

Chapter 943

H.B. No. 4168

AN ACT

relating to the composition of the board of directors and the powers of the Gulf Coast Water Authority.

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

SECTION 1. Chapter 712, Acts of the 59th Legislature, Regular Session, 1965, is amended by adding Section 3A to read as follows:

Sec. 3A. In connection with the acquisition of water, or the treatment, storage, or transportation of water, the district may enter into retail service agreements within the Electric Reliability Council of Texas for the purchase of electricity for the district's own use and may sell electricity in a sale or resale only by way of a registered power marketer or power generation company in accordance with applicable public utility commission rules and requirements of the Electric Reliability Council of Texas. An agreement entered into under this section may provide for a term of years and include provisions that the Board of Directors determines are in the best interest of the district, including provisions for the posting of collateral or payment of an early termination amount in the event of early termination.

SECTION 2. Sections 5 and 5(a), Chapter 712, Acts of the 59th Legislature, Regular Session, 1965, are amended to read as follows:

Sec. 5. The management and control of the District is hereby

1 vested in a Board of 10 [~~nine~~] directors. [~~The seven directors~~
2 ~~appointed by the Commissioners Court of Galveston County shall~~
3 ~~represent the geographic and ethnic diversity of the county.]~~
4 Vacancies on the Board of Directors, whether by death, resignation
5 or termination of the term of office, shall be filled by appointment
6 by the commissioners court that appointed the director. All terms
7 of office shall be for a period of two (2) years. Terms shall be
8 staggered. [~~Three (3) of the members appointed by the Commissioners~~
9 ~~Court of Galveston County shall be registered professional~~
10 ~~engineers under the laws of Texas.]~~

11 Sec. 5(a). The directors of the district shall be appointed
12 as follows:

13 (1) five directors appointed by the Galveston County
14 Commissioners Court, one of whom represents municipal interests,
15 two of whom represent industrial interests, and two of whom
16 represent the county at large;

17 (2) two directors appointed by the Fort Bend County
18 Commissioners Court, one of whom represents municipal interests,
19 and one of whom represents the county at large; and

20 (3) three directors appointed by the Brazoria County
21 Commissioners Court, one of whom represents agricultural
22 interests, one of whom represents municipal interests, and one of
23 whom represents industrial interests. [~~One (1) director of the~~
24 ~~District shall be appointed by the Commissioners Court of Galveston~~
25 ~~County upon the recommendation of the City Council of the City of~~
26 ~~Galveston. Six of the remaining directors shall be appointed by the~~
27 ~~Commissioners Court of Galveston County with two directors~~

1 ~~appointed at-large and the remaining four of those directors~~
2 ~~appointed on the written recommendation of advisory committees~~
3 ~~appointed by the Board of Directors of the Gulf Coast Water~~
4 ~~Authority. Two of those directors shall be recommended by the~~
5 ~~Mainland Municipal Advisory Committee and two of those directors~~
6 ~~shall be recommended by the Industrial Advisory Committee. The~~
7 ~~Commissioners Court of Galveston County is entitled to accept or~~
8 ~~reject the recommendations made to the court by the advisory~~
9 ~~committees. If a recommendation made by an advisory committee is~~
10 ~~rejected, the advisory committee shall submit additional~~
11 ~~recommendations to the court.~~

12 ~~[The Industrial Advisory Committee is composed of one~~
13 ~~representative of each industrial customer of the Gulf Coast Water~~
14 ~~Authority. The Mainland Municipal Advisory Committee is composed~~
15 ~~of one representative of each municipal or water district customer~~
16 ~~of the Gulf Coast Water Authority that contracts for not less than 2~~
17 ~~million gallons of water a day. The names of the representatives of~~
18 ~~each of the committees shall be submitted to the Board of Directors~~
19 ~~of the Gulf Coast Water Authority by the respective industrial and~~
20 ~~municipal or water district customers. The directors of the Gulf~~
21 ~~Coast Water Authority shall submit the names of the advisory~~
22 ~~committee members to the Commissioners Court of Galveston County,~~
23 ~~which shall record the names in the minutes of the court.~~

24 ~~[One director shall be appointed by the Commissioners Court~~
25 ~~of Fort Bend County to represent District customers in that county.~~
26 ~~The director must be recommended by one or more of those customers~~
27 ~~and reside in that county.~~

1 ~~[One director shall be appointed by the Commissioners Court~~
2 ~~of Brazoria County to represent District customers in that county.~~
3 ~~The director must be recommended by one or more of those customers~~
4 ~~and reside in that county.]~~

5 SECTION 3. Chapter 712, Acts of the 59th Legislature,
6 Regular Session, 1965, is amended by adding Section 5(b) to read as
7 follows:

8 Sec. 5(b). A director appointed under Section 5(a) to
9 represent municipal or industrial interests must be a customer of
10 or represent an entity that is a customer of the district.

