

AN ACT

relating to the creation of the Brush Country Groundwater Conservation District; providing authority to impose a tax and issue bonds.

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

SECTION 1. Subtitle H, Title 6, Special District Local Laws Code, is amended by adding Chapter 8852 to read as follows:

CHAPTER 8852. BRUSH COUNTRY GROUNDWATER CONSERVATION DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8852.001. DEFINITIONS. In this chapter:

(1) "Board" means the board of directors of the district.

(2) "Director" means a member of the board.

(3) "District" means the Brush Country Groundwater Conservation District.

Sec. 8852.002. NATURE OF DISTRICT. The district is a groundwater conservation district created under and essential to accomplish the purposes of Section 59, Article XVI, Texas Constitution.

Sec. 8852.003. CONFIRMATION ELECTION REQUIRED. If the creation of the district is not confirmed in at least one of the territories described by Section 8852.023 at a confirmation election held before September 1, 2011:

(1) the district is dissolved on September 1, 2011,

1 except that:

2 (A) any debts incurred shall be paid;

3 (B) any assets that remain after the payment of  
4 debts shall be transferred in equal amounts to Jim Hogg, Brooks,  
5 Hidalgo, and Jim Wells Counties; and

6 (C) the organization of the district shall be  
7 maintained until all debts are paid and remaining assets are  
8 transferred; and

9 (2) this chapter expires September 1, 2013.

10 Sec. 8852.004. INITIAL DISTRICT TERRITORY. (a) The  
11 district is initially composed of the territory described by  
12 Section 2 of the Act creating this chapter.

13 (b) The boundaries described in Section 2 of the Act  
14 creating this chapter form a closure. A mistake made in describing  
15 the district's boundaries in the legislative process does not  
16 affect the district's:

17 (1) organization, existence, or validity;

18 (2) right to issue any type of bond for the purposes  
19 for which the district is created or to pay the principal of and  
20 interest on a bond;

21 (3) right to impose an assessment or tax; or

22 (4) legality or operation.

23 Sec. 8852.005. CONSTRUCTION OF CHAPTER. This chapter shall  
24 be liberally construed to achieve the legislative intent and  
25 purposes of Chapter 36, Water Code. A power granted by Chapter 36,  
26 Water Code, or this chapter shall be broadly interpreted to achieve  
27 that intent and those purposes.

1 [Sections 8852.006-8852.020 reserved for expansion]

2 SUBCHAPTER B. DISTRICT CREATION

3 Sec. 8852.021. TEMPORARY DIRECTORS. (a) The temporary  
4 board consists of:

5 (1) David Grall;

6 (2) Mauro Garcia;

7 (3) Robert Scott;

8 (4) A. C. Jones IV;

9 (5) Mario Martinez;

10 (6) Israel Hinojosa;

11 (7) a person appointed by the commissioners courts of  
12 Brooks and Jim Hogg Counties within 60 days of the effective date of  
13 this Act;

14 (8) Jesse Howell;

15 (9) Pearson Knolle; and

16 (10) Lawrence Cornelius.

17 (b) If there is a vacancy on the temporary board, the  
18 remaining temporary directors shall select a qualified person to  
19 fill the vacancy.

20 (c) Unless the temporary director's term expires under  
21 Subsection (d), a temporary director serves until the earlier of:

22 (1) the date the temporary director becomes an initial  
23 permanent director under Section 8852.024; or

24 (2) the date this chapter expires under Section  
25 8852.003.

26 (d) The following temporary directors' terms expire on the  
27 date of the canvass of the election to confirm the creation of the

1 district:

2 (1) David Grall and Mauro Garcia, if the voters in the  
3 territory described by Section 8852.023(a)(3) vote not to confirm  
4 the creation of the district;

5 (2) Robert Scott, if the voters in the territory  
6 described by Section 8852.023(a)(1) vote not to confirm the  
7 creation of the district;

8 (3) A. C. Jones IV and Mario Martinez, if the voters in  
9 the territory described by Section 8852.023(a)(5) vote not to  
10 confirm the creation of the district;

11 (4) Israel Hinojosa, if the voters in the territory  
12 described by Section 8852.023(a)(4) vote not to confirm the  
13 creation of the district;

14 (5) a person appointed by the commissioners courts of  
15 Brooks and Jim Hogg Counties, if the creation of the district is  
16 confirmed by voters of none of the territories described by Section  
17 8852.023;

18 (6) Jesse Howell and Pearson Knolle, if the voters in  
19 the territory described by Section 8852.023(a)(6) vote not to  
20 confirm the creation of the district; and

21 (7) Lawrence Cornelius, if the voters in the territory  
22 described by Section 8852.023(a)(2) vote not to confirm the  
23 creation of the district.

