

By: Bivins

S.R. No. 952

SENATE RESOLUTION

BE IT RESOLVED by the Senate of the State of Texas, 78th Legislature, Regular Session, 2003, That Senate Rule 12.03 be suspended in part as provided by Senate Rule 12.08 to enable the conference committee appointed to resolve the differences on House Bill No. 1567, relating to the disposal of low-level radioactive waste; authorizing the exercise of the power of eminent domain, to consider and take action on the following matters:

(1) Senate Rule 12.03(2) is suspended to permit the committee to omit "and the disposal of low-level radioactive waste under Subchapter F" from amended Subsection (b), Section 401.104, Health and Safety Code.

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

(2) Senate Rule 12.03(3) is suspended to permit the committee to add ", the form and content of which is acceptable to the agency" to amended Subdivision (6), Subsection (d), Section 401.109, Health and Safety Code.

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

(3) Senate Rules 12.03(3) and (4) are suspended to permit

the committee to add text not included in either the house or senate version of the bill to proposed Section 401.229, Health and Safety Code, to read as follows:

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

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

(4) Senate Rule 12.03(1) is suspended to permit the committee to change "180th" to "270th" in proposed Subsection (g), Section 401.232, Health and Safety Code.

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

President of the Senate

I hereby certify that the above Resolution was adopted by the Senate on May 26, 2003, by the following vote: Yeas 24, Nays 7.

Secretary of the Senate