

MINUTES

SENATE COMMITTEE ON NATURAL RESOURCES

Tuesday, April 26, 2011

9:00 AM

Capitol Extension, Room E1.012

Pursuant to a notice posted in accordance with Senate Rule 11.10 and 11.18, a public hearing of the Senate Committee on Natural Resources was held on Tuesday, April 26, 2011, in the Capitol Extension, Room E1.012, at Austin, Texas.

MEMBERS PRESENT:

Senator Troy Fraser, Chair
Senator Craig Estes, Vice Chair
Senator Robert Duncan
Senator Kevin Eltife
Senator Glenn Hegar
Senator Juan Hinojosa
Senator Mike Jackson
Senator Robert Nichols
Senator Kel Seliger
Senator Carlos Uresti

MEMBERS ABSENT:

Senator Bob Deuell

The chair called the meeting to order at 9:00 AM. The following business was transacted:

Senator Duncan assumed the chair.

The chair laid out HB 716 and recognized the Senate sponsor, Senator Fraser, to explain the bill.

Senator Fraser moved to limit testimony to 3 minutes. Without objection, it was so ordered.

Witnesses testifying and registering on the bill are shown on the attached list. The chair moved that the public testimony be closed; without objection, it was so ordered. Senator Duncan moved that HB 716 be left pending; without objection, it was so ordered.

Senator Fraser resumed the chair.

The chair laid out SB 105 and recognized the author, Senator Davis, to explain the bill. Senator Seliger sent up a committee substitute; the chair recognized Senator Davis to explain the difference between the committee substitute and the senate bill as filed. Witnesses testifying and registering on the bill are shown on the attached list. The chair moved that the public testimony be closed; without objection, it was so ordered.

At 9:47 AM the roll was called. A quorum was present.

Senator Estes moved adoption of the committee substitute; without objection, it was so ordered. Senator Estes moved that SB 105 do not pass but that CSSB 105 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 8 ayes, 0 nays, 0 present not voting, and 3 absent. Senator Estes moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out SB 339 and recognized the author, Senator Gallegos, to explain the bill. Witnesses testifying and registering on the bill are shown on the attached list. The chair moved that the public testimony be closed; without objection, it was so ordered. Senator Fraser moved that SB 339 be left pending; without objection, it was so ordered.

The chair laid out SB 673 and recognized the author, Senator Gallegos, to explain the bill. Witnesses testifying and registering on the bill are shown on the attached list. The chair moved that the public testimony be closed; without objection, it was so ordered. Senator Fraser moved that SB 673 be left pending; without objection, it was so ordered.

The chair laid out as a matter of pending business SB 1070 and recognized the author, Senator Jackson, to explain the bill. Senator Jackson moved adoption of the committee substitute; without objection, it was so ordered. Senator Jackson moved that SB 1070 do not pass but that CSSB 1070 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 9 ayes, 0 nays, 0 present not voting, and 2 absent. Senator Jackson moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out as a matter of pending business SB 1073 and recognized the author, Senator Jackson, to explain the bill. Senator Jackson sent up a committee substitute; the chair recognized Senator Jackson to explain the difference between the committee substitute and the senate bill as filed. Senator Jackson moved adoption of the committee substitute; without objection, it was so ordered. Senator Jackson moved that SB 1073 do not pass but that CSSB 1073 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 9 ayes, 0 nays, 0 present not voting, and 2 absent. Senator Jackson moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out as a matter of pending business SB 467 and recognized Senator Hegar, in the absence of the author, to explain the bill. Senator Hegar moved adoption of the committee substitute; without objection, it was so ordered. Senator Hegar moved that SB 467 do not pass but that CSSB 467 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 9 ayes, 0 nays, 0 present not voting, and 2 absent. Senator Hegar moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out SB 1306 and recognized the author, Senator Hegar, to explain the bill. Senator Hegar sent up a committee substitute; the chair recognized Senator Hegar to explain the difference between the committee substitute and the senate bill as filed. Senator Duncan sent up Committee Amendment 1 and explained the amendment. Witnesses testifying and registering on the bill are shown on the attached list. Senator Fraser moved that SB 1306 be left pending; without objection, it was so ordered.

