

MINUTES

**SENATE COMMITTEE ON NATURAL RESOURCES AND ECONOMIC
DEVELOPMENT**

Tuesday, May 16, 2017

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 & Economic Development was held on Tuesday, May 16, 2017, in the Capitol Extension, Room E1.012, at Austin, Texas.

MEMBERS PRESENT:

Senator Craig Estes, Chair
Senator Judith Zaffirini, Vice Chair
Senator Konni Burton
Senator Sylvia Garcia
Senator Kelly Hancock
Senator Juan Hinojosa
Senator Don Huffines
Senator Borris Miles
Senator José Rodríguez
Senator Kel Seliger
Senator Van Taylor

MEMBERS ABSENT:

None

The chair called the meeting to order at 9:01 AM. There being a quorum present at 9:32 AM, the following business was transacted:

The following members arrived after the roll was called: Senator Kelly Hancock, Senator Don Huffines, and Senator Kel Seliger.

The chair laid out HB 2321 and recognized the Senate sponsor, Senator Watson, to explain the bill.

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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 HB 2321 be left pending; without objection, it was so ordered.

The chair laid out HB 3484 and recognized the Senate sponsor, Senator Hughes, to explain the bill. Senator Rodríguez sent up a committee substitute. The chair recognized Senator Hughes to explain the difference between the committee substitute and the house bill as engrossed.

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 HB 3484 be left pending; without objection, it was so ordered.

The chair laid out HB 3726 and recognized the Senate sponsor, Senator Van Taylor, 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 HB 3726 be left pending; without objection, it was so ordered.

The chair laid out HB 4029 and recognized the Senate sponsor, Senator Lucio, Jr., to explain the bill. Senator Rodríguez sent up a committee substitute. The chair recognized Senator Lucio, Jr. to explain the difference between the committee substitute and the house bill as engrossed.

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 HB 4029 be left pending; without objection, it was so ordered.

The chair laid out HB 2443 and recognized the Senate sponsor, Senator Zaffirini, to explain the bill.

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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 HB 2443 be left pending; without objection, it was so ordered.

The chair laid out HB 1481 and recognized the Senate sponsor, Senator Kolkhorst, 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 HB 1481 be left pending; without objection, it was so ordered.

The chair laid out HB 1494 and recognized the Senate sponsor, Senator Kolkhorst, 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 HB 1494 be left pending; without objection, it was so ordered.

The chair laid out SB 551 and recognized the author, Senator Kolkhorst, to explain the bill. Senator Zaffirini sent up a committee substitute. The chair recognized Senator Kolkhorst 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 that SB 551 be left pending; without objection, it was so ordered.

Senator Zaffirini assumed the chair.

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The chair laid out HB 2533 and recognized the Senate sponsor, Senator Estes, to explain the bill. Senator Estes sent up a committee substitute. The chair recognized Senator Estes to explain the difference between the committee substitute and the house bill as engrossed.

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 Zaffirini moved that HB 2533 be left pending; without objection, it was so ordered.

Senator Estes resumed the chair.

The chair laid out HB 1816 and recognized the Senate sponsor, Senator Creighton, to explain the bill. Senator Zaffirini sent up a committee substitute. The chair recognized Senator Creighton to explain the difference between the committee substitute and the house bill as engrossed.

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 HB 1816 be left pending; without objection, it was so ordered.

The chair laid out HB 2079 and recognized the Senate sponsor, Senator Juan Hinojosa, 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 HB 2079 be left pending; without objection, it was so ordered.

The chair laid out HB 2662 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 house bill as engrossed.

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.

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Senator Estes moved that HB 2662 be left pending; without objection, it was so ordered.

The chair laid out HB 4181 and recognized Senator Garcia, 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 Estes moved that HB 4181 be left pending; without objection, it was so ordered.

At 10:54 AM Senator Estes moved that the Committee stand recessed until 30 minutes after adjournment of the Senate. Without objection, it was so ordered.

At 2:40 PM Senator Estes reconvened the meeting.

Senator Zaffirini assumed the chair.

