

Suspending limitations on conference committee
jurisdiction, S.B. No. 3 (Averitt/Puente)

By: Puente

H.R. No. 2921

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, 80th Legislature, Regular Session, 2007, 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 Senate Bill 3 (the development,
6 management, and preservation of the water resources of the state;
7 providing penalties) to consider and take action on the following
8 matters:

9 (1) House Rule 13, Section 9(a)(2), is suspended to permit
10 the committee to omit the following section of the bill:

11 SECTION 3.01. LEGISLATIVE FINDINGS. The legislature finds
12 that:

13 (1) the development of new water supplies to meet the
14 growing demand for water is necessary for the sound economic
15 development of this state and is of concern and importance to this
16 state;

17 (2) feasible sites for new reservoirs are identified
18 as having unique value in the 2006 regional water plans and the 2007
19 state water plan;

20 (3) most of the proposed reservoirs are also part of
21 recommended strategies for fulfilling identified needs in the 2007
22 state water plan that may occur as early as 2010 and 2020;

23 (4) it is necessary to preempt actions that could
24 circumvent the state's primacy over surface water in the state; and

1 (5) designation of these sites as unique reservoir
2 sites or river or stream segments of unique ecological value is
3 necessary for the sound economic development of this state, for the
4 protection of natural resources, and for the purpose of promoting
5 the public health, safety, and general welfare of this state.

6 Explanation: The omission of the legislative findings
7 regarding designation of unique reservoir sites is necessary
8 because the bill substitutes for the lists designating specific
9 sites contained in the versions of the bill as passed by the senate
10 and house a provision to the effect that a site is considered to be a
11 unique reservoir site if the site is recommended for designation in
12 the state water plan adopted by the Texas Water Development Board.

13 (2) House Rule 13, Section 9(a)(1), is suspended to permit
14 the committee to change, alter, or amend text pertaining to the
15 designation of unique reservoir sites that is not in disagreement
16 by substituting the following section:

17 SECTION 4.01. Section 16.051, Water Code, is amended by
18 adding Subsection (g-1) to read as follows:

19 (g-1) Notwithstanding any other provisions of law, a site is
20 considered to be a designated site of unique value for the
21 construction of a reservoir if the site is recommended for
22 designation in the 2007 state water plan adopted by the board and in
23 effect on May 1, 2007. The designation of a unique reservoir site
24 under this subsection terminates on September 1, 2015, unless there
25 is an affirmative vote by a proposed project sponsor to make
26 expenditures necessary in order to construct or file applications
27 for permits required in connection with the construction of the

1 reservoir under federal or state law.

2 Explanation: The senate engrossed version of the bill
3 designated certain specific sites as unique reservoir sites. The
4 version of the bill as passed by the house designated a slightly
5 different list of sites for that purpose. The amendment to Section
6 16.051, Water Code, is necessary to substitute for those lists a
7 provision to the effect that a site is considered to be a unique
8 reservoir site if the site is recommended for designation in the
9 state water plan adopted by the Texas Water Development Board and to
10 the effect that such a designation terminates unless certain
11 conditions are met.