24 Sec. 8852.022. ORGANIZATIONAL MEETING OF TEMPORARY  
25 DIRECTORS. As soon as practicable after all the temporary  
26 directors have qualified under Section 36.055, Water Code, a  
27 majority of the temporary directors shall convene the

1 organizational meeting of the district at a location within the  
2 district agreeable to a majority of the directors. If an agreement  
3 on location cannot be reached, the organizational meeting shall be  
4 at the Brooks County Courthouse.

5 Sec. 8852.023. CONFIRMATION ELECTION. (a) The temporary  
6 board shall hold an election in each of the following territories in  
7 the district to confirm the creation of the district and the  
8 imposition of a maintenance tax:

9 (1) the territory in the corporate limits of the city  
10 of Falfurrias as of January 1, 2009;

11 (2) the territory in the corporate limits of the city  
12 of Alice as of January 1, 2009;

13 (3) the territory:

14 (A) in Brooks County that, as of January 1, 2009,  
15 is:

16 (i) outside the corporate limits of the  
17 city of Falfurrias; and

18 (ii) not in the Kenedy County Groundwater  
19 Conservation District; and

20 (B) in Hidalgo County that is:

21 (i) described by a metes and bounds  
22 description in Section 2 of the Act creating this chapter; and

23 (ii) not in the Kenedy County Groundwater  
24 Conservation District as of January 1, 2009;

25 (4) the territory in the certificated retail water  
26 service area of the Jim Hogg County Water Control and Improvement  
27 District No. 2 as of January 1, 2009;

1           (5) the territory in Jim Hogg County that is outside  
2 the certificated retail water service area of the Jim Hogg County  
3 Water Control and Improvement District No. 2 as of January 1, 2009;  
4 and

5           (6) the territory in Jim Wells County that, as of  
6 January 1, 2009, is:

7                   (A) outside the corporate limits of the city of  
8 Alice; and

9                   (B) not in the Kenedy County Groundwater  
10 Conservation District.

11           (b) Section 41.001(a), Election Code, does not apply to a  
12 confirmation election held as provided by this section.

13           (c) Except as provided by this section, an election under  
14 this section must be conducted as provided by Sections 36.017(b),  
15 (c), and (e), Water Code, and the Election Code.

16           (d) The ballot for the election must be printed to provide  
17 for voting for or against the proposition: "The creation of the  
18 Brush Country Groundwater Conservation District and the levy of an  
19 ad valorem tax in the district at a rate not to exceed three cents  
20 for each \$100 of assessed valuation."

21           (e) If the majority of voters in a territory described by  
22 Subsection (a) voting at an election held under this section vote to  
23 confirm the creation of the district, that territory is included in  
24 the district. If the majority of voters in a territory described by  
25 Subsection (a) voting at an election held under this section vote  
26 not to confirm the creation of the district, that territory is  
27 excluded from the district.

1 (f) If the majority of voters in any of the territories  
2 described by Subsection (a) voting at an election held under this  
3 section vote not to confirm the creation of the district, the  
4 temporary board or any successor board may hold a subsequent  
5 confirmation election in that territory.

6 (g) The district may not impose a maintenance tax unless the  
7 tax is confirmed under this section.

8 Sec. 8852.024. INITIAL PERMANENT DIRECTORS. (a) If the  
9 creation of the district is confirmed at an election held under  
10 Section 8852.023 in one or more territories in the district, each  
11 temporary director who represents a territory that is included in  
12 the district becomes an initial permanent director of the district.

13 (b) The initial permanent directors shall draw lots to  
14 determine which directors serve a term expiring on June 1 of the  
15 first even-numbered year after the confirmation election and which  
16 directors serve a term expiring on June 1 of the next even-numbered  
17 year.

