

US EPA ARCHIVE DOCUMENT

WATER COMMISSION
Ch. 5

§ 5.103

§ 5.102. General Powers

(a) The commission has the powers to perform any acts whether specifically authorized by this code or other law or implied by this code or other law, necessary and convenient to the exercise of its jurisdiction and powers as provided by this code and other laws.

(b) The commission may call and hold hearings, receive evidence at hearings, administer oaths, issue subpoenas to compel the attendance of witnesses and the production of papers and documents, and make findings of fact and decisions with respect to its jurisdiction under this code and other laws and rules, orders, permits, licenses, certificates, and other actions adopted, issued, or taken by the commission.

Amended by Acts 1985, 69th Leg., ch. 795, § 1.001, eff. Sept. 1, 1985.

Historical Note

Section 10.004(d) to (f) of the 1985 Act provides:

"(d) The Texas Water Development Board and the Texas Water Commission shall enter into any contracts or other agreements that are necessary to make transfers between the Texas Water Development Board and the Texas Water Commission and to carry out an orderly transition. This section is subject to the limitations established in the General Appropriations Act.

"(e) The Texas Water Commission, the Texas Water Development Board, the executive director, and the executive administrator shall cooperate in an orderly transition to the new agency organization provided by this Act. The Texas Water Commission shall continue to process, analyze, investigate, provide evidence and information, and carry out other duties for the

Texas Water Development Board until this transition is completed.

"(f) The reorganization of the Texas Department of Water Resources into the Texas Water Commission and Texas Water Development Board does not affect or impair any act done, bonds authorized or issued, or obligation, right, permit, license, standard, rule, criterion, order, resolution, or penalty that has accrued or that exists under the authority of the Texas Department of Water Resources, Texas Water Commission, or Texas Water Development Board as they existed before the effective date of this Act, and those bonds, obligations, rights, permits, licenses, standards, rules, and criteria remain in effect until such time as they are paid, recalled, changed, altered, renewed, amended, canceled, revoked, repealed, or abolished under the Water Code, other laws of this state, and outstanding contracts, agreements, and resolutions."

Library References

States — 66.
C.J.S. States § 120 et seq.

§ 5.103. Rules

(a) The commission shall adopt any rules necessary to carry out its powers and duties under this code and other laws of this state.

(b) The commission shall adopt reasonable procedural rules to be followed in a commission hearing. The executive director may recommend to the commission for its consideration any rules that he considers necessary.

(c) ~~Rules shall be adopted in the manner provided by the Administrative Procedure and Texas Register Act (Article 6252-13a, Vernon's Texas Civil Statutes).~~

Amended by Acts 1985, 69th Leg., ch. 795, § 1.001, eff. Sept. 1, 1985.