11 SECTION 4. (a) The terms of the members of the board of
12 directors of the Gulf Coast Water Authority serving on the
13 effective date of this Act expire September 1, 2015.

14 (b) Not later than September 1, 2015, the entities described
15 by Section 5(a), Chapter 712, Acts of the 59th Legislature, Regular
16 Session, 1965, as amended by this Act, shall make the appointments
17 required by that section.

18 (c) The members of the board appointed under Subsection (b)
19 of this section shall draw lots to determine which four board
20 members shall serve a one-year term and which five members shall
21 serve a two-year term.

22 SECTION 5. (a) The legal notice of the intention to
23 introduce this Act, setting forth the general substance of this
24 Act, has been published as provided by law, and the notice and a
25 copy of this Act have been furnished to all persons, agencies,
26 officials, or entities to which they are required to be furnished
27 under Section 59, Article XVI, Texas Constitution, and Chapter 313,

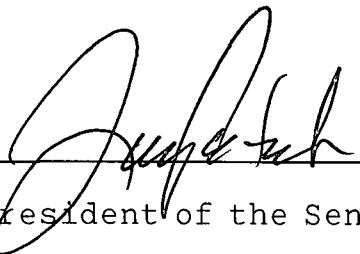
1 Government Code.

2 (b) The governor, one of the required recipients, has
3 submitted the notice and Act to the Texas Commission on
4 Environmental Quality.

5 (c) The Texas Commission on Environmental Quality has filed
6 its recommendations relating to this Act with the governor, the
7 lieutenant governor, and the speaker of the house of
8 representatives within the required time.

9 (d) All requirements of the constitution and laws of this
10 state and the rules and procedures of the legislature with respect
11 to the notice, introduction, and passage of this Act are fulfilled
12 and accomplished.

13 SECTION 6. This Act takes effect immediately if it receives
14 a vote of two-thirds of all the members elected to each house, as
15 provided by Section 39, Article III, Texas Constitution. If this
16 Act does not receive the vote necessary for immediate effect, this
17 Act takes effect September 1, 2015.



President of the Senate




Speaker of the House

I certify that H.B. No. 4168 was passed by the House on May 5, 2015, by the following vote: Yeas 80, Nays 8, 49 present, not voting; and that the House concurred in Senate amendments to H.B. No. 4168 on May 29, 2015, by the following vote: Yeas 112, Nays 30, 4 present, not voting.



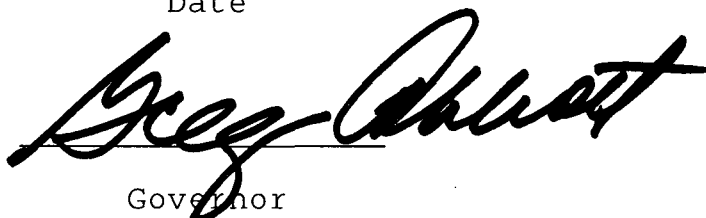
Chief Clerk of the House

I certify that H.B. No. 4168 was passed by the Senate, with amendments, on May 27, 2015, by the following vote: Yeas 30, Nays 1.

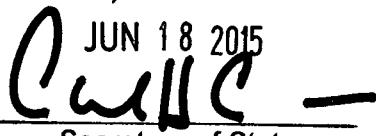


Secretary of the Senate

APPROVED: 6-16-2015
Date



Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
8:00 pm O'CLOCK
JUN 18 2015


Secretary of State

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

May 28, 2015

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB4168 by Bonnen, Dennis (Relating to the composition of the board of directors and the powers of the Gulf Coast Water Authority.), **As Passed 2nd House**

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: 473 Public Utility Commission of Texas, 580 Water Development Board,
582 Commission on Environmental Quality

LBB Staff: UP, KK, KVe, SZ, JJ, PM

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

May 24, 2015

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB4168 by Bonnen, Dennis (Relating to the composition of the board of directors and the powers of the Gulf Coast Water Authority.), **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: 473 Public Utility Commission of Texas, 580 Water Development Board,
582 Commission on Environmental Quality

LBB Staff: UP, KK, KVe, SZ, JJ, PM

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

April 19, 2015

TO: Honorable Jim Keffer, Chair, House Committee on Natural Resources

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB4168 by Bonnen, Dennis (relating to the composition of the board of directors and the powers of the Gulf Coast Water Authority.), **Committee Report 1st House, Substituted**

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: 473 Public Utility Commission of Texas, 580 Water Development Board,
582 Commission on Environmental Quality

LBB Staff: UP, KVe, SZ, JJ, PM

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

April 8, 2015

TO: Honorable Jim Keffer, Chair, House Committee on Natural Resources

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB4168 by Bonnen, Dennis (Relating to the composition of the board of directors and the powers of the Gulf Coast Water Authority.), **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: 580 Water Development Board, 582 Commission on Environmental Quality

LBB Staff: UP, SZ, JJ, PM, KVe

LETTER OF TRANSMITTAL
HOUSE OF REPRESENTATIVES
STATE OF TEXAS

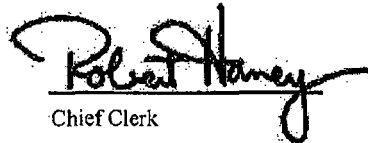
HB 4168
Bill Number

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 a 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.