18 Sec. 8852.025. GIFTS AND GRANTS. The temporary board may  
19 solicit and accept gifts and grants, including services, on the  
20 district's behalf from any public or private source to provide  
21 revenue for the district before a confirmation election is held  
22 under Section 8852.023.

23 Sec. 8852.026. RIGHT OF CERTAIN LANDOWNERS TO WITHDRAW FROM  
24 DISTRICT. A person who owns a tract of land in Brooks or Hidalgo  
25 County that adjoins the boundaries of the Kenedy County Groundwater  
26 Conservation District as of the effective date of the Act creating  
27 this chapter may petition the Kenedy County Groundwater

1 Conservation District for annexation into that district.  
2 Notwithstanding any other law, the Kenedy County Groundwater  
3 Conservation District may annex territory described by a petition  
4 under this section. Territory annexed by the Kenedy County  
5 Groundwater Conservation District under this section not later than  
6 January 1, 2010, is disannexed at that time from the district  
7 created by this chapter.

8 Sec. 8852.027. LIMITATION OF POWERS OF TEMPORARY BOARD.

9 (a) The temporary board may exercise only the powers described by  
10 Sections 8852.022, 8852.023, and 8852.025.

11 (b) Except as required by a law or rule relating to  
12 participation in a groundwater management area in which the  
13 district is located, the temporary board may not:

14 (1) adopt rules, including rules regarding wells; or

15 (2) develop a draft or final management plan.

16 [Sections 8852.028-8852.050 reserved for expansion]

17 SUBCHAPTER C. BOARD OF DIRECTORS

18 Sec. 8852.051. APPOINTMENT OF DIRECTORS; TERMS. (a) Not  
19 later than June 1 of each even-numbered year, the Commissioners  
20 Courts of Brooks County, Jim Hogg County, and Jim Wells County shall  
21 appoint directors as follows:

22 (1) the Commissioners Court of Brooks County shall  
23 appoint:

24 (A) one director who represents the municipal  
25 interests of the territory described by Section 8852.023(a)(1), if  
26 the territory described by Section 8852.023(a)(1) is included in  
27 the district; and



1           (B) two directors who represent the agricultural  
2 interests of the territory described by Sections 8852.023(a)(3)(A)  
3 and (B), if the territory described by Sections 8852.023(a)(3)(A)  
4 and (B) is included in the district;

5           (2) the Commissioners Court of Jim Hogg County shall  
6 appoint:

7           (A) one director who represents the interests of  
8 Jim Hogg County in the territory described by Section  
9 8852.023(a)(4), if the territory described by Section  
10 8852.023(a)(4) is included in the district; and

11           (B) two directors who represent the agricultural  
12 interests of the territory described by Section 8852.023(a)(5), if  
13 the territory described by Section 8852.023(a)(5) is included in  
14 the district;

15           (3) the Commissioners Court of Jim Wells County shall  
16 appoint:

17           (A) one director who represents the municipal  
18 interests of the territory described by Section 8852.023(a)(2), if  
19 the territory described by Section 8852.023(a)(2) is included in  
20 the district; and

21           (B) two directors who represent the agricultural  
22 interests of the territory described by Section 8852.023(a)(6), if  
23 the territory described by Section 8852.023(a)(6) is included in  
24 the district; and

25           (4) the Commissioners Courts of Brooks County and Jim  
26 Hogg County jointly shall appoint one director to represent the  
27 industrial and mining interests of Jim Hogg and Brooks Counties.

1 (b) Directors serve staggered four-year terms that expire  
2 on June 1 of an even-numbered year.

3 Sec. 8852.052. ELIGIBILITY. (a) A director is not  
4 disqualified from service because the director is an employee,  
5 manager, director of the board, or officer of a groundwater  
6 producer that is or may be regulated by the district.

7 (b) A temporary director whose term of office expires under  
8 Section 8852.021(d) is not eligible for appointment as a director.

9 Sec. 8852.053. COMPENSATION; REIMBURSEMENT.  
10 (a) Notwithstanding Section 36.060, Water Code, a director is not  
11 entitled to receive compensation for performing the duties of a  
12 director.

13 (b) A director is entitled to receive reimbursement for the  
14 director's reasonable expenses incurred while engaging in  
15 activities on behalf of the district in accordance with Sections  
16 36.060(b) and (c), Water Code.

