

MINUTES

SENATE COMMITTEE ON NATURAL RESOURCES

Tuesday, May 3, 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, May 3, 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:

The chair laid out HB 1901 and recognized the Senate sponsor, Senator Birdwell, 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 Fraser moved that HB 1901 be left pending to await a quorum; without objection, it was so ordered. Upon arrival of a quorum, Senator Estes moved that HB 1901 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 Estes moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out HB 571 and recognized Senator Seliger, in the absence of the Senate sponsor, 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.

At 9:07 AM the roll was called. A quorum was present.

Senator Seliger moved that HB 571 be reported favorably 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 Seliger moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out HB 1832 and recognized Senator Seliger, in the absence of the Senate sponsor, 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 Seliger moved that HB 1832 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 Seliger moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out SCR 32 and recognized the author, Senator Seliger, 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 Seliger moved that SCR 32 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 8 ayes, 1 nay, 1 present not voting, and 1 absent.

The chair laid out SB 1520 and recognized the author, Senator Uresti, 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 Uresti moved that SB 1520 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.

The chair laid out HB 2694 in lieu of SB 657, pending business, and recognized the Senate sponsor, Senator Huffman, to explain the bill. Senator Estes sent up a committee substitute; the chair recognized Senator Huffman to explain the difference between the committee substitute and the senate bill as filed. The chair recognized Senator Hegar to send up Committee

Amendment 1 (Technical/Clarifying Amendment). Senator Huffman was recognized to discuss Committee Amendment 1. Senator Hegar moved to withdraw Committee Amendment 1. There being no objection, it was so ordered. The chair recognized Senator Hegar to send up Committee Amendment 2 (Technical/Clarifying Amendment). Senator Hegar was recognized to discuss Committee Amendment 2. Senator Hegar moved to withdraw Committee Amendment 2. There being no objection, it was so ordered. Senator Estes moved to withdraw Committee Amendment 3. There being no objection, it was so ordered. The chair recognized Senator Eltife to send up Committee Amendment 4 (Dam Safety Regulation). Senator Eltife was recognized to discuss Committee Amendment 4. The chair recognized Senator Hinojosa to send up an amendment to the amendment on Committee Amendment 4 (Dam Safety Regulation). The chair recognized Senator Hinojosa to discuss the amendment to the amendment. Senator Hinojosa moved to withdraw the amendment to the amendment on Committee Amendment 4. Without objection, it was so ordered. Senator Elifite moved to withdraw Committee Amendment 4. Without objection, it was so ordered. Senator Uresti moved to withdraw Committee Amendments 5, 6, 7, 8, and 9. Without objection, it was so ordered. Invited testimony was provided at the hearing. See attached witness list. Senator Hegar moved adoption of the committee substitute; without objection, it was so ordered. Senator Hegar moved that HB 2694 do not pass but that CSHB 2694 be reported back 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 assumed the chair.

The chair laid out as a matter of pending business HB 716 and recognized the Senate sponsor, Senator Fraser, to explain the bill. Senator Fraser sent up a committee substitute; the chair recognized Senator Fraser to explain the difference between the committee substitute and the senate bill as filed. Invited testimony was provided at the hearing. See attached witness list. Senator Fraser moved adoption of the committee substitute; without objection, it was so ordered. Senator Fraser moved that HB 716 do not pass but that CSHB 716 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 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 1895 and recognized the author, Senator Hegar, 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 Hegar moved that SB 1895 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 Hegar moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out HB 218 and recognized the Senate sponsor, Senator Uresti, 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. The motion carried with a record vote of 4 ayes, 4 nays, 0 present not voting, and 3 absent. The motion failed to receive a majority vote.

The chair laid out HB 444 and recognized the Senate sponsor, Senator Nichols, 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 444 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.

The chair laid out HB 965 and recognized the Senate sponsor, Senator Hegar, 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 Hegar moved that HB 965 be reported favorably 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 Hegar moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out HB 2360 and recognized Senator Seliger, in the absence of the Senate sponsor, 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 Seliger moved that HB 2360 be reported favorably 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.

The chair laid out as a matter of pending business SB 1074 and recognized the author, Senator Jackson, to explain the bill. Senator Jackson moved that SB 1074 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 7 ayes, 0 nays, 0 present not voting, and 4 absent. Senator Jackson moved that the bill be

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recommended for placement on the Local & Uncontested Calendar; 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 Jackson on HB 571 and HB 1832; Senator Duncan on HB 571, SB 1520, HB 444, HB 965, HB 2360, and SB 1074. These votes are reflected in the final votes on the aforementioned bills.

There was no action taken for the following bill:
HB 849

There being no further business, at 10:39 AM Senator Fraser moved that the Committee be adjourned. Without objection, it was so ordered.

Senator Troy Fraser, Chair

Tatum Reagan, Clerk