

By: Bonnen of Brazoria

H.B. No. 4168

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the composition of the board of directors and the powers
3 of the Gulf Coast Water Authority.

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

5 SECTION 1. Chapter 712, Acts of the 59th Legislature,
6 Regular Session, 1965, is amended by adding Section 3A to read as
7 follows:

8 Sec. 3A. In connection with the acquisition of water, or the
9 treatment, storage, or transportation of water, the district may
10 enter into agreements for the purchase or sale of electric power. An
11 agreement entered into under this section may provide for a term of
12 years and include provisions that the Board of Directors determines
13 are in the best interest of the district, including provisions for
14 the posting of collateral or payment of an early termination amount
15 in the event of early termination.

16 SECTION 2. Sections 5 and 5(a), Chapter 712, Acts of the
17 59th Legislature, Regular Session, 1965, are amended to read as
18 follows:

19 Sec. 5. The management and control of the District is hereby
20 vested in a Board of nine directors. [~~The seven directors appointed~~
21 ~~by the Commissioners Court of Galveston County shall represent the~~
22 ~~geographic and ethnic diversity of the county.~~] Vacancies on the
23 Board of Directors, whether by death, resignation or termination of
24 the term of office, shall be filled by appointment by the

1 commissioners court that appointed the director. All terms of
2 office shall be for a period of two (2) years. Terms shall be
3 staggered. [~~Three (3) of the members appointed by the Commissioners~~
4 ~~Court of Galveston County shall be registered professional~~
5 ~~engineers under the laws of Texas.~~]

6 Sec. 5(a). The directors of the district shall be appointed
7 as follows:

8 (1) four directors appointed by the Galveston County
9 Commissioners Court, two of whom represent municipal interests, and
10 two of whom represent industrial interests;

11 (2) two directors appointed by the Fort Bend County
12 Commissioners Court, one of whom represents municipal interests,
13 and one of whom represents the county at large; and

14 (3) three directors appointed by the Brazoria County
15 Commissioners Court, one of whom represents agricultural
16 interests, one of whom represents municipal interests, and one of
17 whom represents industrial interests. [~~One (1) director of the~~

18 ~~District shall be appointed by the Commissioners Court of Galveston~~
19 ~~County upon the recommendation of the City Council of the City of~~
20 ~~Galveston. Six of the remaining directors shall be appointed by the~~
21 ~~Commissioners Court of Galveston County with two directors~~
22 ~~appointed at-large and the remaining four of those directors~~
23 ~~appointed on the written recommendation of advisory committees~~
24 ~~appointed by the Board of Directors of the Gulf Coast Water~~
25 ~~Authority. Two of those directors shall be recommended by the~~
26 ~~Mainland Municipal Advisory Committee and two of those directors~~
27 ~~shall be recommended by the Industrial Advisory Committee. The~~

1 ~~Commissioners Court of Galveston County is entitled to accept or~~
2 ~~reject the recommendations made to the court by the advisory~~
3 ~~committees. If a recommendation made by an advisory committee is~~
4 ~~rejected, the advisory committee shall submit additional~~
5 ~~recommendations to the court.~~

6 ~~[The Industrial Advisory Committee is composed of one~~
7 ~~representative of each industrial customer of the Gulf Coast Water~~
8 ~~Authority. The Mainland Municipal Advisory Committee is composed~~
9 ~~of one representative of each municipal or water district customer~~
10 ~~of the Gulf Coast Water Authority that contracts for not less than 2~~
11 ~~million gallons of water a day. The names of the representatives of~~
12 ~~each of the committees shall be submitted to the Board of Directors~~
13 ~~of the Gulf Coast Water Authority by the respective industrial and~~
14 ~~municipal or water district customers. The directors of the Gulf~~
15 ~~Coast Water Authority shall submit the names of the advisory~~
16 ~~committee members to the Commissioners Court of Galveston County,~~
17 ~~which shall record the names in the minutes of the court.~~

18 ~~[One director shall be appointed by the Commissioners Court~~
19 ~~of Fort Bend County to represent District customers in that county.~~
20 ~~The director must be recommended by one or more of those customers~~
21 ~~and reside in that county.~~

22 ~~[One director shall be appointed by the Commissioners Court~~
23 ~~of Brazoria County to represent District customers in that county.~~
24 ~~The director must be recommended by one or more of those customers~~
25 ~~and reside in that county.]~~

26 SECTION 3. (a) The terms of the members of the board of
27 directors of the Gulf Coast Water Authority serving on the

1 effective date of this Act expire September 1, 2015.

2 (b) Not later than September 1, 2015, the entities described
3 by Section 5(a), Chapter 712, Acts of the 59th Legislature, Regular
4 Session, 1965, as amended by this Act, shall make the appointments
5 required by that section.

6 (c) The members of the board appointed under Subsection (b)
7 of this section shall draw lots to determine which four board
8 members shall serve a one-year term and which five members shall
9 serve a two-year term.

10 SECTION 4. (a) The legal notice of the intention to
11 introduce this Act, setting forth the general substance of this
12 Act, has been published as provided by law, and the notice and a
13 copy of this Act have been furnished to all persons, agencies,
14 officials, or entities to which they are required to be furnished
15 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
16 Government Code.

17 (b) The governor, one of the required recipients, has
18 submitted the notice and Act to the Texas Commission on
19 Environmental Quality.

20 (c) The Texas Commission on Environmental Quality has filed
21 its recommendations relating to this Act with the governor, the
22 lieutenant governor, and the speaker of the house of
23 representatives within the required time.

24 (d) All requirements of the constitution and laws of this
25 state and the rules and procedures of the legislature with respect
26 to the notice, introduction, and passage of this Act are fulfilled
27 and accomplished.

1 SECTION 5. This Act takes effect immediately if it receives
2 a vote of two-thirds of all the members elected to each house, as
3 provided by Section 39, Article III, Texas Constitution. If this
4 Act does not receive the vote necessary for immediate effect, this
5 Act takes effect September 1, 2015.