

## REGULAR SESSION

District pursuant to Section 51.714 et seq., Water Code, prior to the effective date of this Act.

(b) Within one year of the effective date of this Act, a landowner who owns land within a delineated critical area pursuant to Section 52.053, Water Code, may petition for exclusion of lands from the district and such petition shall be granted if the following requirements are met:

(1) Within one calendar year from the effective date of this Act, the owner of land who owns land with a delineated critical area pursuant to Section 52.053, Water Code, and whose lands are within the district may file with the board a petition requesting that the owner's land be excluded from the district. The petition must describe the land by legal description or by metes and bounds or by lot and block number if there is a recorded plat of the area to be excluded from the district. This petition must be signed and notarized by the owner of the land.

(2) The board shall accept the petition immediately and shall grant exclusion of the land described in the petition, the only requirement for review by the board being that of conformity to Subdivision (1) of this subsection.

(3) A petition that is granted excluding land from the district shall be filed of record in the office of the county clerk of Reagan County, Texas.

(4) During the one-year period, the district shall not incur any indebtedness nor have any bonds, notes, or other obligations outstanding or payable in whole or in part, issued or unissued, for which the excluded lands shall be liable.

SECTION 15. EMERGENCY. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed the Senate on May 4, 1989, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendment on May 24, 1989, by the following vote: Yeas 31, Nays 0; passed the House, with amendment, on May 22, 1989, by the following vote: Yeas 141, Nays 1, one present not voting.

Approved June 14, 1989.

Effective June 14, 1989.

*affection* 6-14-89

## CHAPTER 654

S.B. No. 1636

## AN ACT

relating to the creation, administration, powers, duties, operation, and financing of the Springhills Water Management District, including the authority to issue bonds and levy taxes and the power of eminent domain.

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. CREATION. (a) An underground water conservation district, to be known as the Springhills Water Management District, is created in Bandera County, subject to approval at a confirmation election under Section 9 of this Act. The district is a governmental agency and a body politic and corporate.

(b) The district is created under and is essential to accomplish the purposes of Article XVI, Section 59, of the Texas Constitution.

SECTION 2. DEFINITION. In this Act, "district" means the Springhills Water Management District.

SECTION 3. BOUNDARIES. The district includes the territory contained within Bandera County.



SECTION 4. FINDINGS RELATING TO BOUNDARIES. The legislature finds that the boundaries of the district form a closure.

SECTION 5. FINDING OF BENEFIT. All of the land and other property included within the boundaries of the district will be benefited by the works and projects that are to be accomplished by the district under powers conferred by Article XVI, Section 59, of the Texas Constitution. The district is created to serve a public use and benefit.

SECTION 6. POWERS. (a) The district has all of the rights, powers, privileges, authority, functions, and duties provided by the general law of this state, including Chapters 50 and 52, Water Code, applicable to underground water conservation districts created under Article XVI, Section 59, of the Texas Constitution. This Act prevails over any provision of general law that is in conflict or inconsistent with this Act.

(b) The rights, powers, privileges, authority, functions, and duties of the district are subject to the continuing right of supervision of the state to be exercised by and through the Texas Water Commission.

SECTION 7. BOARD OF DIRECTORS. (a) The district is governed by a board of nine directors.

(b) Temporary directors serve until initial permanent directors are elected under Section 9 of this Act.

(c) Initial permanent directors serve until permanent directors are elected under Section 10 of this Act.

(d) Permanent directors other than initial permanent directors serve staggered four-year terms.

(e) Each director must qualify to serve as director in the manner provided by Sections 51.078 and 51.079, Water Code.

(f) A director serves until the director's successor has qualified.

(g) A director is not entitled to compensation for service on the board of directors but may be reimbursed as provided by board rules for expenses incurred in carrying out the business of the district.

SECTION 8. TEMPORARY DIRECTORS. (a) The temporary board of directors is composed of:

- (1) Phil Becker
- (2) Paul Garrison, Jr.
- (3) Connie Taylor
- (4) Craig Tips
- (5) Tom Denyer
- (6) Joe Cantu
- (7) J. K. Leighton
- (8) Don Karr
- (9) J. B. Edwards

(b) If a temporary director fails to qualify for office, the temporary directors who have qualified shall appoint a person to fill the vacancy. If at any time there are fewer than five qualified temporary directors, the Texas Water Commission shall appoint the necessary number of persons to fill all vacancies on the board.

