

By: Averitt

S.B. No. 1828

A BILL TO BE ENTITLED

AN ACT

relating to the composition and duties of the State Soil and Water Conservation Board.

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

SECTION 1. Section 201.011, Agriculture Code, is amended to read as follows:

Sec. 201.011. COMPOSITION. The State Soil and Water Conservation Board is a state agency composed of seven [~~five~~] members as follows:

(1) [~~with~~] one member elected from each of the state districts in accordance with this subchapter; and

(2) two members appointed by the governor, each of whom is:

(A) actively engaged in the business of farming, animal husbandry, or other business related to agriculture and who wholly or partly owns or leases land used in connection with that business; and

(B) not a member of the board of directors of a conservation district.

SECTION 2. Subsection (b), Section 201.015, Agriculture Code, is amended to read as follows:

(b) The term of office of an elected [~~a~~] member of the state board begins on the day after the day on which the member was elected. The term of one member appointed by the governor expires

1 February 1 of each odd-numbered year, and the term of the other
2 member appointed by the governor expires February 1 of each
3 even-numbered year.

4 SECTION 3. Section 201.016, Agriculture Code, is amended to
5 read as follows:

6 Sec. 201.016. VACANCY. Vacancies on the state board for
7 state district positions are filled by election in the manner
8 provided by this subchapter for an unexpired term or for a full
9 term.

10 SECTION 4. Subchapter B, Chapter 201, Agriculture Code, is
11 amended by adding Sections 201.028, 201.029, and 201.030 to read as
12 follows:

13 Sec. 201.028. SEMIANNUAL REPORT. Not later than January 1
14 and July 1 of each year, the state board shall prepare and deliver a
15 report to the governor, the lieutenant governor, and the speaker of
16 the house of representatives relating to the status of the board's
17 budget areas of responsibility assigned to the board, including
18 outreach programs, grants made and received, federal funding
19 applied for and received, special projects, and oversight of water
20 conservation district activities.

21 Sec. 201.029. MANAGEMENT AUDIT. (a) Not later than March
22 1, 2004, the state auditor, in coordination with the Legislative
23 Budget Board, shall conduct a management audit of the State Soil and
24 Water Conservation Board and deliver the audit report to the
25 governor, the lieutenant governor, and the speaker of the house of
26 representatives. The audit shall include an evaluation of the
27 administrative budget for the board.

1 (b) This section expires April 1, 2004.

2 Sec. 201.030. CONFLICT OF INTEREST. A member of the state
3 board may not have an interest in any agreement or contract to which
4 the state board is a party.

5 SECTION 5. In making initial appointments to the State Soil
6 and Water Conservation Board under Section 201.011, Agriculture
7 Code, as amended by this Act, the governor shall designate one
8 member to serve a term expiring February 1, 2004, and the other
9 member to serve a term expiring February 1, 2005.

10 SECTION 6. The State Soil and Water Conservation Board
11 shall prepare and deliver the first report required by Section
12 201.028, Agriculture Code, as added by this Act, not later than
13 January 1, 2004.

14 SECTION 7. This Act takes effect September 1, 2003.