

By: Staples

S.B. No. 1604

A BILL TO BE ENTITLED

AN ACT

relating to the administration, powers, duties, and operations of the Neches and Trinity Valleys Groundwater Conservation District.

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

SECTION 1. Section 5, Chapter 1387, Acts of the 77th Legislature, Regular Session, 2001, is amended by adding Subsection (g) to read as follows:

(g) The district may not assess a fee of any type on a well if the well's production is used only for agriculture purposes within the district.

SECTION 2. Section 6, Chapter 1387, Acts of the 77th Legislature, Regular Session, 2001, are amended to read as follows:

(a) The district is governed by a board of directors appointed as provided by Section 7 of this Act.

(b) Each director shall serve at the pleasure of the political subdivision by which the appointment was made.

~~[(b)]~~ (c) Except for the initial term, all directors appointed by the county commissioners court in each county in the district serve four-year terms. The director appointed jointly under Subsection (b), Section 7 of this Act, serves a two-year term. The terms of four initial directors will expire at the end of the calendar year two years after the effective date of this Act and the terms of three initial directors will expire at the end of the calendar year four years after the effective date of this Act.

1 ~~[(c)]~~ (d) Subject to Subsection (b) of this section, the
2 initial directors appointed by the county commissioners court in
3 each county shall draw lots to determine one initial director from
4 each county who shall serve a two-year term. The other initial
5 directors shall serve terms of four years.

6 ~~[(d)]~~ (e) Each director must qualify to serve as a director
7 in the manner provided by Section 36.055, Water Code.

8 ~~[(e)]~~ (f) A director serves until the director's successor
9 has qualified.

10 ~~[(f)]~~ (g) Directors may serve consecutive terms.

11 ~~[(g)]~~ (h) If there is a vacancy on the board of directors,
12 the governing body of the entity that appointed the director who
13 vacated the office shall appoint a director to serve the remainder
14 of the term.

15 ~~[(h)]~~ (i) Directors are not entitled to receive
16 compensation for serving as a director but may be reimbursed for
17 actual, reasonable expenses incurred in the discharge of official
18 duties.

19 ~~[(i)]~~ (j) A majority vote of a quorum is required for board
20 action. If there is a tie vote, the proposed action fails.

21 SECTION 3. This Act takes effect September 1, 2005.