SECTION 9. CONFIRMATION AND INITIAL DIRECTORS' ELECTION. (a) The temporary board of directors shall call and hold an election to confirm establishment of the district and to elect nine initial directors.

(b) A person who desires to be a candidate for the office of initial director may file an application with the temporary board to have the candidate's name printed on the ballot as provided by Section 51.075, Water Code.

(c) At the confirmation and initial directors' election, the temporary board of directors shall have the names of the nine persons serving as temporary directors placed on the ballot together with the name of any candidate filing for the office of director as provided

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by Subsection (b) of this section and blank spaces to write in the names of other persons. If the district is created at the election, the temporary directors, at the time the vote is canvassed, shall declare the nine persons who receive the most votes to be elected as the initial directors and shall include the results of the directors' election in its election report to the Texas Water Commission.

(d) Subsection (a), Section 41.001, Election Code, does not apply to a confirmation and initial directors' election held as provided by this section.

(e) Except as provided by this section, a confirmation and initial directors' election must be conducted as provided by Subsections (b) through (g), Section 52.058, Water Code, and the Election Code.

SECTION 10. ELECTION OF DIRECTORS. On the first Saturday in May of the second year after the year in which the district is authorized to be created at a confirmation election, an election shall be held in the district for the election of directors. Two directors shall be elected from each commissioner precinct and one director at large. The director elected from each commissioner precinct who receives the fewer number of votes shall serve a two-year term, and the director elected from each commissioner precinct who receives the most votes and the director elected at large shall serve a four-year term. Thereafter, on the same date in each subsequent second year, the appropriate number of directors shall be elected to the board.

SECTION 11. ADDITIONAL AUTHORITY. The district may exercise the rights, powers, purposes, authority, and functions provided by Chapter 629, Acts of the 62nd Legislature, Regular Session, 1971 (Article 8280-526, Vernon's Texas Civil Statutes), but if any provision of that Act is in conflict or inconsistent with this Act, this Act prevails. The provisions of Chapter 629, Acts of the 62nd Legislature, Regular Session, 1971 (Article 8280-526, Vernon's Texas Civil Statutes), that are not in conflict or inconsistent with this Act continue in effect.

SECTION 12. AMENDMENT. Section 9, Chapter 629, Acts of the 62nd Legislature, Regular Session, 1971, is amended to read as follows:

Sec. 9. All powers of the district shall be exercised by a board of nine directors composed of the persons who serve as directors of the Springhills Water Management District. Each director of the Springhills Water Management District serves on the board of directors of the Bandera County River Authority as an additional duty of his office as director of the water management district. A director is not entitled to compensation for service on the board of directors but may be reimbursed as provided by board rules for expenses incurred in carrying out the business of the district. [Each director shall serve for his term of office as herein provided, and thereafter until his successor shall be appointed and qualified. No person shall be appointed a director unless such person is 21 years of age or over and a resident of the district and owns land therein. Each director shall subscribe to the oath of office and shall give bond in the amount of \$5,000 for the faithful performance of his duties, the cost of which shall be borne by the district. A majority of directors shall constitute a quorum. Immediately after this Act becomes effective, the following named persons, all of whom are 21 years of age or over and residents of the district and own land therein, shall be the directors of the district and shall constitute the board of directors of the district:

- (1) M. R. Sandidge
- (2) Thomas U. Kesse
- (3) Daniel Tschirhart
- (4) Edwin Vawter
- (5) Allie Allsup
- (6) Paul Garrison, Sr.
- (7) Eldon Boltinghouse
- (8) Henry Fisher
- (9) R. E. Adams

If any of the aforementioned persons shall fail or refuse to serve, die, become incapacitated, or otherwise not be qualified to assume the duties of a director of the district under this Act, the governor shall appoint a successor or successors. Succeeding directors shall be appointed as provided for in this Act. The terms of office of the first three directors



