



OFFICE OF THE ATTORNEY GENERAL OF TEXAS  
AUSTIN

GERALD C. MANN  
ATTORNEY GENERAL

Honorable W. Lee O'Daniel  
Governor of Texas  
Austin, Texas

Dear Governor O'Daniel

Opinion No. O-2380  
Re: Eligibility of E. J.  
Crofoot for directorship  
of the Lower Colorado  
River Authority.

In your letter of May 3, 1940, you request our opinion as to whether E. J. Crofoot will be eligible to serve as a Director of the Lower Colorado River Authority after a period of three years has expired following the termination of any employment by and disassociation of membership with utility companies.

The Lower Colorado River Authority was created in 1934, by Senate Bill No. 2, Chapter 7, 4th Called Session, 43rd Legislature. Section 3 thereof provides:

"That no person shall be eligible for such appointment if he has, during the preceding three years before his appointment been employed by an electric power and light company, gas company, or any other utility company of any kind or character whatsoever."

As seen from the above the disqualification produced by utility company employment exists for a period of only three years following the termination of such employment. Therefore, three years after the termination of his employment (as director, officer or other employee) by any and all utility companies Mr. Crofoot will be eligible to serve on the Board of Directors of the Lower Colorado River Authority.

In accordance with your wish as expressed in your letter, we have not determined the question as to whether the Gulf Coast Water Company is a utility company within the meaning of

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that term as used in the Act creating this authority. Furthermore, we do not wish our Opinion No. O-1763 to be considered as having passed upon that question.

APPROVED JUN 18, 1940

(s) Gerald C. Mann

ATTORNEY GENERAL OF TEXAS

Yours very truly

ATTORNEY GENERAL OF TEXAS

By

(s) Glenn R. Lewis  
Assistant

GRL:RS

APPROVED OPINION COMMITTEE  
By B.W.B. Chairman