

MINUTES

SENATE COMMITTEE ON NATURAL RESOURCES

Tuesday, April 9, 2013

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 9, 2013, in the Capitol Extension, Room E1.012, at Austin, Texas.

MEMBERS PRESENT:

Senator Troy Fraser, Chair
Senator Craig Estes, Vice Chair
Senator Bob Deuell
Senator Robert Duncan
Senator Rodney Ellis
Senator Kevin Eltife
Senator Glenn Hegar
Senator Juan Hinojosa
Senator Robert Nichols
Senator Kel Seliger
Senator Carlos Uresti

MEMBERS ABSENT:

None

The chair called the meeting to order at 9:04 AM. There being a quorum present, the following business was transacted:

Senator Estes assumed the chair.

The chair laid out SB 1631 and recognized the author, Senator Fraser, to explain the bill. Witnesses testifying and registering on the bill are shown on the attached list. Senator Fraser moved to limit testimony to 3 minutes; without objection, it was so ordered.

Senator Eltife assumed the chair.

Senator Estes resumed the chair.

Senator Estes moved that SB 1631 be left pending; without objection, it was so ordered.

Senator Fraser assumed the chair.

At 10:59 PM Senator Fraser moved that the Committee stand recessed until after adjournment of the Senate. Without objection, it was so ordered.

At 2:42 PM Senator Fraser reconvened the meeting.

The chair laid out SB 1840 and recognized the author, Senator Nichols, to explain the bill. Senator Nichols sent up a committee substitute; the chair recognized Senator Nichols to explain the difference between the committee substitute and the senate bill as filed. 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 committee substitute be left pending to await a quorum; without objection, it was so ordered. Upon arrival of quorum, Senator Nichols moved adoption of the committee substitute; without objection, it was so ordered. Senator Nichols moved that SB 1840 do not pass but that CSSB 1840 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 Nichols moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

Senator Estes assumed the chair.

The chair laid out as a matter of pending business SB 1631 and recognized the author, Senator Fraser, to explain the bill. The chair moved that the public testimony be closed; without objection, it was so ordered. Senator Estes moved that SB 1631 be left pending to await a quorum; without objection, it was so ordered. Upon arrival of a quorum, Senator Fraser moved that SB 1631 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, 3 nays, 0 present not voting, and 0 absent.

Senator Fraser resumed the chair.

The chair laid out SB 1086 and recognized Senator Hegar, in the absence of the author, 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 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 committee substitute be left pending to await a quorum; without objection, it was so ordered. Upon arrival of quorum, Senator Hegar moved adoption of the committee substitute; without objection, it was so ordered. Senator Hegar moved that SB 1086 do not pass but that CSSB 1086 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 1771 and recognized Senator Hegar, in the absence of the author, 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 committee substitute be left pending to await a quorum; without objection, it was so ordered. Upon arrival of quorum, Senator Hegar moved adoption of the committee substitute; without objection, it was so ordered. Senator Hegar moved that SB 1771 do not pass but that CSSB 1771 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.

Senator Estes assumed the chair.

The chair laid out SB 900 and recognized the author, 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. 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 Estes moved committee substitute be left pending to await a quorum; without objection, it was so ordered. Upon arrival of a quorum, Senator Fraser moved adoption of the committee substitute; without objection, it was so ordered.

Senator Fraser moved that SB 900 do not pass but that CSSB 900 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 1870 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. 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 committee substitute 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 SB 1870 do not pass but that CSSB 1870 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 199 and recognized the author, Senator Watson, to explain the bill. Senator Hegar sent up a committee substitute; the chair recognized Senator Watson 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 committee substitute 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 SB 199 do not pass but that CSSB 199 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.

The chair laid out SB 1162 and recognized the author, Senator Watson, 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 Estes moved that SB 1162 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 SB 1163 and recognized the author, Senator Watson, 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 Nichols moved that SB 1163 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 Nichols moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out SB 1844 and recognized the author, Senator Schwertner, 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 Estes moved that SB 1844 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 SB 1727 and recognized the author, Senator Deuell, to explain the bill. Senator Deuell sent up a committee substitute; the chair recognized Senator Deuell 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 Deuell moved adoption of the committee substitute; without objection, it was so ordered. Senator Deuell moved that SB 1727 do not pass but that CSSB 1727 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, 1 present not voting, and 1 absent. Senator Deuell moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out SB 1532 and recognized the author, Senator Zaffirini, to explain the bill. Senator Estes sent up a committee substitute; the chair recognized Senator Zaffirini 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 SB 1532 be left pending to await a quorum; without objection, it was so ordered. Upon arrival of a quorum, Senator Estes moved adoption of the committee substitute; without objection, it was so ordered. Senator Estes moved that SB 1532 do not pass but that CSSB 1532 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 11 ayes, 0 nays, 0 present not voting, and 0 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 1756 and recognized the author, Senator Uresti, to explain the bill. Senator Uresti sent up a committee substitute; the chair recognized Senator Uresti 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 Uresti moved adoption of the committee substitute; without objection, it was so ordered. Senator Uresti moved that SB 1756 do not pass but that CSSB 1756 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, 1 nays, 0 present not voting, and 0 absent.

The chair laid out as a matter of pending business SB 873 and recognized the author, Senator Hegar, to explain the bill. Senator Hegar moved that SB 873 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, 2 nays, 0 present not voting, and 1 absent.

The chair laid out as a matter of pending business SB 1387 and recognized Senator Hegar, in the absence of the author, to explain the bill. Senator Hegar sent up a new committee substitute; the chair recognized Senator Hegar to explain the difference between the committee substitute and the senate bill as filed. Senator Hegar moved adoption of the committee substitute; without objection, it was so ordered. Senator Hegar moved that SB 1387 do not pass but that CSSB 1387 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, 1 nay, 0 present not voting, and 1 absent.

The chair laid out SB 1876 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 1876 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 Hegar moved that the bill be 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 Seliger on CSSB 199, CSSB 900, CSSB 1086, SB 1162, SB 1163, CSSB 1771, CSSB 1840, CSSB 1870, SB 1844, and CSSB 1727; Senator Ellis on CSSB 199, CSSB 900, CSSB 1086, SB 1162, SB 1163, CSSB 1727, CSSB 1771, CSSB 1840, SB

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1844, and CSSB 1870; Senator Duncan on CSSB 1840, CSSB 1086, CSSB 1771, CSSB 900, CSSB 1870, CSSB 199, SB 1162, CSSB 1727, SB 1844, and SB 1163. These votes are reflected in the final votes on the aforementioned bills.

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

SB 1876

There being no further business, at 4:55 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