~~named above expire on January 31, 1973; of the second three, on January 31, 1975; and of the last three, on January 31, 1977. On February 1, 1973, and every two years thereafter, the governor shall appoint successors to directors whose terms expire. Except as provided above, all directors have six-year terms of office. The governor shall fill a vacancy on the board by appointment for the unexpired term.]~~ The board of directors shall elect from its number a president, a vice president, and a secretary of the board of directors and of the district, and such other officers as in the judgment of the board are necessary. The president shall be chief executive officer of the district and the presiding officer of the board, and shall have the same right to vote as any other director. The vice president shall perform all duties and exercise all power conferred by this Act or the general law upon the president when the president is absent or fails or declines to act. The secretary shall keep and sign the minutes of the meetings of the board of directors; and in his absence at any board meeting, a secretary pro tem shall be named for that meeting who may exercise all the duties and powers of the secretary for such meeting, sign the minutes thereof, and attest all orders passed or other action taken at such meeting. The secretary shall be the custodian of all minutes and records of the district. The board shall appoint all necessary engineers, attorneys, auditors, and other employees. The board shall adopt a seal for the district.

SECTION 13. ADDITIONAL DUTY. Each person designated under this Act as a temporary director for the Springhills Water Management District serves in that capacity as an additional duty of office as a director of the Bandera County River Authority.

SECTION 14. FINDINGS RELATING TO PROCEDURAL REQUIREMENTS. (a) The proper and legal notice of the intention to introduce this Act, setting forth the general substance of this Act, has been published as provided by law, and the notice and a copy of this Act have been furnished to all persons, agencies, officials, or entities to which they are required to be furnished by the constitution and other laws of this state, including the governor, who has submitted the notice and Act to the Texas Water Commission.

(b) The Texas Water Commission has filed its recommendations relating to this Act with the governor, lieutenant governor, and speaker of the house of representatives within the required time.

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

SECTION 15. EFFECTIVE DATE. This Act takes effect immediately, except Section 12 of this Act takes effect on the date the temporary board of directors declares the results of the confirmation and initial directors' election to be favorable to the creation of the district and declares the district created.

SECTION 16. EMERGENCY. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed the Senate on April 27, 1989, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendment on May 24, 1989, by the following vote: Yeas 31, Nays 0; passed the House, with amendment, on May 22, 1989, by the following vote: Yeas 141, Nays 1, one present not voting.

Approved June 14, 1989.

Effective June 14, 1989, except as provided in § 15 of this act.

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in each house be suspended; and said Rule is hereby suspended and this Act shall take effect from and after its passage; and it is so enacted.

Passed by the House on May 21, 1971: Yeas 141, Nays 0, and 2 present not voting; pursuant to the provisions of Section 59(d), Article XVI of the Constitution of Texas, a copy of H. B. No. 922 was transmitted to the Governor on March 4, 1971; recommendation of the Texas Water Rights Commission was filed with the Speaker of the House on April 26, 1971; passed by the Senate on May 29, 1971: Yeas 31, Nays 0.

Filed without signature June 4, 1971.

Effective June 4, 1971.

## BANDERA COUNTY RIVER AUTHORITY

### CHAPTER 629<sup>9</sup>

#### H. B. No. 988

An Act relating to the creation, establishment, administration, powers, duties, maintenance, and operation of the Bandera County River Authority of Bandera County, Texas; and declaring an emergency.

*Be it enacted by the Legislature of the State of Texas:*

Section 1. Under and pursuant to the provisions of Article XVI, Section 59, of the Texas Constitution, a conservation and reclamation district is hereby created and established in Bandera County, Texas, to be known as Bandera County River Authority hereinafter called the "district," which shall be a governmental agency and a body politic and corporate. The creation and establishment of the district is hereby declared to be essential to the accomplishment of the purposes of Article XVI, Section 59, of the Texas Constitution.

Sec. 2. The district shall comprise all of the territory contained within Bandera County except the territory included in the Bandera County Fresh Water Supply District No. 1 and the Bandera County Water Control and Improvement District No. 1.

Sec. 3. The district is empowered to accept grants or to contract with the United States Government or the State of Texas or any agency, arm, branch, department, or political subdivision thereof, or any municipality, city, town, or any public or private corporation, or firm or person in connection with the exercise of any right, power, privilege, function, or authority of this district or in aid thereof.

Sec. 4. It is determined and found that all of the land and other property included within the area and boundaries of the district will be benefited by the works and projects which are to be accomplished by the district pursuant to the powers conferred by the provisions of Article XVI, Section 59, of the Texas Constitution, and that said district was and is created to serve a public use and benefit.

