

Amend CSSB 661 (senate committee printing) as follows:

(1) In SECTION 1.06 of the bill, in the recital (page 3, line 29), strike "and (g)" and substitute "(g), and (g-1)".

(2) In SECTION 1.06 of the bill, in the recital (page 3, line 30), strike "and (n)" and substitute "(n), (o), (p), and (q)".

(3) In SECTION 1.06 of the bill, in amended Section 39.151(g), Utilities Code (page 4, line 53), between "candidates" and the period, insert "and commission consultation regarding the selection of the chief executive officer or an unaffiliated board member, subject to Subsection (p)".

(4) In SECTION 1.06 of the bill, in amended Section 39.151, Utilities Code (page 5, between lines 14 and 15), insert the following:

(g-1) The presiding officer of the governing body must be one of the members described by Subsection (g)(7) or (8).

(5) In SECTION 1.06 of the bill, in amended Section 39.151, Utilities Code (page 5, between lines 42 and 43), insert the following:

(o) For any reason, the commission may remove a board member selected by the commission under Subsection (g)(1) and the counsellor may remove a board member selected by the counsellor under Subsection (g)(2). The organization's governing body may not remove a member selected by the commission or the counsellor.

(p) Only the governing body of an independent organization may select or remove the organization's chief executive officer or an unaffiliated board member not selected by the commission or the counsellor. The selection or removal of the chief executive officer is not subject to review or approval by the commission. The commission may not initiate the removal or reappointment of an unaffiliated board member not selected by the commission. The commission may, however, recommend that an unaffiliated board member not be reappointed or be removed for cause by the governing board under Subsection (q).

(q) The governing board may remove a board member not appointed by the commission or the counsellor for cause, including failure to properly perform the member's duties to the independent organization, a violation of a policy or procedure adopted by the

governing body, a violation of a law of this state or the United States, or a violation of a commission rule adopted under this section. Notwithstanding any other provision of this section, the commission does not have jurisdiction over and may not review a matter relating to the selection, qualifications, or removal of a member not appointed by the commission or the counsellor.