

By: Heflin

H.B. No. 1329

A BILL TO BE ENTITLED

AN ACT

relating to the boundaries, powers, and governance of the Salt Fork Water Quality District.

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

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

Sec. 3. BOUNDARIES. The boundaries of the district are coextensive with the boundaries of Stonewall, Kent, Scurry, and Garza Counties [~~County~~].

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

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

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

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

(3) borrow money and issue and secure bonds and other

1 evidences of indebtedness for the purposes described by this Act,  
2 if approved by resolution or order adopted by the board of directors  
3 of the district, as provided by Chapter 65, Water Code, or other  
4 applicable law; and

5 (4) sell salt, water, and other products on terms  
6 approved by the board of directors of the district.

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

9 Sec. 7. BOARD OF DIRECTORS. (a) The district is governed  
10 by a board of four [~~five~~] directors. The director for position one  
11 shall be appointed by the Commissioners Court of Stonewall County,  
12 the director for position two shall be appointed by the  
13 Commissioners Court of Kent County, the director for position three  
14 shall be appointed by the Commissioners Court of Scurry County, and  
15 the director for position four shall be appointed by the  
16 Commissioners Court of Garza County.

17 (b) To be eligible to serve as a director, a person must be a  
18 registered voter of the county that the commissioners court making  
19 the appointment represents [~~Three of the initial directors shall~~  
20 ~~serve terms that expire on September 1, 2003. Two of the initial~~  
21 ~~directors shall serve terms that expire on September 1, 2002].~~

22 (c) Directors serve two-year terms beginning on September 1  
23 of odd-numbered years. The commissioners court may make an  
24 appointment on or after the 45th day before the date the term begins  
25 [~~At the expiration of a term, the commissioners court shall appoint~~  
26 ~~a director to serve a term of two years].~~ If a vacancy occurs on the  
27 board of directors, the commissioners court that makes the

1 appointment for that position under Subsection (a) shall appoint a  
2 director to serve the remainder of that term.

3 (d) Each director must qualify to serve as director in the  
4 manner provided by Section 49.055, Water Code, except that a bond is  
5 not required.

6 (e) A director serves until the director's successor has  
7 qualified.

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

10 SECTION 4. The Commissioners Courts of Stonewall, Kent,  
11 Scurry, and Garza Counties shall appoint initial directors under  
12 Section 7, Chapter 1139, Acts of the 76th Legislature, Regular  
13 Session, 1999, as amended by this Act, as soon as practicable after  
14 the effective date of this Act. Initial directors shall serve until  
15 September 1, 2009, or until a successor has been appointed and  
16 qualified.

17 SECTION 5. (a) The legal notice of the intention to  
18 introduce this Act, setting forth the general substance of this  
19 Act, has been published as provided by law, and the notice and a  
20 copy of this Act have been furnished to all persons, agencies,  
21 officials, or entities to which they are required to be furnished  
22 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
23 Government Code.

24 (b) The governor has submitted the notice and Act to the  
25 Texas Commission on Environmental Quality.

26 (c) The Texas Commission on Environmental Quality has filed  
27 its recommendations relating to this Act with the governor,

1 lieutenant governor, and speaker of the house of representatives  
2 within the required time.

3 (d) All requirements of the constitution and laws of this  
4 state and the rules and procedures of the legislature with respect  
5 to the notice, introduction, and passage of this Act are fulfilled  
6 and accomplished.

7 SECTION 6. This Act takes effect immediately if it receives  
8 a vote of two-thirds of all the members elected to each house, as  
9 provided by Section 39, Article III, Texas Constitution. If this  
10 Act does not receive the vote necessary for immediate effect, this  
11 Act takes effect September 1, 2007.