

Suspending limitations on conference committee  
jurisdiction, H.B. No. 3459

By: Taylor

S.R. No. 1076

SENATE RESOLUTION

BE IT RESOLVED by the Senate of the State of Texas, 83rd Legislature, Regular Session, 2013, 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 House Bill 3459 (access to and protection of certain coastal areas) to consider and take action on the following matter:

Senate Rule 12.03(4) is suspended to permit the committee to add text on a matter which is not included in either the house or senate version of the bill by adding the following new SECTIONS to the bill:

SECTION 7. The legislature finds that:

(1) the Galveston-Houston region and the region's economic and strategic infrastructure are at risk due to exposure to potential catastrophic storm surge;

(2) to protect the Galveston-Houston region's five million residents and the region's economic and strategic infrastructure, various federal, state, and local entities, led by Texas A&M University at Galveston, are studying and developing conceptual designs for a coastal barrier to protect the region from hurricane-induced storm surge;

(3) as currently envisioned, a project referred to as the "Ike Dike" would extend the protection afforded by the Galveston Seawall along the rest of Galveston Island and along the Bolivar Peninsula by creating a 17-foot-high revetment (sand

covered dune with hardened cores) near the beach or by raising coastal highways;

(4) the addition of floodgates at Bolivar Roads, at the entrance to the Houston, Texas City, and Galveston Ship Channels, and at San Luis Pass would complete a coastal spine that would provide a barrier against all gulf surges into Galveston Bay;

(5) a research team is being led by Texas A&M University at Galveston through its Center for Texas Beaches and Shores using strong partnerships with the U.S. Department of Homeland Security Coastal Hazards Center of Excellence at Jackson State University, the Netherlands' Delft University of Technology's Department of Hydraulic Engineering, and the University of Houston C. T. Bauer College of Business's Institute for Regional Forecasting;

(6) the General Land Office is a sponsor of and nonfederal partner for a United States Army Corps of Engineers study of the upper Texas coast to develop a list of specific recommended projects that may become eligible for federal appropriations;

(7) the United States Army Corps of Engineers study, which encompasses Brazoria, Galveston, Harris, Chambers, Jefferson, and Orange Counties, includes the coastal barrier/"Ike Dike" concept; and

(8) as a result of the studies and recommendations described by this section, the legislature may need to enact or amend state law to accommodate the building of a coastal barrier

to protect the region from hurricane-induced storm surge.

SECTION 8. (a) The legislature shall establish a joint interim committee to conduct a study of:

(1) the effectiveness of the implementation of the changes in law made by this Act to Chapter 61, Natural Resources Code; and

(2) the feasibility and desirability of:

(A) creating and maintaining a coastal barrier system in this state that includes a series of gates and barriers to prevent storm surge damage to gulf beaches or coastal ports, industry, or property; and

(B) authorizing coastal property owners to grant easements to governmental entities to construct and maintain stabilized dunes in connection with or separately from the system.

(b) The committee is composed of:

(1) the members of the standing committee of the senate that has primary jurisdiction over natural resources;

(2) the members of the standing committee of the house of representatives that has primary jurisdiction over land and resource management;

(3) two members of the senate appointed by the lieutenant governor, each of whom represents a district in a county that borders the Gulf of Mexico; and

(4) two members of the house of representatives appointed by the speaker of the house of representatives, each of whom represents a district in a county that borders the Gulf of

Mexico.

(c) The lieutenant governor and the speaker of the house of representatives shall jointly designate a chair or, alternatively, designate two co-chairs from among the committee membership.

(d) The committee may adopt rules necessary to carry out the committee's duties under this section.

(e) Not later than December 1, 2014, the committee shall report to the governor and the legislature the findings of the study and any recommendations developed by the committee under this section.

Explanation: This addition is necessary to provide for a study determining the effectiveness of the implementation of the changes in law made by the bill to Chapter 61, Natural Resources Code, and determining the feasibility and desirability of certain coastal protection measures.

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President of the Senate

I hereby certify that the above Resolution was adopted by the Senate on May 26, 2013, by the following vote: Yeas 31, Nays 0.

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Secretary of the Senate