

## MINUTES

### SENATE COMMITTEE ON NATURAL RESOURCES

Tuesday, May 17, 2011

9:00 AM

Capitol Extension, Room E1.012

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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 17, 2011, in the Capitol Extension, Room E1.012, at Austin, Texas.

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#### **MEMBERS PRESENT:**

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

#### **MEMBERS ABSENT:**

Senator Bob Deuell  
Senator Robert Duncan  
Senator Juan Hinojosa

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The chair called the meeting to order at 9:02 AM. The following business was transacted:

The chair laid out HB 2663 and recognized the Senate sponsor, Senator Seliger, to explain the bill. Senator Seliger sent up a committee substitute; the chair recognized Senator Seliger to explain the difference between the committee substitute and the senate bill as filed.

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 Fraser moved that HB 2663 be left pending to await a quorum; without objection, it was so ordered. Upon arrival of a quorum, Senator Seliger moved adoption of the committee substitute; without objection, it was so ordered. Senator Seliger moved that HB 2663 do not pass but that CSHB

2663 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 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 2077 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 Fraser moved that HB 2077 be left pending to await a quorum; without objection, it was so ordered. Upon arrival of a quorum, Senator Seliger moved that HB 2077 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 Eltife moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out HB 2510 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 Fraser moved that HB 2510 be left pending to await a quorum; without objection, it was so ordered. Upon arrival of a quorum, Senator Eltife moved that HB 2510 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 Eltife moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out HB 1060 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 1060 be left pending to await a quorum; without objection, it was so ordered. Upon arrival of a quorum, Senator Hegar moved that HB 1060 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 2794 and recognized the Senate sponsor, 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. 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 HB 2794 be left pending to await a quorum; without objection, it was so ordered. Upon arrival of a quorum, Senator Hegar moved adoption of the committee substitute; without objection, it was so ordered. Senator Hegar moved that HB 2794 do not pass but that CSHB 2794 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 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 3399 and recognized Senator Hegar, 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 Fraser moved that HB 3399 be left pending to await a quorum; without objection, it was so ordered. Upon arrival of a quorum, Senator Estes moved that HB 3399 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 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 3090 and recognized Senator Nichols, 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 Fraser moved that HB 3090 be left pending; without objection, it was so ordered.

The chair laid out HB 125 and recognized Senator Hegar, in the absence of the Senate sponsor, 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. 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 HB 125 be left pending; without objection, it was so ordered.

At 9:30 AM the chairman moved that the Committee stand at ease until 10:00 AM. Without objection, it was so ordered.

At 10:00 AM the Committee came back to order.

At 10:00 AM the roll was called. A quorum was present.

The Chairman read Motions in Writing requesting unanimous consent to be shown voting aye submitted by the following: Senator Uresti on HB 1060 and HB 2077; Senator Nichols

on HB 1060, HB 2077, HB 2510, and CSHB 2663. These votes are reflected in the final votes on the aforementioned bills.

Senator Estes assumed the chair.

The chair laid out as a matter of pending business HB 2133 and recognized the Senate sponsor, Senator Fraser, to explain the bill. Senator Fraser moved that HB 2133 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 Fraser resumed the chair.

The chair laid out as a matter of pending business HB 3391 and recognized the Senate sponsor, Senator Seliger, to explain the bill. Senator Seliger moved that HB 3391 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.

There being no further business, at 10:10 AM Senator Fraser moved that the Committee stand recessed subject to the call of the chair. Without objection, it was so ordered.

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Senator Troy Fraser, Chair

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Tatum Reagan, Clerk