Chapter 134

1

H.B. No. 2819

2	relating to improvement projects of the Sabine-Neches Navigation
3	District of Jefferson County, Texas; providing authority to issue
4	anticipation notes and time warrants.
5	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
6	SECTION 1. Chapter 1472, Acts of the 77th Legislature,
7	Regular Session, 2001, is amended by adding Section 6B to read as
8	follows:
9	Sec. 6B. WATERWAY IMPROVEMENT PROJECT. (a) In this
10	section:
11	(1) "Improvement project" means the Sabine-Neches
12	Waterway Improvement Project.
13	(2) "Project sponsor" has the meaning assigned by the
14	Water Resources Reform and Development Act of 2014 (Pub. L. No.
15	<u>113-121).</u>
16	(b) The district is the project sponsor of the existing
17	Sabine-Neches Waterway and the improvement project authorized by
18	the Water Resources Reform and Development Act of 2014 (Pub. L. No.
19	113-121) to improve an existing facility of the district and deepen
20	the Sabine-Neches Waterway. The district is also the nonfederal
21	cost-sharing sponsor of the improvement project. The commission
22	shall make a determination on matters that may be required or
23	desirable as a project sponsor to implement the improvement
24	project.

AN ACT

H.B. No. 2819

1 (c) In the district's capacity as the project sponsor of the improvement project, the district is authorized to enter into any 2 contract, agreement, including an economic development agreement, 3 4 or lease as necessary or convenient to carry out any of the district's powers granted under this section. A contract, 5 6 agreement, or lease, including any amendments to a contract, 7 agreement, or lease, may provide any terms and conditions, and be for any term of years, as the commission determines are in the best 8 interests of the district. The contract, agreement, or lease may be 9 entered into with any person, political subdivision, or 10 11 governmental agency, including the United States, the secretary of 12 the army or the secretary of the army's designees, the Army Corps of 13 Engineers, any local government, any county government, any special district or authority, any local government corporation, any 14 transportation corporation, any tax increment reinvestment zone, 15 16 the State of Texas, any agency of the State of Texas, and any other entity. The district is authorized to enter into contracts with a 17 private entity to develop or operate any part of the improvement 18 project under Chapter 2267, Government Code, and those contracts 19 may provide that the private entity: 20 21 (1) perform all or any part of the district's obligations under contracts or agreements with the United States; 22 23 and (2) use revenue or other money from the improvement 24 project to prepay for duties or tariffs, including duties or 25 tariffs that may not be effective until the improvement project is 26

partially or wholly completed, which may be credited against future

27

- 1 <u>duties or tariffs.</u>
- 2 (d) The district may enter into a contract, agreement, or
- 3 lease under Section 49.108 or 60.120, Water Code, as determined by
- 4 the commission.
- 5 (e) The district is not required to obtain approval from the
- 6 Texas Commission on Environmental Quality for the district's
- 7 contracts or financing related to the improvement project. Any
- 8 contracts or agreements of the district may be renewed or extended,
- 9 and any time warrants or maintenance notes may be refunded in the
- 10 manner provided by general law.
- 11 (f) The district may provide that payments required by any
- 12 of the district's contracts, agreements, or leases may be payable
- 13 from the sale of notes, taxes, or bonds, or any combination of
- 14 notes, taxes, or bonds, or may be secured by a lien on or a pledge of
- 15 any available funds, including proceeds of the district's
- 16 maintenance tax, and may be payable subject to annual appropriation
- 17 by the district. Sections 26.04, 26.05, 26.07, and 26.012, Tax
- 18 Code, do not apply to maintenance taxes levied and collected for
- 19 payments under a contract, agreement, lease, time warrant, or
- 20 maintenance note issued or executed under this section.
- 21 (g) The district is authorized to borrow money, receive
- 22 advances of funds, and enter into repayment agreements for the
- 23 repayment of borrowed money or advances, and to issue anticipation
- 24 notes, time warrants, and maintenance notes. The anticipation
- 25 notes may be issued in accordance with Chapter 1431, Government
- 26 Code, in the same manner as an eligible countywide district. Tax
- 27 anticipation notes issued under this subsection may not exceed 75

