

BILL ANALYSIS

Senate Research Center
79R7930 HLT-F

S.B. 1824
By: Duncan
Natural Resources
4/25/2005
As Filed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

The Act creating the Salt Fork Water Quality District (district) was originally passed by the 76th Legislature, Regular Session, 1999, and amended by the 77th Legislature, Regular Session, 2001. The main purposes were to improve, preserve, and protect the quality of water of the Salt Fork and Brazos River and its tributaries. This Act, however, only covered Stonewall County.

In 2005, the Economic Development Administration of the United States Department of Commerce awarded a long-awaited grant to study a three-county project to control and remove highly-concentrated salt water. The three affected counties, Stonewall, Kent, and Garza, are supporting the project.

As proposed, S.B. 1824 amends prior legislation to enable the district to undertake the project on behalf of all three counties, by enlarging the district to include all three counties.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 3, Chapter 1139, Acts of the 76th Legislature, Regular Session, 1999, to provide that the boundaries of the Salt Fork Water Quality District (district) are coextensive with the boundaries of Stonewall, Kent, and Garza counties.

SECTION 2. Amends Section 6(c), Chapter 1139, Acts of the 76th Legislature, Regular Session, 1999, to authorize the district, in addition to the rights, privileges, powers, and duties provided by the general laws of this state, to perform specific functions necessary to accomplish the purposes described by this Act, inside or outside district boundaries, subject to any incorporated city or town consent under Section 65.016 (Consent of City), Water Code, borrow money and issue and secure bonds and other evidences of indebtedness for the purposes described by this Act, in addition to those rights previously granted.

SECTION 3. Amends Section 7, Chapter 1139, Acts of the 76th Legislature, Regular Session, 1999, as follows:

Sec. 7. BOARD OF DIRECTORS. (a) Provides that the district is governed by a board of three, rather than five, directors. Sets forth requirements for appointing directors.

(b) Requires a person to be a registered voter of the county that the commissioners court of the county making the appointment represents, to be eligible to serve as director. Deletes existing text referring to the terms of the initial directors.

(c) Sets forth terms for directors. Authorizes the commissioners court to make an appointment on or after the 45th day before the term begins. Requires the commissioners court that makes the appointment of that position under Subsection (a), if a vacancy occurs on the board of directors, to appoint a director serve the remainder of that term. Deletes existing text referring to requiring the

commissioners court to appoint a director to serve a two-year term at the expiration of a term.

(d) Requires each director to qualify to serve as director in the manner provided by Section 49.055 (Sworn Statement, Bond, and Oath of Office), Water Code, except that a bond is not required.

(e) No changes made to this subsection. Deletes text of existing Subsection (f).

SECTION 4. Requires the commissioners courts of Stonewall, Kent, and Garza counties to appoint initial directors under Section 7, Chapter 1139, Acts of the 76th Legislature, Regular Session, 1999, as amended by this Act, as soon as practicable after the effective date of this Act. Requires initial directors to serve until September 1, 2007, or until a successor has been appointed and qualified.

SECTION 5. Effective date: upon passage or September 1, 2005.