

1-1 By: Duncan S.B. No. 1824
1-2 (In the Senate - Filed March 29, 2005; April 4, 2005, read
1-3 first time and referred to Committee on Natural Resources;
1-4 April 22, 2005, reported favorably by the following vote: Yeas 11,
1-5 Nays 0; April 22, 2005, sent to printer.)

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

1-8 relating to the expansion of the Salt Fork Water Quality District
1-9 and the appointment of directors by the commissioners court of each
1-10 county included within the boundaries of the district.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Section 3, Chapter 1139, Acts of the 76th
1-13 Legislature, Regular Session, 1999, is amended to read as follows:

1-14 Sec. 3. BOUNDARIES. The boundaries of the district are
1-15 coextensive with the boundaries of Stonewall, Kent, and Garza
1-16 Counties [County].

1-17 SECTION 2. Subsection (c), Section 6, Chapter 1139, Acts of
1-18 the 76th Legislature, Regular Session, 1999, is amended to read as
1-19 follows:

1-20 (c) In addition to the rights, privileges, powers, and
1-21 duties provided by the general laws of this state, the [The]
1-22 district may:

1-23 (1) purchase, construct, acquire, own, hold, lease,
1-24 build, repair, improve, extend, reconstruct, maintain, and operate
1-25 works, improvements, facilities, plants, equipment, and appliances
1-26 incident, helpful, or necessary to accomplish the purposes
1-27 described by this Act, inside or outside district boundaries,
1-28 subject to city consent under Section 65.016, Water Code;

1-29 (2) enter into contracts, leases, and other agreements
1-30 with, and accept grants, loans, and other assistance from this
1-31 state, political subdivisions of this state, and other entities;

1-32 (3) borrow money and issue and secure bonds and other
1-33 evidences of indebtedness for the purposes described by this Act,
1-34 if approved by resolution or order adopted by the board of directors
1-35 of the district, as provided by Chapter 65, Water Code, or other
1-36 applicable law; and

1-37 (4) sell salt, water, and other products on terms
1-38 approved by the board of directors of the district.

1-39 SECTION 3. Section 7, Chapter 1139, Acts of the 76th
1-40 Legislature, Regular Session, 1999, is amended to read as follows:

1-41 Sec. 7. BOARD OF DIRECTORS. (a) The district is governed
1-42 by a board of three [five] directors. The director for position one
1-43 shall be appointed by the Commissioners Court of Stonewall County,
1-44 the director for position two shall be appointed by the
1-45 Commissioners Court of Kent County, and the director for position
1-46 three shall be appointed by the Commissioners Court of Garza
1-47 County.

1-48 (b) To be eligible to serve as a director, a person must be a
1-49 registered voter of the county that the commissioners court making
1-50 the appointment represents [Three of the initial directors shall
1-51 serve terms that expire on September 1, 2003. Two of the initial
1-52 directors shall serve terms that expire on September 1, 2002].

1-53 (c) Directors serve two-year terms beginning on September 1
1-54 of odd-numbered years. The commissioners court may make an
1-55 appointment on or after the 45th day before the date the term begins
1-56 [At the expiration of a term, the commissioners court shall appoint
1-57 a director to serve a term of two years]. If a vacancy occurs on the
1-58 board of directors, the commissioners court that makes the
1-59 appointment for that position under Subsection (a) of this section
1-60 shall appoint a director to serve the remainder of that term.

1-61 (d) Each director must qualify to serve as director in the
1-62 manner provided by Section 49.055, Water Code, except that a bond is
1-63 not required.

1-64 (e) A director serves until the director's successor has

2-1 qualified.

2-2 [~~(f) To be eligible to serve as a director, a person must be~~
2-3 ~~a registered voter in Stonewall County.~~]

2-4 SECTION 4. The Commissioners Courts of Stonewall, Kent, and
2-5 Garza Counties shall appoint initial directors under Section 7,
2-6 Chapter 1139, Acts of the 76th Legislature, Regular Session, 1999,
2-7 as amended by this Act, as soon as practicable after the effective
2-8 date of this Act. Initial directors shall serve until September 1,
2-9 2007, or until a successor has been appointed and qualified.

2-10 SECTION 5. This Act takes effect immediately if it receives
2-11 a vote of two-thirds of all the members elected to each house, as
2-12 provided by Section 39, Article III, Texas Constitution. If this
2-13 Act does not receive the vote necessary for immediate effect, this
2-14 Act takes effect September 1, 2005.

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