

BILL ANALYSIS

Senate Research Center
76R8676 BDH-F

H.B. 3814
By: Counts (Haywood)
Natural Resources
5/12/1999
Engrossed

DIGEST

Currently, water from seeps and springs in Stonewall and King counties flow into several tributaries, which, in turn flow into the Salt Fork of the Brazos River. These tributaries are major contributors to the salt content of the river. To improve water quality and control salt content, further studies are needed; however, an entity is required to oversee the implementation of feasibility studies in this area. H.B. 3814 creates the Salt Fork Water Quality District in Stonewall County as a conservation and reclamation district.

PURPOSE

As proposed, H.B. 3814 creates the Salt Fork Water Quality District in Stonewall County as a conservation and reclamation district.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. CREATION. Creates the Salt Fork Water Quality District (district) in Stonewall County as a conservation and reclamation district. Provides that the district is a governmental agency, a body politic, and corporate. Provides that the district is essential to accomplish certain purposes of the Texas Constitution.

SECTION 2. DEFINITION. Defines "district" as the Salt Fork Water Quality District.

SECTION 3. BOUNDARIES. Provides that the district boundaries are coextensive with Stonewall County's boundaries.

SECTION 4. ANNEXATION OF AREA IN DISTRICT BY MUNICIPALITY. Provides that Chapter 43D, Local Government Code, does not apply to the district. Provides that the district's existence does not affect certain boundary issues or require assumption of assets or liabilities.

SECTION 5. FINDING OF BENEFIT. Sets forth areas which will benefit from the district which is created to serve a public use and benefit.

SECTION 6. PURPOSE; POWERS; TAXES PROHIBITED. Sets forth justifications for the creation of the district. Sets forth district powers which are applicable to special utility districts, and prohibits the district from levying or collecting taxes. Sets forth specific district authorizations. Subjects the district's powers to the continuing right of the supervision of the Texas Natural Resource Conservation Commission (commission), except that certain matters are not required to be inspected or approved by the Texas Water Development Board or the commission. Provides that this Act prevails over conflicts with general law.

SECTION 7. BOARD OF DIRECTORS. Provides that a board of five directors govern the district. Requires initial directors to serve until permanent directors are elected. Provides that permanent directors serve two-year terms. Requires directors to qualify for service under Section 49.055, Water Code. Provides that a director serves until the successor has qualified.

SECTION 8. INITIAL DIRECTORS. Sets forth members of the initial board of directors.

SECTION 9. ELECTION OF PERMANENT DIRECTORS. Sets forth provisions for the election of

five permanent board members.

SECTION 10. FINDINGS RELATED TO PROCEDURAL REQUIREMENTS. Provides that required notice has been published and a copy of this Act has been provided to certain entities. Provides that the commission has filed recommendations with certain entities within the required deadline. Provides that all requirements relating to the passage of this Act are fulfilled and accomplished.

SECTION 11. Emergency clause.

Effective date: upon passage.