4/6/2015

Date transmitted to
Governor's Office



Chief Clerk
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.

April 6, 2015

Date transmitted to
Texas Commission on Environmental Quality


Governor

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



84R HB 04168

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

April 15, 2015

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

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

House Bill (HB) 4168, as Filed by Representative Dennis Bonnen - Relating to the composition of the board of directors and the powers of the Gulf Coast Water Authority

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 Gulf Coast Water Authority (the "Authority") as detailed below.

Specifies that in connection with the acquisition of water, or the treatment, storage, or transportation of water, the Authority may enter into agreements for the purchase or sale of electric power.

Removes provisions related to a portion of the Authority's board of directors being appointed by the Commissioners Court of Galveston County. Amends the make-up of the Authority's board of directors by specifying that the directors of the Authority shall be appointed as follows: (1) four directors appointed by the Galveston County Commissioners Court, two of whom represent municipal interests, and two of whom represent industrial interests; (2) two directors appointed by the Fort Bend County Commissioners Court, one of whom represents municipal interests, and one of whom represents the county at large; and (3) three directors appointed by the Brazoria County Commissioners Court, one of whom represents agricultural interests, one of whom represents municipal interests, and one of whom represents industrial interests.

The Honorable Joe Straus
Page 2
April 15, 2015

The terms of the members of the board of directors of the Authority serving on the effective date of the bill expire September 1, 2015. Not later than September 1, 2015, the entities shall make the appointments as indicated in the paragraph above.

The members of the board appointed pursuant to the bill shall draw lots to determine which four board members shall serve a one-year term and which five members shall serve a two-year term.

Sincerely,

A handwritten signature in cursive script that reads "Linda Brookins".

Linda Brookins, Director
Water Supply Division
Texas Commission on Environmental Quality

cc: Honorable Jim Keffer, Chairman, House Committee on Natural Resources
Representative Dennis Bonnen, Texas House of Representatives

make representative

PUBLISHER'S AFFIDAVIT *Dennis Bonnen*

Notice of Intent

THE STATE OF TEXAS §
COUNTY OF FORT BEND §

Before me, the undersigned authority, on this day personally appeared Lee Hartman who being by me duly sworn, deposes and says that he is the Publisher of *Fort Bend Herald* and that said newspaper meets the requirements of Section 2051.044 of the Texas Government Code, to wit:

1. it devotes not less than twenty-five percent (25%) of its total column lineage to general interest items;
2. it is published at least once each week;
3. it is entered as second-class postal matter in the county where it is published; and
4. it has been published regularly and continuously since 1959.
5. it is generally circulated within Fort Bend County.

(CLIPPING) (S)

This is to give notice of intent to introduce in the 84th Texas Legislature, Regular Session, a bill relating to amending the enabling legislation of the Gulf Coast Water Authority. Specifically, the bill will amend Chapter 712, Acts of the 59th Legislature, Regular Session, 1965 to change the composition of the board of directors of the Gulf Coast Water Authority.

Publisher further deposes and says that the attached notice was published in said newspaper on the following date(s) to wit:

2-27

_____, A.D. 2015

Lee Hartman

Lee Hartman
Publisher

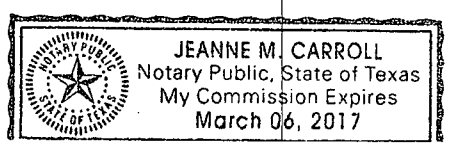
SUBSCRIBED AND SWORN BEFORE ME by Lee Hartman, who

X a) is personally known to me, or

_____ b) provided the following evidence to establish his/her identity, _____

on this the 27th day of Feb, A.D. 2015
to certify which witness my hand and seal of office.

Jeanne M Carroll
Notary Public, State of Texas



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Sat. Feb 28, 2015

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930 LEGAL NOTICES

This is to give notice of intent to introduce in the 84th Texas Legislature, Regular Session, a bill relating to amending the enabling legislation of the Gulf Coast Water Authority. Specifically, the bill will amend Chapter 712, Acts of the 59th Legislature, Regular Session, 1965 to change the composition of the board of directors of the Gulf Coast Water Authority.

