

Ch. 699, § 5

70th LEGISLATURE—REGULAR SESSION

CHAPTER 701

S.B. No. 1437

AN ACT

relating to the qualifications, election, and meetings of the board of directors of the San Antonio River Authority.

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

SECTION 1. Sections 10, 11, and 13, Chapter 276, Acts of the 45th Legislature, Regular Session, 1937, as amended, are amended to read as follows:

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Sec. 10. ELECTION OF DIRECTORS. All elections within the District shall be carried out in accordance with rules set forth in the bylaws and the [Texas] Election Code, and the results of all elections shall be canvassed by the Board of Directors of the District at the regular meeting next following each biennial election. All elections shall be held on the third Saturday in January of each odd-numbered year and at the polling places designated by the Board of Directors of the District. The terms of office of Directors elected at each election after the said first election shall commence on the first day of February following their election. In all elections the following rules shall apply:

(a) Those persons seeking to have their names placed on the official ballot shall make application to the Secretary of the Board in accordance with rules prescribed by the Board either in the ordinance calling the election or in the bylaws.

(b) The Secretary of the Board shall make up the official ballot for each county from the names of candidates who have filed applications, and the placing of the names of the candidates on the ballots shall be determined by lot. The drawing of lots for the placing of the names of the candidates on the ballots shall be by the Secretary of the Board, and all candidates, or their designated representatives, may be present at such drawing.

(c) The Directors from Wilson, Karnes, and Goliad Counties shall be elected at large from each county. *Four (4) [The] Directors from Bexar County shall be elected from single-member districts and two (2) Directors shall be elected at large. The four (4) single-member districts shall be coterminous with and bear the same number as the Bexar County Commissioners Precincts. A candidate for a single-member district position must live in the district the candidate seeks to represent [by place in accordance with procedures and rules prescribed by the Board of Directors either in the ordinance calling said election or in the bylaws].*

(d) The candidates receiving the greatest number of votes, that is a plurality, shall be declared elected. Should there be a tie in the votes received, the winner of the election shall be determined by the majority of the Board. *The two (2) at-large Directors of Bexar County shall be elected simultaneously by plurality, and the two (2) candidates receiving the greatest number of votes shall be declared elected.*

(e) *Directors of the District serving from single-member districts at the time new single-member districts are adopted shall serve for the remainder of the terms to which they were elected regardless of the redistricting.*

Sec. 11. COMPENSATION AND EXPENSES OF DIRECTORS. The Directors of the District shall be entitled to the compensation and allowances established by general law for each day of official service, whether sitting as a Board or serving on a committee of the Board, and in addition thereto shall be entitled to reimbursement for all expenses necessarily incurred by reason of such service. A meeting shall be deemed a day of service, provided that no charge shall be made for more than one meeting held on any one day, and no Director shall be paid per diem in excess of one hundred and fifty (150) days in any one fiscal year, exclusive of reimbursement for expenses, as compensation for service rendered as a Director and as a member of a committee. ~~[All fees for services as a Director or as a member of a committee and all necessary expenses in connection with such service shall be paid out of funds raised in the county from which the Director is elected or appointed.]~~

Sec. 13. ORGANIZATION AND MEETINGS OF THE BOARD; OFFICERS; QUORUM. At the first *regular* meeting of the Board ~~[after this Act becomes effective and at the first meeting of the Board after the first elected Directors have qualified for and have taken office and at the first meeting of the Board]~~ held in the month of *February* ~~[January]~~ of each odd-numbered year ~~[commencing with the year 1963]~~, there shall be appointed by a majority vote of the Board of Directors from its membership a Chairman, a Vice-Chairman, a Secretary and a Treasurer, and, if deemed proper, an Assistant Secretary and an Assistant Treasurer, who need not be members of the Board of Directors and who may be granted limited powers in the bylaws. The officers so appointed shall serve for a term of two (2) years and until their successors have been appointed, except that the Assistant Secretary and the Assistant Treasurer, if such officers are appointed, shall hold office at the pleasure of the Board. A quorum at all meetings of the Board of Directors shall consist of not less than seven (7) members. A

quorum at all meetings of the Executive Committee shall consist of not less than three (3) members. Regular and special meetings of the Board of Directors shall be held as provided by the bylaws and notice of such meetings shall [small] be given as required by the bylaws. The Board shall meet *periodically with the Texas Water Commission* [~~at least once each year with the State Board of Water Engineers~~]. All meetings of the Board shall be open to the public.

SECTION 2. (a) The residency requirements of Subsection (c), Section 10, Chapter 276, Acts of the 45th Legislature, Regular Session, 1937, as amended by this Act, do not apply to persons serving as directors when this Act takes effect or to candidates for District 2 at the 1989 election or to candidates for District 4 at the 1991 election.

(b) The directors for Bexar County elected in 1989, 1991, and 1993 shall be elected as follows:

- (1) election of directors for Districts 1 and 2 in January, 1989;
- (2) election of directors for Districts 3 and 4 in January, 1991; and
- (3) election of directors for the two at-large positions in January, 1993.

SECTION 3. The legislature finds that 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 has been furnished to all persons, agencies, officials, or entities to which they are required to be furnished by the constitution and laws of this state, including the governor of Texas, who has submitted the notice and Act to the Texas Water Commission. Also, the legislature finds that 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. 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 have been fulfilled and accomplished.

SECTION 4. 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 7, 1987, by the following vote: Yeas 31, Nays 0. Passed the House on May 27, 1987, by the following vote: Yeas 147, Nays 0, one present not voting.

Approved June 19, 1987.

Effective June 19, 1987.