17 Sec. 8852.054. VACANCY. A vacancy in the office of director  
18 shall be filled by appointment of the board in a manner consistent  
19 with the representational requirements of Section 8852.051. The  
20 appointed director serves only for the remainder of the unexpired  
21 term to which the director was appointed.

22 [Sections 8852.055-8852.100 reserved for expansion]

23 SUBCHAPTER D. POWERS AND DUTIES

24 Sec. 8852.101. GROUNDWATER CONSERVATION DISTRICT POWERS  
25 AND DUTIES. Except as otherwise provided by this chapter, the  
26 district has the powers and duties provided by the general law of  
27 this state, including Chapter 36, Water Code, and Section 59,

1 Article XVI, Texas Constitution, applicable to groundwater  
2 conservation districts.

3 Sec. 8852.102. CONTRACTS. The district may enter into a  
4 contract with any person, public or private, for any purpose  
5 authorized by law.

6 Sec. 8852.103. EXEMPTIONS FROM PERMIT REQUIREMENTS.

7 (a) Section 36.117, Water Code, applies to the district except  
8 that for the purposes of applying that section to the district,  
9 "domestic use" and "livestock use" have the meanings assigned by  
10 Subsection (b).

11 (b) In this section:

12 (1) "Domestic use":

13 (A) means the use of groundwater by an individual  
14 or a household to support domestic activities, including the use of  
15 groundwater for:

16 (i) drinking, washing, or culinary  
17 purposes;

18 (ii) irrigating a lawn or a family garden or  
19 orchard;

20 (iii) watering domestic animals; or

21 (iv) water recreation, including aquatic  
22 and wildlife enjoyment; and

23 (B) does not include the use of water:

24 (i) to support an activity for which  
25 consideration is given or received or for which the product of the  
26 activity is sold; or

27 (ii) by or for a public water system.

1           (2) "Livestock use" means the use of groundwater for  
2 the open-range watering of livestock, exotic livestock, game  
3 animals, or fur-bearing animals. For purposes of this subdivision,  
4 "livestock" and "exotic livestock" have the meanings assigned by  
5 Sections 1.003 and 142.001, Agriculture Code, respectively, and  
6 "game animal" and "fur-bearing animal" have the meanings assigned  
7 by Sections 63.001 and 71.001, Parks and Wildlife Code,  
8 respectively. Livestock use does not include use by or for a public  
9 water system.

10           Sec. 8852.104. EFFECTS OF TRANSFER. (a) In reviewing a  
11 proposed transfer of groundwater out of the district in accordance  
12 with Section 36.122(f), Water Code, the district shall determine  
13 whether the proposed transfer would have a negative effect on:

- 14                   (1) the availability of water in the district;  
15                   (2) the conditions of any aquifer that overlies the  
16 district;  
17                   (3) subsidence in the district;  
18                   (4) existing permit holders or other groundwater users  
19 in the district; and  
20                   (5) any applicable approved regional water plan or  
21 certified district management plan.

22           (b) If the district determines under Subsection (a) that the  
23 transfer would have a negative effect, the district may, in  
24 addition to the conditions authorized by Section 36.122, Water  
25 Code, impose other requirements or limitations on the permit that  
26 are designed to minimize the effect.

27           (c) Sections 36.122(c), (i), and (j), Water Code, do not

1 apply to a requirement or limitation imposed under this section.

2 (d) The district may impose a fee or surcharge as an export  
3 fee. The restrictions under Section 36.122(e), Water Code, do not  
4 apply to a fee or surcharge imposed under this subsection.

5 Sec. 8852.105. APPLICABILITY OF DISTRICT REGULATIONS.  
6 Groundwater regulations adopted by the district under this chapter  
7 apply to all persons except as exempted under Section 36.117, Water  
8 Code, or this chapter.

9 Sec. 8852.106. NO EMINENT DOMAIN POWER. The district may  
10 not exercise the power of eminent domain.

11 Sec. 8852.107. LANDOWNERS' RIGHTS. The rights of  
12 landowners and their lessees and assigns in groundwater in the  
13 district are recognized. Nothing in this chapter shall be  
14 construed to deprive or divest the owners or their lessees and  
15 assigns of their rights, subject to district rules.