Sec. 5. The district shall have and exercise, and is hereby vested with, all of the rights, powers, privileges, authority and duties conferred

9. Vernon's Ann.Civ.St. art. 8280—526, §§ 1-24.



and imposed by the general laws of this state now in force or hereafter enacted, applicable to water control and improvement districts created under authority of Article XVI, Section 59 of the Texas Constitution; but to the extent that the provisions of any such general laws may be in conflict or inconsistent with the provisions of this Act, the provisions of this Act shall prevail. All such general laws are hereby adopted and incorporated by reference with the same effect as if incorporated in full in this Act.

Sec. 6. It shall not be necessary for the board of directors to call or hold a confirmation election for the confirmation of the district.

Sec. 7. It shall not be necessary for the board of directors to call or hold a hearing on the exclusions of land or other property from the district.

Sec. 8. It shall not be necessary for the board of directors to call or hold a hearing on the adoption of a plan of taxation, but the ad valorem plan of taxation shall be used by the district.

Sec. 9. All powers of the district shall be exercised by a board of nine directors. Each director shall serve for his term of office as herein provided, and thereafter until his successor shall be appointed and qualified. No person shall be appointed a director unless such person is 21 years of age or over and a resident of the district and owns land therein. Each director shall subscribe to the oath of office and shall give bond in the amount of \$5,000 for the faithful performance of his duties, the cost of which shall be borne by the district. A majority of directors shall constitute a quorum. Immediately after this Act becomes effective, the following named persons, all of whom are 21 years of age or over and residents of the district and own land therein, shall be the directors of the district and shall constitute the board of directors of the district:

- (1) M. R. Sandidge
- (2) Thomas U. Kesse
- (3) Daniel Tschirhart
- (4) Edwin Vawter
- (5) Allie Allsup
- (6) Paul Garrison, Sr.
- (7) Eldon Boltinghouse
- (8) Henry Fisher
- (9) R. E. Adams

If any of the aforementioned persons shall fail or refuse to serve, die, become incapacitated, or otherwise not be qualified to assume the duties of a director of the district under this Act, the governor shall appoint a successor or successors. Succeeding directors shall be appointed as provided for in this Act. The terms of office of the first three directors named above expire on January 31, 1973; of the second three, on January 31, 1975; and of the last three, on January 31, 1977. On February 1, 1973, and every two years thereafter, the governor shall appoint successors to directors whose terms expire. Except as provided above, all directors have six-year terms of office. The governor shall fill a vacancy on the board by appointment for the unexpired term. The board of directors shall elect from its number a president, a vice president, and a secretary of the board of directors and of the district, and such other officers as in the judgment of the board are necessary. The president shall be chief executive officer of the district and the presiding officer of the board, and shall have the same right to vote as any other director. The vice president shall perform all duties and exercise all power conferred

by this Act or the absent or fails or minutes of the meeting of the board meeting, who may exercise meeting, sign the action taken at such minutes and necessary engineers, at adopt a seal for the

Sec. 10. Before submit plans and mission for approval General Laws, Act amended (Article district's project and be subject to inspection 25, General Laws, amended (Article

Sec. 11. When proved by the Attorney Public Accounts or bonds or refunding ligations of the district

Sec. 12. In the of eminent domain cation, raising, lowering the construction of phone lines, condu relocation, raising of construction shall The term "sole ex raising, lowering, tion in providing facilities, after de the old facility.

Sec. 13. This provisions of the Vernon's Texas Civil have no application

Sec. 14. It is the intention to in this Act, has been prior to the introduction newspaper having copy of such notice ernor who has sub Commission, and s commendation as to Speaker of the House necessary to the e functions and auth any and all practi services; provided



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of the second three, on January uary 31, 1977. On February 1, e governor shall appoint succes- Except as provided above, all di- The governor shall fill a vacancy xpired term. The board of direc- ent, a vice president, and a secre- e district; and such other officers ecessary. The president shall be and the presiding officer of the vote as any other director. The and exercise all power conferred

by this Act or the general law upon the president when the president is absent or fails or declines to act. The secretary shall keep and sign the minutes of the meetings of the board of directors; and in his absence at any board meeting, a secretary pro tem shall be named for that meeting who may exercise all the duties and powers of the secretary for such meeting, sign the minutes thereof, and attest all orders passed or other action taken at such meeting. The secretary shall be the custodian of all minutes and records of the district. The board shall appoint all neces- sary engineers, attorneys, auditors, and other employees. The board shall adopt a seal for the district.

