

1-1 By: Staples S.B. No. 1604
1-2 (In the Senate - Filed March 11, 2005; March 23, 2005, read
1-3 first time and referred to Committee on Natural Resources;
1-4 April 11, 2005, reported favorably by the following vote: Yeas 11,
1-5 Nays 0; April 11, 2005, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the administration, powers, duties, and operations of
1-9 the Neches and Trinity Valleys Groundwater Conservation District.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 5, Chapter 1387, Acts of the 77th
1-12 Legislature, Regular Session, 2001, is amended by adding Subsection
1-13 (g) to read as follows:

1-14 (g) The district may not assess a fee of any type on a well
1-15 if the well's production is used only for agriculture purposes
1-16 within the district.

1-17 SECTION 2. Section 6, Chapter 1387, Acts of the 77th
1-18 Legislature, Regular Session, 2001, is amended to read as follows:

1-19 Sec. 6. BOARD OF DIRECTORS.

1-20 (a) The district is governed by a board of directors
1-21 appointed as provided by Section 7 of this Act.

1-22 (b) Each director shall serve at the pleasure of the
1-23 political subdivision by which the appointment was made.

1-24 (c) Except for the initial term, all directors appointed by
1-25 the county commissioners court in each county in the district serve
1-26 four-year terms. The director appointed jointly under Subsection
1-27 (b), Section 7 of this Act, serves a two-year term. The terms of
1-28 four initial directors will expire at the end of the calendar year
1-29 two years after the effective date of this Act and the terms of
1-30 three initial directors will expire at the end of the calendar year
1-31 four years after the effective date of this Act.

1-32 (d) [~~(c)~~] Subject to Subsection (c) [~~(b)~~] of this section,
1-33 the initial directors appointed by the county commissioners court
1-34 in each county shall draw lots to determine one initial director
1-35 from each county who shall serve a two-year term. The other initial
1-36 directors shall serve terms of four years.

1-37 (e) [~~(d)~~] Each director must qualify to serve as a director
1-38 in the manner provided by Section 36.055, Water Code.

1-39 (f) [~~(e)~~] A director serves until the director's successor
1-40 has qualified.

1-41 (g) [~~(f)~~] Directors may serve consecutive terms.

1-42 (h) [~~(g)~~] If there is a vacancy on the board of directors,
1-43 the governing body of the entity that appointed the director who
1-44 vacated the office shall appoint a director to serve the remainder
1-45 of the term.

1-46 (i) [~~(h)~~] Directors are not entitled to receive
1-47 compensation for serving as a director but may be reimbursed for
1-48 actual, reasonable expenses incurred in the discharge of official
1-49 duties.

1-50 (j) [~~(i)~~] A majority vote of a quorum is required for board
1-51 action. If there is a tie vote, the proposed action fails.

1-52 SECTION 3. This Act takes effect September 1, 2005.

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