16 Sec. 8852.108. LIMITATION ON RULEMAKING POWER NOT  
17 APPLICABLE. Section 36.121, Water Code, does not apply to the  
18 district.

19 [Sections 8852.109-8852.150 reserved for expansion]

20 SUBCHAPTER E. GENERAL FINANCIAL PROVISIONS

21 Sec. 8852.151. REVENUE. To pay the maintenance and  
22 operating costs of the district and to pay any bonds or notes issued  
23 by the district, the district may impose ad valorem taxes at a rate  
24 not to exceed three cents on each \$100 of assessed valuation of  
25 taxable property in the district.

26 Sec. 8852.152. GRANTS, GIFTS, AND DONATIONS. The district  
27 may solicit and accept grants, gifts, and donations from any public

1 or private source.

2 [Sections 8852.153-8852.200 reserved for expansion]

3 SUBCHAPTER F. DISSOLUTION

4 Sec. 8852.201. SUBCHAPTER CUMULATIVE. The provisions of  
5 this subchapter are cumulative of the provisions of Subchapter I,  
6 Chapter 36, Water Code.

7 Sec. 8852.202. DISSOLUTION BY ELECTION. (a) After January  
8 1, 2016, the board shall order an election on the question of  
9 dissolving the district if the board receives a petition requesting  
10 that an election be held for that purpose that is signed by at least  
11 15 percent of the district's registered voters.

12 (b) Not later than the 30th day after the date the board  
13 receives the petition, the directors shall:

14 (1) validate the signatures on the petition; and

15 (2) if the signatures are validated, order an election  
16 on the next uniform election date under Section 41.001, Election  
17 Code.

18 (c) The order calling the election must state the nature of  
19 the election, including the proposition that is to appear on the  
20 ballot.

21 Sec. 8852.203. NOTICE OF ELECTION. Notice of an election  
22 under this subchapter must be provided by posting a copy of the  
23 order calling the election in at least one conspicuous place for at  
24 least 10 days before the day of the election at the county  
25 courthouse in Brooks County, Jim Hogg County, Jim Wells County, and  
26 Hidalgo County.

27 Sec. 8852.204. BALLOT. The ballot for an election under

1 this subchapter must be printed to permit voting for or against the  
2 proposition: "The dissolution of the Brush Country Groundwater  
3 Conservation District."

4 Sec. 8852.205. ELECTION RESULTS; DISPOSITION OF ASSETS. If  
5 a majority of the votes in an election under this subchapter favor  
6 dissolution:

7 (1) the board shall find that the district is  
8 dissolved; and

9 (2) Section 36.310, Water Code, applies for the  
10 purpose of disposition of the district's assets.

11 SECTION 2. The Brush Country Groundwater Conservation  
12 District initially includes all the territory contained in the  
13 following area:

14 (a) all real property within the boundaries of Jim Hogg  
15 County, Texas;

16 (b) all real property in Brooks County save and except all  
17 of those portions of Brooks County that, as of the effective date of  
18 this Act, are located within the Kenedy County Groundwater  
19 Conservation District;

20 (c) all real property in Jim Wells County save and except  
21 all of those portions of Jim Wells County that, as of January 1,  
22 2009, are located within the Kenedy County Groundwater Conservation  
23 District; and

24 (d) all real property in Hidalgo County contained in the  
25 following described area and which is not located within the Kenedy  
26 County Groundwater Conservation District as of the effective date  
27 of this Act:

1           10,953.38 acres of land, more or less, out of the Guadalupe  
2 Sanchez Grant, Abstract 481, Brooks County, Texas, also known as  
3 the "La Rucia Grant", and any adjoining surveys, the said 10,953.38  
4 acres being more particularly described as follows:

5           COMMENCING at a Stone marking the southwest corner of the  
6 Juan Garza Diaz Grant, Abstract 192, Brooks County, Texas, and  
7 Abstract 82, in Hidalgo County, Texas, being also an inner corner of  
8 the Argyle McAllen 8827.00 acre-tract as described in that certain  
9 Oil, Gas and Mineral Lease executed by Argyle McAllen in favor of  
10 Shell Oil Company, dated January 10, 1958, and recorded in Volume  
11 210, Page 342, of the Oil and Gas Records of said County;