- 1 percent of the revenue or taxes anticipated to be collected in that
- 2 year and shall be payable during the district's current fiscal
- 3 year. Time warrants and maintenance notes issued under this
- 4 subsection may be issued to pay for any lawful expenditure of the
- 5 <u>district and shall be payable over a period not to exceed 35 years</u>
- 6 from the date of issuance.
- 7 (h) The commission shall determine whether the amount of the
- 8 <u>district's maintenance taxes and other available resources</u>
- 9 required to pay the district's existing obligations is also
- 10 sufficient to pay the debt service on any time warrants or
- 11 maintenance notes issued under this section. In evaluating the tax
- 12 rate, the commission may include in the district's budget an
- 13 improvement project fund, which may be funded to assure that
- 14 <u>adequate funds are available to the district to comply with the</u>
- 15 district's covenants and obligations during future years when the
- 16 amounts projected to be needed will exceed the then-current
- 17 <u>available maintenance tax funds</u>.
- 18 SECTION 2. (a) The legal notice of the intention to
- 19 introduce this Act, setting forth the general substance of this
- 20 Act, has been published as provided by law, and the notice and a
- 21 copy of this Act have been furnished to all persons, agencies,
- 22 officials, or entities to which they are required to be furnished
- 23 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
- 24 Government Code.
- 25 (b) The governor, one of the required recipients, has
- 26 submitted the notice and Act to the Texas Commission on
- 27 Environmental Quality.

H.B. No. 2819

- 1 (c) The Texas Commission on Environmental Quality has filed
- 2 its recommendations relating to this Act with the governor, the
- 3 lieutenant governor, and the speaker of the house of
- 4 representatives within the required time.
- 5 (d) All requirements of the constitution and laws of this
- 6 state and the rules and procedures of the legislature with respect
- 7 to the notice, introduction, and passage of this Act are fulfilled
- 8 and accomplished.
- 9 SECTION 3. This Act takes effect immediately if it receives
- 10 a vote of two-thirds of all the members elected to each house, as
- 11 provided by Section 39, Article III, Texas Constitution. If this
- 12 Act does not receive the vote necessary for immediate effect, this
- 13 Act takes effect September 1, 2015.

Presider	t of the Senate	Speaker of the Hou	No. 2819 - Mul.
I cert	tify that H.B. No. 28	319 was passed by the Hous	e on May
12, 2015, by	the following vote:	Yeas 143, Nays 0, 2 pres	ent, not
voting.		Refla	ney
•		Chief Clerk of the	Hous
I cert	ify that H.B. No. 28	19 was passed by the Senat	e on May
15, 2015, by	the following vote:	Yeas 31, Nays 9. Secretary of the Secretary	nate
APPROVED:		_	
	Date		
	Governor	_	

FILED IN THE OFFICE OF THE SECRETARY OF STATE

O'CLOCK

MAY 2.8 2015

Secretary of State

LEGISLATIVE BUDGET BOARD Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

May 13, 2015

TO: Honorable Kelly Hancock, Chair, Senate Committee on Administration

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2819 by Deshotel (Relating to improvement projects of the Sabine-Neches Navigation

District of Jefferson County, Texas; providing authority to issue anticipation notes and

time warrants.), As Engrossed

No fiscal implication to the State is anticipated.

Local Government Impact

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

Source Agencies: 582 Commission on Environmental Quality

LBB Staff: UP, KK, CL, EK

LEGISLATIVE BUDGET BOARD Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

March 23, 2015

TO: Honorable Tan Parker, Chair, House Committee on Investments & Financial Services

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2819 by Deshotel (Relating to improvement projects of the Sabine-Neches Navigation District of Jefferson County, Texas; providing authority to issue anticipation notes and time warrants.), As Introduced

No fiscal implication to the State is anticipated.