Sec. 10. Before issuing any construction bonds, the district shall submit plans and specifications therefor to the Texas Water Rights Com- mission for approval in the manner required by Section 139, Chapter 25, General Laws, Acts of the 39th Legislature, Regular Session, 1925, as amended (Article 7880—139, Vernon's Texas Civil Statutes); and dis- trict's project and improvements during the course of construction shall be subject to inspection in the manner provided by Section 139, Chapter 25, General Laws, Acts of the 39th Legislature, Regular Session, 1925, as amended (Article 7880—139, Vernon's Texas Civil Statutes).

Sec. 11. When any kind of bonds or refunding bonds have been ap- proved by the Attorney General of Texas, registered by the Comptroller of Public Accounts of the State of Texas, and issued by the district, such bonds or refunding bonds shall be negotiable, legal, valid, and binding ob- ligations of the district and shall be incontestable for any cause.

Sec. 12. In the event that the district, in the exercise of the power of eminent domain or police power, or any other power, requires the relo- cation, raising, lowering, rerouting, or change in grade or alteration in the construction of any railroad, electric transmission, telegraph or tele- phone lines, conduits, poles, properties or facilities, or pipelines, all such relocation, raising, lowering, rerouting, or changes in grade or alteration of construction shall be accomplished at the sole expense of the district. The term "sole expense" shall mean the actual cost of such relocation, raising, lowering, rerouting, or change in grade or alteration of construc- tion in providing comparable replacement without enhancement of such facilities, after deducting therefrom the net salvage value derived from the old facility.

Sec. 13. This district is hereby created notwithstanding any of the provisions of the Municipal Annexation Act, as amended (Article 970a, Vernon's Texas Civil Statutes), and said Municipal Annexation Act shall have no application to this district.

Sec. 14. It is determined and found that a proper and legal notice of the intention to introduce this Act, setting forth the general substance of this Act, has been published at least 30 days and not more than 90 days prior to the introduction of this Act in the Legislature of Texas, in a newspaper having general circulation in Bandera County, Texas; that a copy of such notice and a copy of this Act have been delivered to the gov- ernor who has submitted such notice and Act to the Texas Water Rights Commission, and said Texas Water Rights Commission has filed its rec- ommendation as to such Act with the governor, lieutenant governor, and Speaker of the House of Representatives within 30 days which may be necessary to the exercise of any or all of the rights, powers, privileges, functions and authority of the district, and same may be accomplished by any and all practical means, and the district may sell water and other services; provided, however, that in any project to appropriate public



water the Authority shall comply with the general law requiring a permit from the Texas Water Rights Commission for such appropriation.

Sec. 17. In addition to the powers and purposes authorized by the general law pertaining to water control and improvement districts created under Article XVI, Section 59, of the Texas Constitution, the district may issue any kind of bonds or refunding bonds for any or all of such purposes herein provided and provide and make payment therefor and for necessary expenses in connection therewith.

Sec. 18. Any kind of bonds or refunding bonds may be sold at a price and under terms determined by the board of directors of the district, and may be sold at a private or public sale, but none of said bonds or refunding bonds shall be sold for less than 95 percent of their face value. The district may exchange bonds or refunding bonds for property acquired by purchase, or in payment of the contract price of work done or materials furnished or services furnished for the use and benefit of the district, but such exchange of bonds or refunding bonds for property or facilities acquired by purchase or in payment of the contract price for work done or materials furnished or services furnished shall not be on a basis of less than 95 percent of the face value of the bonds or refunding bonds so exchanged or used for payment as herein specified.

Sec. 19. The provisions of Section 77b, Chapter 25, General Laws, Acts of the 39th Legislature, Regular Session, 1925 (Article 7880—77b, Vernon's Texas Civil Statutes), or any other general law, pertaining to the calling of a hearing for the determination of the dissolution of a district where a bond election has failed shall be inapplicable to the district, and this district shall continue to exist and shall have full power to function and operate regardless of the outcome of any bond election. Upon the failure of any bond election, a subsequent bond election may be called after the expiration of 30 days from the date of the bond election which failed.

