

## **BILL ANALYSIS**

Senate Research Center  
77R8213 SGA-D

H.B. 3095  
By: Counts (Haywood)  
Natural Resources  
5/8/2001  
Engrossed

### **DIGEST AND PURPOSE**

Stonewall County contains several tributaries, including the Salt Croton Creek, which flow into the Salt Fork of the Brazos River and serve as major contributors to the salt content of the Brazos River. The salt loads of the creek come predominantly from seeps and springs in Stonewall and King Counties. Further studies of the area are needed to provide recommendations for various methods to control salt intrusion and improve water quality in the area. The 76th Legislature in 1999 created the Salt Fork Water Quality District to help address this problem. The district is not a taxing authority, and its main purpose has been to provide for a governmental entity that can oversee the implementation of some feasibility studies regarding the salt content in local creeks.

### **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 Chapter 1139(7), Acts of the 76th Legislature, Regular Session, 1999, by amending Subsections (a), (b), and (c) and adding Subsection (f), as follows:

- (a) Provides that the Salt Fork Water Quality District (district) is governed by a board of five directors appointed by the commissioners court of Stonewall County.
- (b) Requires three of the initial directors to serve terms that expire on September 1, 2003. Requires two of the initial directors to serve terms that expire on September 1, 2002. Deletes text regarding permanent directors.
- (c) Requires the commissioners court, at the expiration of a term, to appoint a director to serve a term of two years. Requires the commissioners court, if a vacancy occurs on the board of directors, to appoint a director to serve the remainder of that term. Deletes text regarding permanent directors.
- (f) Requires a person, to be eligible to serve as a director, to be a registered voter in Stonewall County.

SECTION 2. Amends Chapter 1139(8), Acts of the 76th Legislature, Regular Session, 1999, as follows:

Sec. 8. INTERGOVERNMENTAL AGREEMENTS. (a) Authorizes the district to enter into an agreement with a state agency, political subdivision of the state, or other governmental entity to carry out the purposes of the district under terms and conditions to which the parties agree and for a period not to exceed 40 years, subject to renewal and extension if the parties agree.

- (b) Provides that advertising, sealed bids, and similar procedures are not required for

the intergovernmental agreements described in Subsection (a).

(c) Authorizes the agreements described in Subsection (a) to provide for an exchange of goods, services, or commodities, such as an exchange of natural gas for salt, with or without cash payments, if the parties agree. Deletes text regarding initial board of directors.

SECTION 3. Repealer: Chapter 1139(9), Acts of the 76th Legislature, Regular Session, 1999.

SECTION 4. Provides that the term of office for any person serving as a member of the board of directors for the Salt Fork Water Quality District as of August 31, 2001, expires on September 1, 2001. Requires the commissioners court of Stonewall County, Texas, to appoint directors under Chapter 1139(7), Acts of the 76th Legislature, Regular Session, 1999, as amended by this Act, as soon as practicable after September 1, 2001.

SECTION 5. (a) Provides that the proper and legal notice of the intention to introduce this Act, setting forth the general substance of this Act, has been published as provided by law, and the notice and a copy of this Act have been furnished to all persons, agencies, officials, or entities to which they are required to be furnished by the constitution and other laws of this state, including the governor, who has submitted the notice and Act to the Texas Natural Resource Conservation Commission.

(b) Provides that the Texas Natural Resource Conservation Commission has filed its recommendations relating to this Act with the governor, lieutenant governor, and speaker of the house of representatives within the required time.

(c) Provides that all requirements of the constitution and laws of this state and the rules and procedures of the legislature with respect to the notice, introduction, and passage of this Act are fulfilled and accomplished.

SECTION 6. Effective date: September 1, 2001.