Local Government Impact

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

Source Agencies: 582 Commission on Environmental Quality

LBB Staff: UP, CL, EK

Bryan W. Shaw, Ph.D., P.E., Chairman Toby Baker, Commissioner Zak Covar, Commissioner Richard A. Hyde, P.E., Executive Director



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

March 27, 2015

The Honorable Joe Straus Texas House of Representatives Capitol Station PO Box 2910 Austin, Texas 78768-2910

Re: Res

Responsibility of the Texas Commission on Environmental Quality (TCEQ) Pursuant to Article XVI, Section 59(d), Texas Constitution

House Bill (SB) 2819, as Filed by Representative Joe Deshotel - Relating to improvement projects of the Sabine-Neches Navigation District of Jefferson County, Texas; providing authority to issue anticipation notes and time warrants

Dear Speaker Straus:

The following comments are provided pursuant to the Constitutional requirements referenced above. Under those requirements, the TCEQ must submit, to the Governor, Lieutenant Governor and Speaker of the House of Representatives, the TCEQ's recommendations on specific legislation affecting water districts. We recommend that these comments be considered in the evaluation of the proposed legislation.

The bill amends previous legislation related to the Sabine-Neches Navigation District of Jefferson County (the "District") as detailed below.

It should be noted that the term "commission" as used throughout the bill refers to the navigation and canal commission, not TCEQ.

Specifies that the District is the project sponsor and non-federal cost-sharing sponsor of the Sabine-Neches Waterway project — a project to improve an existing facility of the District and deepen the Sabine-Neches Waterway.

Specifies that the district is authorized to enter into any contract, agreement, including an economic development agreement, or lease as necessary or convenient to carry out any of the District's powers provided for in the bill. Specifies the entities that the contract, agreement, or lease may be entered into with, and that a contract, agreement, or lease, including any amendments to a contract, agreement, or lease, may provide any terms and conditions, and be for any term of years, as the commission determines are in the best interests of the District.

The Honorable Joe Straus Page 2 March 27, 2015

Specifies that the District is authorized to enter into contracts with a private entity to develop or operate any part of the improvement project under Chapter 2267, Government Code, and those contracts may provide that the private entity: (1) perform all or any part of the District's obligations under contracts or agreements with the United States; and (2) use revenue or other money from the improvement project to prepay for duties or tariffs, including duties or tariffs that may not be effective until the improvement project is partially or wholly completed, which may be credited against future duties or tariffs.

Specifies that the District may enter into a contract, agreement, or lease under Section 49.108 (regarding contract elections) or 60.120 (regarding contracts, leases, and agreements authorized for navigation districts), Water Code, as determined by the commission.

Specifies that the District is not required to obtain approval from the Texas Commission on Environmental Quality for the District's contracts or financing related to the improvement project, and that any contracts or agreements of the District may be renewed or extended, and any time warrants or maintenance notes may be refunded in the manner provided by general law.

Specifies that payments required by contract, agreements, or leases may be payable from the sale of notes, taxes, or bonds, or any combination of notes, taxes, or bonds, or may be secured by a lien on or a pledge of any available funds, including proceeds of the District 's maintenance tax, and may be payable subject to annual appropriation by the District.

Specifies that the commission shall determine whether the amount of the District's maintenance taxes and other available resources required to pay the District's existing obligations is also sufficient to pay the debt service on any time warrants or maintenance notes issued under this section. In evaluating the tax rate, the commission may include in the District's budget an improvement project fund, which may be funded to assure that adequate funds are available to the district to comply with the District's covenants and obligations during future years when the amounts projected to be needed will exceed the then-current available maintenance tax funds.

Sincerely,

Linda Brookins, Director Water Supply Division

Texas Commission on Environmental Quality

cc: Honorable Tan Parker, Chairman, House Committee on Investments & Financial Services Representative Joe Deshotel, Texas House of Representatives

LETTER OF TRANSMITTAL HOUSE OF REPRESENTATIVES STATE OF TEXAS

HB 2819 Bill Number

TO:

The Honorable Governor of Texas

SUBJECT:

A Bill Relating to a Conservation and Reclamation District

This is to transmit to you and the Texas Commission on Environmental Quality copies of a bill relating to conservation and reclamation district and copies of the notice of intention to introduce the bill. One copy is for your files and one for you to forward to the Texas Commission on Environmental Quality, under Section 59(d), Article XVI, Constitution of the State of Texas.

3/12/2015

Date transmitted to Governor's Office

House of Representatives

TO:

Texas Commission on Environmental Quality

SUBJECT:

A Bill Relating to a Conservation and Reclamation District

This is to forward to you a copy of a bill relating to conservation and reclamation district and a copy of the notice of intention to introduce the bill.

