

1-1 By: Bonnen of Brazoria, et al. H.B. No. 4168
 1-2 (Senate Sponsor - Kolkhorst)
 1-3 (In the Senate - Received from the House May 6, 2015;
 1-4 May 19, 2015, read first time and referred to Committee on
 1-5 Administration; May 24, 2015, reported favorably by the following
 1-6 vote: Yeas 4, Nays 0; May 24, 2015, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8 Hancock	X			
1-9 Uresti	X			
1-10 Campbell			X	
1-11 Eltife			X	
1-12 Huffines	X			
1-13 Schwertner	X			
1-14 West			X	

1-16 A BILL TO BE ENTITLED
 1-17 AN ACT

1-18 relating to the composition of the board of directors and the powers
 1-19 of the Gulf Coast Water Authority.

1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-21 SECTION 1. Chapter 712, Acts of the 59th Legislature,
 1-22 Regular Session, 1965, is amended by adding Section 3A to read as
 1-23 follows:

1-24 Sec. 3A. In connection with the acquisition of water, or the
 1-25 treatment, storage, or transportation of water, the district may
 1-26 enter into retail service agreements within the Electric
 1-27 Reliability Council of Texas for the purchase of electricity for
 1-28 the district's own use and may sell electricity in a sale or resale
 1-29 only by way of a registered power marketer or power generation
 1-30 company in accordance with applicable public utility commission
 1-31 rules and requirements of the Electric Reliability Council of
 1-32 Texas. An agreement entered into under this section may provide for
 1-33 a term of years and include provisions that the Board of Directors
 1-34 determines are in the best interest of the district, including
 1-35 provisions for the posting of collateral or payment of an early
 1-36 termination amount in the event of early termination.

1-37 SECTION 2. Sections 5 and 5(a), Chapter 712, Acts of the
 1-38 59th Legislature, Regular Session, 1965, are amended to read as
 1-39 follows:

1-40 Sec. 5. The management and control of the District is hereby
 1-41 vested in a Board of nine directors. [~~The seven directors appointed~~
 1-42 ~~by the Commissioners Court of Galveston County shall represent the~~
 1-43 ~~geographic and ethnic diversity of the county.] Vacancies on the
 1-44 Board of Directors, whether by death, resignation or termination of
 1-45 the term of office, shall be filled by appointment by the
 1-46 commissioners court that appointed the director. All terms of
 1-47 office shall be for a period of two (2) years. Terms shall be
 1-48 staggered. [~~Three (3) of the members appointed by the Commissioners~~
 1-49 ~~Court of Galveston County shall be registered professional~~
 1-50 ~~engineers under the laws of Texas.]~~~~

1-51 Sec. 5(a). The directors of the district shall be appointed
 1-52 as follows:

1-53 (1) four directors appointed by the Galveston County
 1-54 Commissioners Court, one of whom represents municipal interests,
 1-55 two of whom represent industrial interests, and one of whom
 1-56 represents the county at large;

1-57 (2) two directors appointed by the Fort Bend County
 1-58 Commissioners Court, one of whom represents municipal interests,
 1-59 and one of whom represents the county at large; and

1-60 (3) three directors appointed by the Brazoria County
 1-61 Commissioners Court, one of whom represents agricultural

2-1 ~~interests, one of whom represents municipal interests, and one of~~
 2-2 ~~whom represents industrial interests. [One (1) director of the~~
 2-3 ~~District shall be appointed by the Commissioners Court of Galveston~~
 2-4 ~~County upon the recommendation of the City Council of the City of~~
 2-5 ~~Galveston. Six of the remaining directors shall be appointed by the~~
 2-6 ~~Commissioners Court of Galveston County with two directors~~
 2-7 ~~appointed at-large and the remaining four of those directors~~
 2-8 ~~appointed on the written recommendation of advisory committees~~
 2-9 ~~appointed by the Board of Directors of the Gulf Coast Water~~
 2-10 ~~Authority. Two of those directors shall be recommended by the~~
 2-11 ~~Mainland Municipal Advisory Committee and two of those directors~~
 2-12 ~~shall be recommended by the Industrial Advisory Committee. The~~
 2-13 ~~Commissioners Court of Galveston County is entitled to accept or~~
 2-14 ~~reject the recommendations made to the court by the advisory~~
 2-15 ~~committees. If a recommendation made by an advisory committee is~~
 2-16 ~~rejected, the advisory committee shall submit additional~~
 2-17 ~~recommendations to the court.~~

