

1-1 By: Larson, Workman (Senate Sponsor - Perry) H.B. No. 163  
1-2 (In the Senate - Received from the House April 20, 2015;  
1-3 May 6, 2015, read first time and referred to Committee on  
1-4 Agriculture, Water, and Rural Affairs; May 13, 2015, reported  
1-5 adversely, with favorable Committee Substitute by the following  
1-6 vote: Yeas 6, Nays 0; May 13, 2015, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	Perry	X		
1-10	Zaffirini	X		
1-11	Creighton	X		
1-12	Hall	X		
1-13	Hinojosa		X	
1-14	Kolkhorst	X		
1-15	Rodríguez	X		

1-16 COMMITTEE SUBSTITUTE FOR H.B. No. 163 By: Perry

1-17 A BILL TO BE ENTITLED  
1-18 AN ACT

1-19 relating to interstate cooperation to address regional water  
1-20 issues.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. The heading to Chapter 8, Water Code, is amended  
1-23 to read as follows:

1-24 CHAPTER 8. SOUTHWESTERN STATES WATER [~~MULTI-STATE WATER RESOURCES~~  
1-25 ~~PLANNING~~] COMMISSION

1-26 SECTION 2. Section 8.001(1), Water Code, is amended to read  
1-27 as follows:

1-28 (1) "Commission" means the Southwestern States Water  
1-29 [~~Multi-State Water Resources Planning~~] Commission.

1-30 SECTION 3. Section 8.011, Water Code, is amended to read as  
1-31 follows:

1-32 Sec. 8.011. CREATION OF COMMISSION. The Southwestern  
1-33 States Water [~~Multi-State Water Resources Planning~~] Commission is  
1-34 created as an advisory commission to the governor and the  
1-35 legislature [~~agency of the state~~].

1-36 SECTION 4. Section 8.013, Water Code, is amended to read as  
1-37 follows:

1-38 Sec. 8.013. COMMISSIONERS [~~MEMBERS OF COMMISSION~~];  
1-39 APPOINTMENT. (a) The commission is composed of three [~~seven~~]  
1-40 commissioners as follows:

1-41 (1) [~~who are appointed by~~] the governor or the  
1-42 governor's designee;

1-43 (2) a member of the standing committee of the house of  
1-44 representatives that has jurisdiction over natural resources,  
1-45 appointed by the governor; and

1-46 (3) a member of the standing committee [~~with the~~  
1-47 ~~advice and consent~~] of the senate that has jurisdiction over water  
1-48 issues, appointed by the governor.

1-49 (b) The governor or the governor's designee shall act as the  
1-50 official representative of this state on the commission and shall  
1-51 exercise all powers and duties of this state as a member of the  
1-52 commission [~~make the appointments so that each member is from a~~  
1-53 ~~different section of the state~~].

1-54 [(c) ~~Three commissioners must be members of the general~~  
1-55 ~~public, one commissioner must have a background in the field of~~  
1-56 ~~higher education, one commissioner must have a background in~~  
1-57 ~~private business, one commissioner must have a background in~~  
1-58 ~~agriculture, and one commissioner must have a background in an~~  
1-59 ~~energy-related field.~~]

1-60 SECTION 5. Section 8.015, Water Code, is amended to read as

follows:

Sec. 8.015. ~~TERMS [OF OFFICE]~~. (a) ~~The two appointed commissioners serve [Commissioners hold office for]~~ staggered terms of ~~four [six]~~ years, with the term ~~[terms]~~ of ~~one appointed commissioner [two or three commissioners]~~ expiring on February 1 of each odd-numbered year.

(b) Each ~~appointed~~ commissioner ~~serves [holds office]~~ until the commissioner's ~~[his]~~ successor is appointed ~~[and has qualified for office]~~.

(c) A ~~[if a]~~ vacancy in an appointed position on the commission ~~[occurs in the office of commissioner, the governor]~~ shall be filled ~~[appoint a successor to serve]~~ for the unexpired portion of the term in the same manner as the original appointment.

SECTION 6. Section 8.016, Water Code, is amended to read as follows:

Sec. 8.016. CHAIRMAN. The governor ~~or the governor's designee~~ shall ~~serve [designate one commissioner]~~ as chairman of the commission ~~[to serve at the will of the governor]~~.

SECTION 7. Section 8.017(c), Water Code, is amended to read as follows:

(c) The chairman or two commissioners may call a special meeting at any time by giving notice to the other ~~commissioner or~~ commissioners.

SECTION 8. Section 8.019, Water Code, is amended to read as follows:

Sec. 8.019. ADMINISTRATIVE SUPPORT ~~[STAFF]~~. The board shall provide ~~administrative [necessary staff and]~~ support to the commission to assist the commission in carrying out this chapter.

SECTION 9. Section 8.051, Water Code, is amended to read as follows:

Sec. 8.051. INTERACTION WITH OTHER STATES. (a) In cooperation with representatives of neighboring states, the commission ~~may discuss [shall study]~~ the water needs of the region ~~[after the year 2000]~~.

(b) The commission ~~may [shall]~~ initiate and carry out discussions with representatives of neighboring states relating to the identification and development of sources and methods of augmenting water supplies on a regional basis after existing water supplies are fully committed.

SECTION 10. Section 8.052, Water Code, is amended to read as follows:

Sec. 8.052. INTERACTION WITH MEXICO. The commission ~~may [shall contract and]~~ confer with the government of Mexico concerning water needs and development of sources of water supply.

SECTION 11. Section 8.056, Water Code, is amended to read as follows:

Sec. 8.056. COMPACTS. The commission ~~may [shall]~~ contact and negotiate with other states regarding the need for establishing interstate compacts, addressing groundwater problems, needs, and supplies, if an aquifer underlies several states, and addressing other related subjects that would be beneficial to the states including the conservation and beneficial use of water.

SECTION 12. Sections 8.014, 8.018, and 8.053, Water Code, are repealed.

SECTION 13. (a) Promptly after this Act takes effect, the governor shall appoint the initial appointed members of the Southwestern States Water Commission under Chapter 8, Water Code, as amended by this Act.

(b) In appointing the initial appointed members of the commission, the governor shall appoint one person to a term expiring February 1, 2017, and one person to a term expiring February 1, 2019.

SECTION 14. This Act takes effect September 1, 2015.

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