March 16, 2015

Date transmitted to

Texas Commission on Environmental Quality

eg ahhar

TO:

The Honorable Speaker of the House

The Honorable President of the Senate

The Honorable Governor of Texas

SUBJECT: A Bill Relating to a Conservation and Reclamation District

Attached are recommendations of the Texas Commission on Environmental Quality in compliance with Section 59(d), Article XVI, Constitution of the State of Texas.

Texas Commission on Environmental Quality

Publishers Affidavit

STATE OF TEXAS COUNTY OF JEFFERSON

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED VICTOR BONG
WHO BEING BY ME DULY SWORN, DEPOSES AND SAYS THAT HE/SHE IS A NEWSPAPER REPRESENTATIVE
FOR THE BEAUMONT ENTERPRISE; THAT SAID NEWSPAPER REGULARLY PUBLISHED IN JEFFERSON COUNTY
CIRCULATED IN JEFFERSON, HARDIN, TYLER, NEWTON, ORANGE, JASPER, LIBERTY, SABINE, CHAMBERS,
SAN AUGUSTINE, ANGELINA AND GALVESTON COUNTY (COUNTIES), TEXAS; THAT THE ATTACHED NOTICE
IN SAID NEWSPAPER ON THE FOLLOWING DATE (S), TO WIT:

01-12-15 01-12-15

SWORN AND SUBSCRIBED TO BEFORE ME, THIS 13TH DAY OF JANUARY

TO CERTIFY WHICH WITNESS MY HAND AND SEAL OF OFFICE

ERIKA ACEVEDO

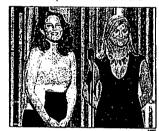
APRIL 3, 2016

NOTARY PUBLIC IN AND THE STATE OF TEXAS

PRINT OR TYPE NAME OF NOTARY PUBLIC
MY COMMISSION EXPIRES APRIL 3,2016

2015,

GOLDEN GLOBES: A NIGHT OF TRIUMPHS, UNEXPECTED WINS



Co-hosts Tins Fey, left, and Amy Poehler speak durin, the 72nd Annual Goldon Globo Awards on Sunday at th Beverty Hillon Hotel in Deverty Hills, Calif

Linklater, 'Boyhood' take home top honors at Golden Globes

By The Associated Press

Richard Linidater's 12-yeora-in-the-making "Boyhood" was right on time at the Golden Globes, winning the night's top hanot best drame, as well as best director for Linkimer and best supporting ac-

tuss for Patricia Arquette.
The sweetly humanish fith had a stmillarly touching effect on one of Hollywood's glitziest avenings. Taking gut her written speech, paquente upologized. This de only nerd with a here of parme.

with a piece of paper."
"Bottom line is wo're all flawed in this world. No one's perfect," sald kinklater. "I want to dedicate this parents that are evolving everywhere and families that are just passing through this world and do-

ing their best. The night seemed to be setting up for the top two Occar contenders—wo Occar contenders—wo Occar contenders—for their contenders—for their contenders—for their contenders—for their categories of drama and comecy. Out in a major surprise. Wes Anderson's "Grand Budapes Hotel" swooped in to win best picture, comedy or musical, He listed a mock thank you to the members of the Hollywood Fineign Press, the collection of mostly freedance foreign journalities who put on the Globbs, naming "Youm on the Globbs, naming "Youm on the Globbs, naming "Youm and Degmen and Youlds and Mouley of the Occar of the Collection and Mouley of the Collection of the Globbs, naming "Young on the Globbs, naming "Young on the Globbs, naming "Young and Degmen and Youlds and Mouley of the Collection and M

"Birdman" nevertheless won best actor in a comedy or rousical for its lead, Michael Keaton, who plays a former superhero star mounting a serious play on Broadway, and best st mounting.

Kicking off the show, hosts Tima Fey and Amy Pochler wasted no time in skewering Hollywood's must tender subjects: the hacking of Sony Pictures over "The Interview" the strucal asseult allegations against Bill Cosby and tele-

LIST OF WINNERS FOR THE GOLDEN GLOBE

Mation Pictures

M Picture, Orama: "Bo

rition's rise as a cultural ival to movies.

