

Suspending limitations on conference committee
jurisdiction, H.B. 1567 (West/Bivins)

By: West

H.R. No. 1434

R E S O L U T I O N

1 BE IT RESOLVED by the House of Representatives of the State of
2 Texas, 78th Legislature, Regular Session, 2003, That House Rule 13,
3 Section 9(a), be suspended in part as provided by House Rule 13,
4 Section 9(f), to enable the conference committee appointed to
5 resolve the differences on House Bill No. 1567, relating to the
6 disposal of low-level radioactive waste; authorizing the exercise
7 of the power of eminent domain, to consider and take action on the
8 following matters:

9 (1) House Rule 13, Section 9(a)(2), is suspended to permit
10 the committee to omit "and the disposal of low-level radioactive
11 waste under Subchapter F" from amended Section 401.104(b), Health
12 and Safety Code.

13 Explanation: The omission is necessary since the Texas
14 Commission on Environmental Quality is the agency that will issue
15 the low-level radioactive waste disposal facility license under
16 Subchapter F, Chapter 401, Health and Safety Code.

17 (2) House Rule 13, Section 9(a)(3) is suspended to permit
18 the committee to add ", the form and content of which is acceptable
19 to the agency" to amended Section 401.109(d)(6), Health and Safety
20 Code.

21 Explanation: The addition is necessary to ensure that an
22 insurance policy provided as security by a license holder under
23 Chapter 401, Health and Safety Code, is acceptable to the state
24 agency issuing the license.

1 (3) House Rule 13, Sections 9(a)(3) and (4), are suspended
2 to permit the committee to add text not included in either the house
3 or senate version of the bill to proposed Section 401.229, Health
4 and Safety Code, to read as follows:

5 If the commission's costs in processing an application under this
6 subchapter exceed the \$500,000 application processing fee, the
7 commission may assess and collect additional fees from the
8 applicant to recover the costs. Recoverable costs include costs
9 incurred by the commission for administrative review, technical
10 review, and hearings associated with the application.

11 Explanation: The added text is necessary to allow the Texas
12 Commission on Environmental Quality to collect additional fees from
13 a low-level radioactive waste disposal license applicant if the
14 additional fees are necessary to recover certain costs incurred in
15 processing the application.

16 (4) House Rule 13, Section 9(a)(1) is suspended to permit
17 the committee to change "180th" to "270th" in proposed Section
18 401.232(g), Health and Safety Code.

19 Explanation: The changed text is necessary to give the Texas
20 Commission on Environmental Quality additional time to select an
21 application for a low-level radioactive waste disposal facility
22 license that has the highest comparative merit.