

BILL ANALYSIS

H.B. 3512
By: Laney
Natural Resources
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The Salt Fork Water Quality District (district) was created by the 76th Legislature in House Bill 3814 and amended in 2001. Prior to H.B. 3814's passage, water from seeps and springs in Stonewall and King counties flowed into several tributaries, which, in turn flowed into the Salt Fork of the Brazos River. These tributaries were major contributors to the salt content of the river. In 2005, the Economic Development Administration of the United States Department of Commerce awarded a long-awaited grant to study a three-county project to control and remove highly-concentrated salt water (brine).

The three affected counties, Stonewall, Kent, and Garza, are supporting this project. House Bill 3512 would enable the district to undertake the project on behalf of all three counties. The bill would clarify the rights, powers, privileges, and duties of the district. The bill would replace the five-member board of directors with a three-member board and clarify procedures for appointment of directors by the commissioners court of each county included within the boundaries of the district. In addition, the bill would clarify the term lengths of and eligibility requirements for directors.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

SECTION 1. House Bill 3512 amends the enabling legislation to enlarge the boundaries of the Salt Fork Water Quality District to include Kent and Garza Counties.

SECTION 2. Provides that in addition to its rights, privileges, powers, and duties under general law, the district may purchase, hold, build, repair, improve, extend, reconstruct, or maintain works, improvements, plants, equipment, and appliances incident, helpful, or necessary to accomplish the purposes of the district, inside or outside of the district subject to city consent.

SECTION 3. Replaces the five-member board of directors with a three member board of directors, with the Commissioners Courts of Stonewall, Kent, and Garza Counties each appointing one director. The bill further amends the enabling legislation to provide appointment and qualification details. The bill further amends the enabling legislation to clarify term lengths of directors. The bill further amends the enabling legislation to clarify procedures for appointment to the board in the case of vacancy. The bill further provides that a director is not required to execute a bond under Section 49.055, Water Code in order to qualify to serve as a director.

SECTION 4. The bill requires appointment of the initial directors as soon as practicable under Section 7, Chapter 1139, Acts of the 76th Legislature. The bill further provides that initial directors shall serve until September 1, 2007, or until a successor has been appointed and qualified.

EFFECTIVE DATE

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H.B. 3512 takes effect immediately if it receives a 2/3rds vote in both chambers, otherwise it takes effect Sept. 1, 2005.