

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

By: Averitt

S.R. No. 1206

SENATE RESOLUTION

BE IT RESOLVED by the Senate of the State of Texas, 80th Legislature, Regular Session, 2007, 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 Senate Bill No. 3 (the development, management, and preservation of the water resources of the state; providing penalties) to consider and take action on the following matters:

(1) Senate Rule 12.03(2) is suspended to permit the committee to omit the following SECTION of the bill:

SECTION 3.01. LEGISLATIVE FINDINGS. The legislature finds that:

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

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

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

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

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

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

(2) Senate Rule 12.03(1) is suspended to permit the committee to change, alter, or amend text pertaining to the designation of unique reservoir sites that is not in disagreement by substituting the following SECTION:

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

(g-1) Notwithstanding any other provisions of law, a site is considered to be a designated site of unique value for the

construction of a reservoir if the site is recommended for designation in the 2007 state water plan adopted by the board and in effect on May 1, 2007. The designation of a unique reservoir site under this subsection terminates on September 1, 2015, unless there is an affirmative vote by a proposed project sponsor to make expenditures necessary in order to construct or file applications for permits required in connection with the construction of the reservoir under federal or state law.

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

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President of the Senate

I hereby certify that the above Resolution was adopted by the Senate on May 27, 2007.

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Secretary of the Senate