Sec. 20. Notice of all elections may be given under the hand of either the president or the secretary of the district.

Sec. 21. The returns of all elections may be canvassed by the board of directors of the district at any time within seven days after the holding of an election, or as soon thereafter as reasonably practicable.

Sec. 22. The accomplishment of the purposes stated in this Act being for the benefit of the people of this state and for the improvement of their properties and industries, the district in carrying out the purpose of this Act will be performing an essential public function under the constitution, and the district shall not be required to pay any tax or assessment on the project or any part thereof or on any purchases made by the district, and the bonds issued hereunder and their transfer and the income therefrom, including the profits made on the sale thereof, shall at all times be free from taxation within this state.

Sec. 23. All bonds and refunding bonds of the district shall be and are hereby declared to be legal, eligible, and authorized investments for banks, savings and loan associations, insurance companies, fiduciaries, trustees, and for the sinking funds of cities, towns, villages, counties, school districts, or other political corporations or subdivisions of the State of Texas, and for all public funds of the State of Texas or its agencies including the state permanent school fund. Such bonds and refunding bonds shall be eligible to secure the deposit of any and all public funds of cities, towns, villages, counties, school districts, or other political corporations or subdivisions of the State of Texas; and such bonds

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and purposes authorized by the and improvement districts created by the Texas Constitution, the district may issue bonds for any or all of such purposes and make payment therefor and for

1. Bonds may be sold at a public sale, but none of said bonds shall be sold at less than 95 percent of their face value. The contract price of work done for the use and benefit of or refunding bonds for property shall not be on a value of the bonds or refunding bonds herein specified.

77b, Chapter 25, General Laws, Session, 1925 (Article 7880—77b, other general law, pertaining to the dissolution of a district shall be inapplicable to the district, and shall have full power to function of any bond election. Upon the next bond election may be called on the date of the bond election which

be given under the hand of the clerk of the district.

may be canvassed by the board within seven days after the holding of the election, if reasonably practicable.

purposes stated in this Act being to create and for the improvement of the district in carrying out the purpose of public function under the constitution, to pay any tax or assessment levied on any purchases made by the district, and the income from the sale thereof, shall at all times be

bonds of the district shall be and the district is authorized to make investments for insurance companies, fiduciaries, cities, towns, villages, counties, corporations or subdivisions of the State of Texas or its agent or agent's fund. Such bonds and refunding bonds shall be deposited in any and all public schools, school districts, or other political subdivisions of the State of Texas; and such bonds

shall be lawful and sufficient security for said deposits to the extent of their face value, when accompanied by all unmatured coupons appurtenant thereto.

Sec. 24. If any word, phrase, clause, paragraph, sentence, part, portion, or provision of this Act or the application thereof to any person or circumstances shall be held to be invalid or unconstitutional, the remainder of the Act shall nevertheless be valid, and the Legislature hereby declares that this Act would have been enacted without such invalid or unconstitutional word, phrase, clause, paragraph, sentence, part, portion, or provision.

Sec. 25. The fact that the works and projects and the conservation measures are immediately and urgently needed in the district hereby establishes and creates an emergency and an imperative public necessity requiring the Constitutional Rule that bills be read on three several days in each house be suspended, and said Rule is hereby suspended, and this Act shall take effect from and after its passage, and it is so enacted.

Passed by the House on April 1, 1971, by a non-record vote; and that the House concurred in Senate amendments on May 31, 1971, by a non-record vote; passed by the Senate, as amended, on May 30, 1971, by a viva voce vote.

Filed without signature June 4, 1971.

Effective Aug. 30, 1971, 90 days after date of adjournment.

## SPRING CREEK FOREST PUBLIC UTILITY DISTRICT

### CHAPTER 630<sup>10</sup>

#### H. B. No. 1040

An Act creating and establishing, without consent of political subdivisions, a conservation and reclamation district under Article XVI, Section 59, Constitution of Texas, known as "Spring Creek Forest Public Utility District," declaring district a governmental agency, body politic and corporate; finding the field notes and boundaries form a closure, and related matters; finding benefit to all property within the district; defining the boundaries; conferring on district the rights, powers, privileges, authority and functions of the general laws of Texas applicable to municipal utility districts created under Chapter 54, Title 4, Water Code, where not in conflict with this Act, and adopting same by reference; naming the first directors of the district; providing for qualifications of directors and the filling of vacancies; providing for terms and elections of directors, and related matters; finding and declaring that the requirements of Article XVI, Section 59(d), Constitution of Texas, have been performed and accomplished; enacting other provisions relating to the above mentioned subjects; providing a severability clause; and declaring an emergency.