IF YOU are looking for a pet, horse, automobile, home etc. The classifieds are the place to look. And if you are selling, the classifieds can help you. Call 281-232-3737 and place your ad.

2-2-7

AFFP

This is to give notice of inte

Affidavit of Publication

STATE OF TEXAS }
COUNTY OF BRAZORIA } SS

This is to give notice of intent to introduce in the 84th Texas Legislature, Regular Session, a bill relating to amending the enabling legislation of the Gulf Coast Water Authority. Specifically, the bill will amend Chapter 712, Acts of the 59th Legislature, Regular Session, 1965 to change the composition of the board of directors of the Gulf Coast Water Authority.

Cindy Cornette, being duly sworn, says:

That he is Advertising Director of the The Facts, a daily newspaper of general circulation, printed and published in Clute, Brazoria County, Texas; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following dates:

March 04, 2015

That said newspaper was regularly issued and circulated on those dates.

SIGNED:

Cindy Cornette

Advertising Director

Subscribed to and sworn to me this 4th day of March 2015.

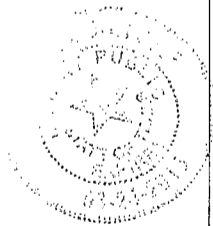
Alexi Meredith Self

Alexi Meredith Self, Notary, Brazoria County, Texas

My commission expires: August 24, 2015

00008519 00036749

Dennis Bonnen



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PUBLIC NOTICES
 PERSONAL • BUSINESS • GOVERNMENT
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This is to give notice of intent to introduce in the 84th Texas Legislature, Regular Session, a bill relating to amending the enabling legislation of the Gulf Coast Water Authority. Specifically, the bill will amend Chapter 712, Acts of the 59th Legislature, Regular Session, 1965 to change the composition of the board of directors of the Gulf Coast Water Authority.

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Carriage Inn

Notice to Patients:
 Effective March 9, 2015, Shepherd's Pediatric Care (Dr. Loni Shepherd and Janie Ramirez, FNP-C) will be moving. Our new address will be 210 Lake Road B-1000 Lake Jackson, TX 77566. Our phone number will remain the same: (979) 297-3949. Please continue using our current address until March 9.

Miscellaneous

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Notice to Creditors
 Notice is hereby given that original Letters Testamentary for the Estate of EARLINE NORRELL, Deceased, were issued on February 24, 2015, under Cause No. PR35610, pending in the County Court of Law No. One (1), Brazoria County, Texas, to JANICE SOUTH, Independent Executor.

Claims may be presented in care of the attorney for the estate, addressed as follows:

Janice South, Representative Estate of Earline Norrell, Deceased c/o Shelley Pennell, Attorney at Law 781 Meridian Dr. New Braunfels, Texas 78132

All persons having claims against this estate, which is currently being administered, are required to present them within the time and in the manner prescribed by law.

DATED February 25, 2015.
 By: Shelley Pennell
 Attorney for Executor

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 The candidate should have superb customer service skills

EXCEL
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 is currently seeking
EXPERIENCED TRACK HANDS
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FAMI
 We are c
C
Pr

AFFP
Amendment Gulf Coast Water Aut

Affidavit of Publication

STATE OF TX }
COUNTY OF GALVESTON } SS

Sandra Villmail, being duly sworn, says:

That she is Sandra Villamil of the The Galveston County Daily News, a daily newspaper of general circulation, printed and published in Galveston, Galveston County, TX; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following dates:
February 27, 2015

That said newspaper was regularly issued and circulated on those dates.

SIGNED:

Sandra Villamil

Sandra Villamil

Subscribed to and sworn to me this 27th day of February 2015.

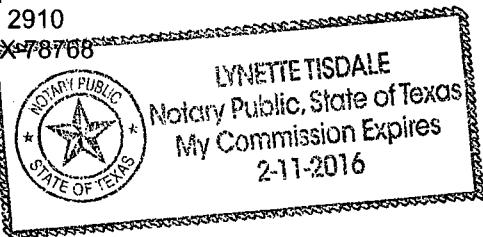
Lynette Tisdale

Lynette Tisdale, Notary Public, State of Texas, Galveston County, TX

My commission expires: February 11, 2016

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Shera Eichler
State Representative Dennis Bonnen
P.O. Box 2910
Austin, TX 78768



"This is to give notice of intent to introduce in the 84th Texas Legislature, Regular Session, a bill relating to amending the enabling legislation of the Gulf Coast Water Authority. Specifically, the bill will amend Chapter 712, Acts of the 59th Legislature, Regular Session, 1965 to change the composition of the board of directors of the Gulf Coast Water Authority."

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