12           THENCE North 01° 15' 50" East with the east line of the said  
13 "La Rucia Grant" and with a fence, a distance of 322.2 varas to a  
14 fence corner marking the south-east corner and BEGINNING POINT of  
15 the herein described tract;

16           THENCE in a westerly direction with the said fence, being  
17 also the north line of the said McAllen 8827.00-acre tract and with  
18 the north line of the Argyle McAllen 23,597.00 acre tract as  
19 described in the Oil, Gas and Mineral lease executed by Argyle  
20 McAllen in favor of Shell Oil Company, dated September 5, 1947, and  
21 recorded in Volume 74, page 112, of the Oil and Gas Records of  
22 Hidalgo County, Texas; thence with said line the following courses  
23 and distances: North 85° 06' 40" West, 3538.3 varas; North 84° 39'  
24 20" West, 2104.4 varas; and North 81° 32' 50" West, 725.3 varas to a  
25 southeast corner of the J. C. McGill, Jr., et al 640-acre tract,  
26 being a part of a 38,644.1-acre tract, being also a point on the  
27 east line of the Texas-Mexico R. R. Survey No. 189, Abstract 157;



1           THENCE North 00° 55' East with the said fence and the east  
2 lines of the said Tex-Mex R. R. Survey No. 189, the Tex-Mex R. R.  
3 Survey No. 190, Abstract 785, and the Tex-Mex R. R. Survey No. 191,  
4 Abstract 158, a total distance of 5076.5 varas to a point for  
5 corner, from which a Mesquite Marked "X" bears South 61° 45' East  
6 74.0 varas;

7           THENCE, North 00° 54' East with the said fence and with the  
8 east line of the Jose Antonio Morales Garcia and Apolinario Morales  
9 Garcia Grant, known as the "San Antonio Grant", Abstract 214,  
10 Brooks County, Abstract 578, Hidalgo County, and Abstract 103 in  
11 Starr County, a distance of 4280.8 varas to the fence corner, the  
12 southwest corner of the Louella Jones Borglum 7036.01-acre tract  
13 (called 8576.50 acres);

14           THENCE, South 89° 40' East with the south fence and with the  
15 south line of the said Borglum 7036.01 acre tract a distance of  
16 6202.3 varas to a fence corner marking the southeast corner of the  
17 same, being also a point on the west line of the Juan Garza Diaz  
18 Grant, also known as the "Vargas Grant", Abstract 192, in Brooks  
19 County, and Abstract 82, in Hidalgo County, Texas;

20           THENCE South 00° 04' West with the said fence and the west line  
21 of the said "Vargas Grant", a distance of 9924.7 varas to the PLACE  
22 OF BEGINNING and containing 10,953.38 acres of land, more or less.

23           SECTION 3. (a) The legal notice of the intention to  
24 introduce this Act, setting forth the general substance of this  
25 Act, has been published as provided by law, and the notice and a  
26 copy of this Act have been furnished to all persons, agencies,  
27 officials, or entities to which they are required to be furnished

1 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
2 Government Code.

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

5 (c) The Texas Commission on Environmental Quality has filed  
6 its recommendations relating to this Act with the governor,  
7 lieutenant governor, and speaker of the house of representatives  
8 within the required time.

9 (d) All requirements of the constitution and laws of this  
10 state and the rules and procedures of the legislature with respect  
11 to the notice, introduction, and passage of this Act are fulfilled  
12 and accomplished.

13 SECTION 4. This Act takes effect immediately if it receives  
14 a vote of two-thirds of all the members elected to each house, as  
15 provided by Section 39, Article III, Texas Constitution. If this  
16 Act does not receive the vote necessary for immediate effect, this  
17 Act takes effect September 1, 2009.

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I hereby certify that S.B. No. 2456 passed the Senate on April 30, 2009, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendments on May 29, 2009, by the following vote: Yeas 31, Nays 0.

\_\_\_\_\_  
Secretary of the Senate

I hereby certify that S.B. No. 2456 passed the House, with amendments, on May 26, 2009, by the following vote: Yeas 145, Nays 0, two present not voting.

\_\_\_\_\_  
Chief Clerk of the House

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor