in 1 issue(s) thereof on the following date(s):

December 21, 20 18

Editor Shane Lance

Subscribed and sworn to before me, this 7 day of Dec, 20 19

Jannice B. Griffin
Jannice B. Griffin

Notary Public, Hardeman County, Texas

Commission Expires 10/15/22