At 10:58 AM Senator Fraser moved that the Committee stand recessed until 30 minutes after adjournment of the Senate. Without objection, it was so ordered.

At 3:02 PM Senator Fraser reconvened the meeting.

The chair laid out HB 801 and explained the bill in the absence of the Senate sponsor. Witnesses registering on the bill are shown on the attached list. The chair moved that the public testimony be closed; without objection, it was so ordered. Senator Fraser moved that HB 801 be left pending to await a quorum; without objection, it was so ordered. Upon arrival of a quorum, Senator Estes moved that HB 801 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 10 ayes, 0 nays, 0 present not voting, and 1 absent. Senator Estes moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

Senator Nichols assumed the chair.

The chair laid out HB 1551 and recognized the Senate sponsor, Senator Fraser, to explain the bill. Witnesses registering on the bill are shown on the attached list. The chair moved that the public testimony be closed; without objection, it was so ordered. Senator Nichols moved that HB 1551 be left pending to await a quorum; without objection, it was so ordered. Upon arrival of a quorum, Senator Estes assumed the chair. Senator Fraser moved that HB 1551 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 10 ayes, 0 nays, 0 present not voting, and 1 absent. Senator Fraser moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

Senator Fraser resumed the chair.

The chair laid out SB 1491 and recognized the author, Senator Uresti, to explain the bill. There were no witnesses registered on the bill. The chair moved that the public testimony be closed; without objection, it was so ordered. Senator Fraser moved that SB 1491 be left pending to await a quorum; without objection, it was so ordered. Upon arrival of a quorum, Senator Uresti moved that SB 1491 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 10 ayes, 0 nays, 0 present not voting, and 1 absent. Senator Uresti moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out HB 1944 and recognized the Senate sponsor, Senator Uresti, to explain the bill. There were no witnesses registered on the bill. The chair moved that the public testimony be closed; without objection, it was so ordered. Senator Uresti moved that HB 1944 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 10 ayes, 0 nays, 0 present not voting, and 1 absent. Senator Uresti moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out as a matter of pending business SB 1471 and recognized Senator Uresti, in the absence of the author, to explain the bill. Senator Uresti moved that SB 1471 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 9 ayes, 0 nays, 0 present not voting, and 2 absent. Senator Uresti

moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out as a matter of pending business, SB 555. Senator Hegar moved adoption of the committee substitute; without objection, it was so ordered. Senator Hegar moved that SB 555 do not pass but that CSSB 555 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 7 ayes, 2 nays, 0 present not voting, and 2 absent.

The Chairman read Motions in Writing requesting unanimous consent to be shown voting aye submitted by the following: Senator Jackson on SB 1491 and HB 1944; Senator Nichols on CSSB 105, CSSB 1070, CSSB 1073, and CSSB 467; Senator Duncan on HB 1944, SB 1491, HB 1551, and HB 801. These votes are reflected in the final votes on the aforementioned bills.

The chair laid out as a matter of pending business SB 1306 and recognized the author, Senator Hegar, to explain the bill. Witness testimony continued on SB 1306. The chair moved that the public testimony be closed; without objection, it was so ordered. Senator Fraser moved that SB 1306 be left pending; without objection, it was so ordered.

The Chairman read Motions in Writing requesting unanimous consent to be shown voting aye submitted by the following: Senator Eltife on CSSB 105, CSSB 1070, CSSB 1073, CSSB 467, SB 1491, HB 801, HB 1551, HB 1944; Senator Hinojosa on HB 1944, SB 1491, HB 1551, HB 801, SB 1471, and CSSB 555. These votes are reflected in the final votes on the aforementioned bills.

The chair laid out SB 1074 and recognized the author, Senator Jackson, to explain the bill. Witnesses testifying and registering on the bill are shown on the attached list. The chair moved that the public testimony be closed; without objection, it was so ordered. Senator Fraser moved that SB 1074 be left pending; without objection, it was so ordered.

The posting rule, Senate Rule 11.10 and 11.18, was suspended to hear the following bill:
SB 1074

There being no further business, at 3:39 PM Senator Fraser moved that the Committee stand recessed subject to the call of the chair. Without objection, it was so ordered.

Senator Troy Fraser, Chair

Tatum Reagan, Clerk