

BILL ANALYSIS

Senate Research Center

C.S.S.B. 1828
By: Averitt
Government Organization
4/24/2003
Committee Report (Substituted)

DIGEST AND PURPOSE

Currently, the Texas State Soil and Water Conservation Board is an agency of the state. C.S.S.B. 1828 amends the statutes governing the Texas State Soil and Water Conservation Board.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 201.011, Agriculture Code, as follows:

Sec. 201.011. COMPOSITION. Provides that the State Soil and Water Conservation Board (SSWCB) is a state agency composed of seven, rather than five, certain members.

SECTION 2. Amends Section 201.015(b), Agriculture Code, to provide that the term of office of an elected member of SSWCB begins on the day after the day on which the member was elected. Provides that the term of one member appointed by the governor expires February 1 of each odd-numbered year, and the term of the other member appointed by the governor expires February 1 of each even-numbered year.

SECTION 3. Amends Section 201.016, Agriculture Code, as follows:

Sec. 201.016. VACANCY. Provides that vacancies on SSWCB for state district positions are filled by election in the manner provided by this subchapter for an unexpired term or for a full term.

SECTION 4. Amends Subchapter B, Chapter 201, Agriculture Code, by adding Sections 201.028 and 201.029, as follows:

Sec. 201.028. SEMIANNUAL REPORT. Requires SSWCB, not later than January 1 and July 1 of each year, to prepare and deliver a report to the governor, the lieutenant governor, and the speaker of the house of representatives relating to the status of SSWCB's budget areas of responsibility assigned to SSWCB, including outreach programs, grants made and received, federal funding applied for and received, special projects, and oversight of water conservation district activities.

Sec. 201.029. MANAGEMENT AUDIT. (a) Requires the state auditor, in coordination with the Legislative Budget Board, not later than March 1, 2004, to conduct a management audit of SSWCB and deliver the audit report to the governor, the lieutenant governor, and the speaker of the house of representatives. Requires the audit to include an evaluation of the administrative budget for SSWCB.

(b) Provides that this section expires April 1, 2004.

SECTION 5. Amends Sections 203.160(c) and (d), Agriculture Code, as follows:

(c) Requires the board of directors of a soil and water conservation district (district

board), on completion of the negotiations by the district board, to submit the proposed contract to the SSWCB for approval by SSWCB and the commissioner.

(d) Requires the SSWCB and the commissioner to examine the contract to determine whether the contract meets all the conditions of SSWCB's resolution, instructions, and rules. Requires SSWCB, if the contract is approved, to provide, rather than approve the contract, to the individual on completion of the project the money that constitutes the state's share of the project.

SECTION 6. Requires the governor, in making initial appointments to SSWCB under Section 201.011, Agriculture Code, as amended by this Act, to designate one member to serve a term expiring February 1, 2004, and the other member to serve a term expiring February 1, 2005.

SECTION 7. Requires SSWCB to prepare and deliver the first report required by Section 201.028, Agriculture Code, as added by this Act, not later than January 1, 2004.

SECTION 8. Effective date: September 1, 2003.