

By: Fraser

S.B. No. 22

A BILL TO BE ENTITLED

AN ACT

relating to the administration of the Texas Water Development Board; making an appropriation from the economic stabilization fund to finance certain water-related projects.

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

SECTION 1. Section 6.052(a), Water Code, is amended to read as follows:

(a) The board is composed of three ~~[six]~~ members who are appointed by the governor with the advice and consent of the senate.

SECTION 2. Section 6.054(c), Water Code, is amended to read as follows:

(c) If the executive administrator or a member has knowledge that a potential ground for removal exists, the executive administrator shall notify the chairman of the board of the potential ground. The chairman of the board shall then notify the governor and the attorney general that a potential ground for removal exists. If the potential ground for removal includes the chairman of the board, the executive administrator or another member of the board shall notify the member ~~[next highest ranking officer]~~ of the board with the most seniority, who shall then notify the governor and the attorney general that a potential ground for removal exists.

SECTION 3. Section 6.056, Water Code, is amended to read as follows:

1           Sec. 6.056. TERMS OF OFFICE. (a) The members of the board  
2 hold office for staggered terms of six years, with the term [~~terms~~]  
3 of one member [~~two members~~] expiring February 1 of each  
4 odd-numbered year [~~every two years~~]. Each member holds office  
5 until a [~~his~~] successor is appointed and has qualified.

6           (b) A person appointed to the board may not serve for more  
7 than two six-year terms.

8           SECTION 4. Section 6.059, Water Code, is amended to read as  
9 follows:

10          Sec. 6.059. CHAIRMAN OF THE BOARD [~~OFFICERS~~]. [~~(a)~~] The  
11 governor shall designate one member as chairman of the board to  
12 serve at the will of the governor.

13          [~~(b) The members of the board shall elect a vice-chairman~~  
14 ~~every two years. The board shall fill a vacancy in the office of~~  
15 ~~vice-chairman for the remainder of the unexpired term.~~]

16          SECTION 5. Sections 6.060(a) and (b), Water Code, are  
17 amended to read as follows:

18          (a) The board shall hold regular meetings and all hearings  
19 at times specified by a board order and entered in its minutes [~~meet~~  
20 ~~at least once every other month on a day and at a place within the~~  
21 ~~state selected by it, subject to recesses at the discretion of the~~  
22 ~~board~~]. The [~~chairman or two~~] board [~~members~~] may hold special  
23 meetings at the times and places in the state that the board decides  
24 are appropriate for the performance of its duties. The chairman of  
25 the board or the board member acting for the chairman shall give the  
26 other members reasonable notice before holding a special meeting  
27 [~~call a special meeting at any time by giving notice to the other~~

1 ~~members~~].

2 (b) The chairman [~~or in his absence the vice-chairman~~] shall  
3 preside at all meetings of the board. The chairman may designate  
4 another board member to act for the chairman in the chairman's  
5 absence.

6 SECTION 6. Section 6.061, Water Code, is amended to read as  
7 follows:

8 Sec. 6.061. FULL-TIME SERVICE. Each member of the board  
9 shall serve on a full-time basis. [~~COMPENSATION; EXPENSES. A~~  
10 ~~member is entitled to receive an amount as provided by the General~~  
11 ~~Appropriations Act for each day he serves in the performance of his~~  
12 ~~duties, together with travel and other necessary expenses.~~]

13 SECTION 7. Section 6.103, Water Code, is amended to read as  
14 follows:

15 Sec. 6.103. EXECUTIVE ADMINISTRATOR. The board shall  
16 appoint a person to be the executive administrator to serve at the  
17 will of the board. The executive administrator shall report to the  
18 chairman of the board.

19 SECTION 8. (a) If the state water implementation fund for  
20 Texas is created by legislation enacted by the 83rd Legislature,  
21 Regular Session, 2013, the amount of \$2 billion is appropriated  
22 from the economic stabilization fund to the comptroller for the  
23 purpose of depositing that amount to the credit of the state water  
24 implementation fund for Texas as money available for use by the  
25 Texas Water Development Board for the purposes of the state water  
26 implementation fund for Texas.

27 (b) If the state water implementation fund for Texas is not

1 created by legislation enacted by the 83rd Legislature, Regular  
2 Session, 2013, the amount of \$2 billion is appropriated from the  
3 economic stabilization fund to the comptroller for the purpose of  
4 depositing that amount to the credit of the Texas Water Development  
5 Fund II as money available for use by the Texas Water Development  
6 Board for the purposes of the Texas Water Development Fund II.

7       SECTION 9. (a) Not later than September 1, 2013, the  
8 governor shall appoint the initial members of the Texas Water  
9 Development Board under Section 6.052, Water Code, as amended by  
10 this Act. In appointing the initial members of the board, the  
11 governor shall appoint one person to a term expiring February 1,  
12 2015, one to a term expiring February 1, 2017, and one to a term  
13 expiring February 1, 2019.

14       (b) The terms of the current members of the board expire  
15 September 1, 2013.

16       SECTION 10. This Act takes effect September 1, 2013, except  
17 that Section 8 of this Act takes effect only if this Act receives a  
18 vote of two-thirds of the members present in each house of the  
19 legislature, as provided by Section 49-g(m), Article III, Texas  
20 Constitution.