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AN ACT

relating to the administration, powers, duties, and operations of the Neches and Trinity Valleys Groundwater Conservation District.

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

SECTION 1. Section 5, Chapter 1387, Acts of the 77th Legislature, Regular Session, 2001, is amended by adding Subsection (g) to read as follows:

(g) The district may not assess a fee of any type on a well if the well's production is used only for domestic, agricultural, or wildlife purposes within the district.

SECTION 2. Section 6, Chapter 1387, Acts of the 77th Legislature, Regular Session, 2001, is amended to read as follows:

Sec. 6. BOARD OF DIRECTORS. (a) The district is governed by a board of directors appointed as provided by Section 7 of this Act.

(b) Each director shall serve at the pleasure of the political subdivision by which the appointment was made.

(c) Except for the initial term, all directors appointed by the county commissioners court in each county in the district serve four-year terms. The director appointed jointly under Subsection (b), Section 7 of this Act, serves a two-year term. The terms of four initial directors will expire at the end of the calendar year two years after the effective date of this Act and the terms of three initial directors will expire at the end of the calendar year

1 four years after the effective date of this Act.

2 (d) [~~(e)~~] Subject to Subsection (c) [~~(b)~~] of this section,
3 the initial directors appointed by the county commissioners court
4 in each county shall draw lots to determine one initial director
5 from each county who shall serve a two-year term. The other initial
6 directors shall serve terms of four years.

7 (e) [~~(d)~~] Each director must qualify to serve as a director
8 in the manner provided by Section 36.055, Water Code.

9 (f) [~~(e)~~] A director serves until the director's successor
10 has qualified.

11 (g) [~~(f)~~] Directors may serve consecutive terms.

12 (h) [~~(g)~~] If there is a vacancy on the board of directors,
13 the governing body of the entity that appointed the director who
14 vacated the office shall appoint a director to serve the remainder
15 of the term.

16 (i) [~~(h)~~] Directors are not entitled to receive
17 compensation for serving as a director but may be reimbursed for
18 actual, reasonable expenses incurred in the discharge of official
19 duties.

20 (j) [~~(i)~~] A majority vote of a quorum is required for board
21 action. If there is a tie vote, the proposed action fails.

22 SECTION 3. This Act takes effect September 1, 2005.

David Newkirk
President of the Senate

Tom Cradick
Speaker of the House

I hereby certify that S.B. No. 1604 passed the Senate on April 21, 2005, by the following vote: Yeas 31, Nays 0; May 26, 2005, Senate refused to concur in House amendment and requested appointment of Conference Committee; May 27, 2005, House granted request of the Senate; May 29, 2005, Senate adopted Conference Committee Report by the following vote: Yeas 31, Nays 0.

Daisy Spaw
Secretary of the Senate

I hereby certify that S.B. No. 1604 passed the House, with amendment, on May 25, 2005, by a non-record vote; May 27, 2005, House granted request of the Senate for appointment of Conference Committee; May 29, 2005, House adopted Conference Committee Report by a non-record vote.

Robert Haney
Chief Clerk of the House

Approved:

17 JUNE '05

Date

Rick Perry
Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
9:20 AM O'CLOCK

JUN 17 2005

Roger Williams
Secretary of State