*Be it enacted by the Legislature of the State of Texas:*

Section 1. Notwithstanding provisions of the general laws relating to consent by political subdivisions for the creation of conservation and reclamation districts, there is hereby created and established, under and pursuant to the provisions of Article XVI, Section 59 of the Constitution

<sup>10</sup> Vernon's Ann.Civ.St. art. 8280—527, §§ 1-8.



Texas Legislature Online  
History

Bill:	SB 1636	Legislative Session:	71(R)	Council Document:	71R 4759 SHH-D
Last Action:	06/14/1989 S Effective immediately				
Caption Version:	Introduced				
Caption Text:	Relating to the creation, administration, powers, duties, operation, and financing of the Springhills Water Management District, including the authority to issue bonds and levy taxes and the power of eminent domain.				
Author:	Sims				
Sponsor:	Edge				
Subjects:	SPRINGHILLS WATER MANAGEMENT DISTRICT (D9323) BANDERA COUNTY (G0065) Property Interests--Eminent Domain (I0615) Special Districts & Authorities--Water & Utility (I0755) BONDS (S6060)				
Companion:	<u>HB 3015</u> by Edge, Identical				
Senate Committee:	Natural Resources				
Status:	Out of committee				
Vote:	Ayes=9 Nays=0 Present Not Voting=0 Absent=2				
House Committee:	Natural Resources				
Status:	Out of committee				
Vote:	Ayes=7 Nays=0 Present Not Voting=0 Absent=2				

Actions: (descending date order)

	Description	Comment	Date▼	Time	Journal Page
S	Effective immediately		06/14/1989		
S	Signed by the Governor		06/14/1989		3606
S	Sent to the Governor		05/31/1989		3597
H	Signed in the House		05/29/1989		3379
S	Signed in the Senate		05/29/1989		3458
H	Senate concurred in House amendment(s)		05/24/1989		2409
S	Record vote		05/24/1989		1972
S	Senate concurs in House amendments		05/24/1989		1972
S	House amendment laid before the Senate		05/24/1989		1968
S	House passage as amended reported		05/23/1989		1844
H	Sent to the Senate as amended		05/23/1989		
H	Record vote		05/22/1989		2226



H Passed	05/22/1989	2226
H Read 3rd time	05/22/1989	2226
H Passed to 3rd reading	05/22/1989	2207
H Read 2nd time (comm. substitute)	05/22/1989	2207
H Placed on Local Calendar	05/22/1989	
H 1st Printing sent to Local&Consent Cal.	05/16/1989	
H Reported favorably with substitute	05/10/1989	1910
H Considered in public hearing	05/10/1989	
H Rules suspended	05/10/1989	1644
H Reported from s/c fav. w/o amdt(s)	05/08/1989	
H Laid out in lieu of companion in s/c	05/08/1989	
H Considered by s/c in public hearing	05/08/1989	
H Referred to subcommittee	05/04/1989	
H Referred to Natural Resources	05/01/1989	1231
H Read first time	05/01/1989	1231
H Received from the Senate	04/27/1989	1175
S Record vote	04/27/1989	927
S Passed	04/27/1989	927
S Read 3rd time	04/27/1989	927
S Record vote	04/27/1989	927
S Rules suspended	04/27/1989	927
S Read 2nd time & passed to engrossment	04/27/1989	927
S Laid before the Senate	04/27/1989	927
S Placed on local & uncontested cal.	04/27/1989	927
S Reported favorably with substitute	04/20/1989	802
S Testimony taken in committee	04/19/1989	
S Considered in public hearing	04/19/1989	
S Scheduled for public hearing on . . . . .	04/19/1989	
S Referred to Natural Resources	04/04/1989	589
S Read first time	04/04/1989	589
S Permission to introduce	04/04/1989	589