2-18 ~~[The Industrial Advisory Committee is composed of one~~
 2-19 ~~representative of each industrial customer of the Gulf Coast Water~~
 2-20 ~~Authority. The Mainland Municipal Advisory Committee is composed~~
 2-21 ~~of one representative of each municipal or water district customer~~
 2-22 ~~of the Gulf Coast Water Authority that contracts for not less than 2~~
 2-23 ~~million gallons of water a day. The names of the representatives of~~
 2-24 ~~each of the committees shall be submitted to the Board of Directors~~
 2-25 ~~of the Gulf Coast Water Authority by the respective industrial and~~
 2-26 ~~municipal or water district customers. The directors of the Gulf~~
 2-27 ~~Coast Water Authority shall submit the names of the advisory~~
 2-28 ~~committee members to the Commissioners Court of Galveston County,~~
 2-29 ~~which shall record the names in the minutes of the court.~~

2-30 ~~[One director shall be appointed by the Commissioners Court~~
 2-31 ~~of Fort Bend County to represent District customers in that county.~~
 2-32 ~~The director must be recommended by one or more of those customers~~
 2-33 ~~and reside in that county.~~

2-34 ~~[One director shall be appointed by the Commissioners Court~~
 2-35 ~~of Brazoria County to represent District customers in that county.~~
 2-36 ~~The director must be recommended by one or more of those customers~~
 2-37 ~~and reside in that county.]~~

2-38 SECTION 3. Chapter 712, Acts of the 59th Legislature,
 2-39 Regular Session, 1965, is amended by adding Section 5(b) to read as
 2-40 follows:

2-41 Sec. 5(b). A director appointed under Section 5(a) to
 2-42 represent municipal or industrial interests must be a customer of
 2-43 or represent an entity that is a customer of the district.

2-44 SECTION 4. (a) The terms of the members of the board of
 2-45 directors of the Gulf Coast Water Authority serving on the
 2-46 effective date of this Act expire September 1, 2015.

2-47 (b) Not later than September 1, 2015, the entities described
 2-48 by Section 5(a), Chapter 712, Acts of the 59th Legislature, Regular
 2-49 Session, 1965, as amended by this Act, shall make the appointments
 2-50 required by that section.

2-51 (c) The members of the board appointed under Subsection (b)
 2-52 of this section shall draw lots to determine which four board
 2-53 members shall serve a one-year term and which five members shall
 2-54 serve a two-year term.

2-55 SECTION 5. (a) The legal notice of the intention to
 2-56 introduce this Act, setting forth the general substance of this
 2-57 Act, has been published as provided by law, and the notice and a
 2-58 copy of this Act have been furnished to all persons, agencies,
 2-59 officials, or entities to which they are required to be furnished
 2-60 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
 2-61 Government Code.

2-62 (b) The governor, one of the required recipients, has
 2-63 submitted the notice and Act to the Texas Commission on
 2-64 Environmental Quality.

2-65 (c) The Texas Commission on Environmental Quality has filed
 2-66 its recommendations relating to this Act with the governor, the
 2-67 lieutenant governor, and the speaker of the house of
 2-68 representatives within the required time.

2-69 (d) All requirements of the constitution and laws of this

3-1 state and the rules and procedures of the legislature with respect
3-2 to the notice, introduction, and passage of this Act are fulfilled
3-3 and accomplished.

3-4 SECTION 6. This Act takes effect immediately if it receives
3-5 a vote of two-thirds of all the members elected to each house, as
3-6 provided by Section 39, Article III, Texas Constitution. If this
3-7 Act does not receive the vote necessary for immediate effect, this
3-8 Act takes effect September 1, 2015.

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