In an opening bittering with ringers, the duo
welcomed Hollywood?
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times visited with a Novel
Korea government CharKorea to who weed the richphase with owder of the
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the show.

George Clooney, a young lifetime echievement honoise at 53, had been among Hollywood's most vocal about preserving free speech after factions threatened violence.

In one of the evening's most horly contested exceptive, best actor in a dimma. Eddle Redmayne emerged 'ucurious owe Benedlet Cumberbatch ("The Imitation Game"). Steve Carell ("Peccatchers"). David Oyleowo ("Selma") and Jake Gyllenbaal ("Nightenwier"). Brith Performance as Stephen Hawding in "The Theory of Hawding in "The Theory of the T

hillanne Moore won best actress in a drama for her starding performance as ar academic with early on-se Abhelmer's in "Still Alice."

Abheimer's in "Still Alice."

Amy Adams surprised in taking best actress in a comedy or musical for hesperiormance in "Big Byes."

I didn't oven reapply largious," said an umprepared

Adams.
The first award of the night went to J.K. Simmons for best supporting actor for his performance as a domineering lozz teacher in the acclaimed india

"Whipiash."
The DreamWorks seque
"How to Train Your Drego
2" took best animated filover the levorite, "The Leg
Movie." The Russian entr
"Leviathan" took best for

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M Series, Orama: "The Affair."

tos, Drama; Kevin

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District to introduce a Bill 6 Consideration by the 84 Found Logislature
Pursuage to Section 59, Article 186 Bill 186 Bi

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YOU ARE INVITED TO ATTEND THE BALE AND MAKE OFFERS. ANY INTERESTED PARTY WHO DESIRES MORE INFORMATION SHOULD CONTACT THE BELOW ATTORNEY AT THE

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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
Notice of Durit Pederal Operating Persist

Against an and the Draft Person Had (2000). 1 (2) TH Westberbers Had (2000). 1 (2) The Had (2000).

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At the TCDD central and regional offices, relevant supporting
minerals for the draft permit, as well as the New Source Recriev
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effice for room at (317) 229-1549.

Public Comment/Notice and Comment Heaving, Any person may realisely written expresses on the draft person, Comments relating to the extensity, commissioners, and appropriateness of the particle of the p

conditions any result in changes to the draft permit.

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AFFIDAVIT OF PUBLICATION

The State of Texas, County of Jefferson, City of Port Arthur

Dani Eaves, being duly sworn deposes and says:

That she is a resident citizen of Jefferson County, Texas and that she is of lawful age; that she is the Classified Representative of the PORT ARTHUR NEWS, a division of Newspaper Holdings, Inc., same being a newspaper published and having a general circulation in the City of Port Arthur, Jefferson County, Texas; that said newspaper has been continuously and regularly published for a period of more than one year in Jefferson County, Texas, and that the advertising of Benckenstein & Oxford, Ad# 155718 was published in said newspaper in the issue(s) of January 13, 2015 which was/were the regular publication day(s) of said issue(s); and that said issue(s) was/were actually published, circulated and distributed.

SUBSCRIBED AND sworn to before me, this the 13th day of January A.D. 2015.

Notary Public in and for Jefferson County, Texas



Public Notices

ferson County for the Sabins-Neches Waterway, publishes this Notice of its Internation to Introduce a Bill for consideration by the 84th Texas. Legislature, Texas. The general substance of the Bill will provide authorization and clarification of the power and authority of the Sabine-Neches Navigation District to enter into contracts and other financial arrangements to linance major infrastructure improve-

sued by the County Count of Jefferson of County, Texas in the case of Winderful R. Boone and Justin Franklin versus Mike Nguyen, cause Number 0123923, Honorable Judge Gerald may become the reduction of Winderful R. Boone and Justin Franklin and against Mike Nguyen in said Count on the 30th day of Vinderful R. Boone and Justin Franklin and against Mike Nguyen in said Count of July, 2014, directed and delivered to me, as Constable of Jefferson County, Texas, Precinct 2 The following property was levised upon as the property on the 20th day of November, 2014 and will sproceed to sell, on the 3rd day of February, 2015, being the first Tuesday of Jebruary, 2015, being the first Tuesday of February, 12015, being the first

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