The chair laid out HB 3177 and recognized the Senate sponsor, Senator Estes, to explain the bill. Senator Estes sent up a committee substitute. The chair recognized Senator Estes to explain the difference between the committee substitute and the house bill as engrossed.

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 Zaffirini moved that HB 3177 be left pending; without objection, it was so ordered.

The chair laid out HB 129 and recognized the Senate sponsor, Senator Estes, to explain the bill. Senator Estes sent up a committee substitute. The chair recognized Senator Estes to explain the difference between the committee substitute and the house bill as engrossed.

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 Zaffirini moved that HB 129 be left pending; without objection, it was so ordered.

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The chair laid out HB 1515 and recognized the Senate sponsor, Senator Estes, 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 Zaffirini moved that HB 1515 be left pending; without objection, it was so ordered.

The chair laid out HB 2445 and recognized the Senate sponsor, Senator Estes, 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 Zaffirini moved that HB 2445 be left pending; without objection, it was so ordered.

The chair laid out HB 2588 and recognized the Senate sponsor, Senator Estes, 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 Zaffirini moved that HB 2588 be left pending; without objection, it was so ordered.

The chair laid out HB 2819 and recognized the Senate sponsor, Senator Estes, 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 Zaffirini moved that HB 2819 be left pending; without objection, it was so ordered.

The chair laid out HB 3181 and recognized the Senate sponsor, Senator Estes, 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.

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Senator Zaffirini moved that HB 3181 be left pending; without objection, it was so ordered.

The chair laid out HB 3294 and recognized the Senate sponsor, Senator Estes, 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 Zaffirini moved that HB 3294 be left pending; without objection, it was so ordered.

The chair laid out HB 3488 and recognized the Senate sponsor, Senator Estes, 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 Zaffirini moved that HB 3488 be left pending; without objection, it was so ordered.

Senator Estes resumed the chair.

Senator Zaffirini assumed the chair.

The chair laid out as a matter of pending business HB 129 and the committee substitute, which had been sent up earlier in the hearing.

Senator Estes moved that HB 129 be reported favorably 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. Senators Burton, Garcia, Miles, and Rodríguez submitted motions in writing requesting unanimous consent to be shown voting aye on HB 129; without objection, it was so ordered.

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

Senator Estes resumed the chair.

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The chair laid out as a matter of pending business HB 1481. Senator Zaffirini moved that HB 1481 be reported favorably 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. Senators Burton, Garcia, Miles, and Rodríguez submitted motions in writing requesting unanimous consent to be shown voting aye on HB 1481; without objection, it was so ordered.

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 as a matter of pending business HB 1816 and the committee substitute, which had been sent up earlier in the hearing.

Senator Zaffirini moved adoption of the committee substitute; without objection, it was so ordered. Senator Zaffirini moved that HB 1816 do not pass but that CSHB 1816 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. Senators Burton, Garcia, Miles, and Rodríguez submitted motions in writing requesting unanimous consent to be shown voting aye on CSHB 1816; without objection, it was so ordered.

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 as a matter of pending business HB 2443. Senator Zaffirini moved that HB 2443 be reported favorably 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. Senators Burton, Garcia, Miles, and Rodríguez submitted motions in writing requesting unanimous consent to be shown voting aye on HB 2443; without objection, it was so ordered.

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

Senator Zaffirini assumed the chair.

The chair laid out as a matter of pending business HB 2588. Senator Estes moved that HB 2588 be reported favorably 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. Senators Burton, Garcia, Miles, and Rodríguez submitted motions in writing requesting unanimous consent to be shown voting aye on HB 2588; without objection, it was so ordered.

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 as a matter of pending business HB 2819. Senator Estes moved that HB 2819 be reported favorably 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. Senators Burton, Garcia, Miles, and Rodríguez submitted motions in writing requesting unanimous consent to be shown voting aye on HB 2819; without objection, it was so ordered.

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 as a matter of pending business HB 3177 and the committee substitute, which had been sent up earlier in the hearing.

Senator Estes moved adoption of the committee substitute; without objection, it was so ordered. Senator Estes moved that HB 3177 do not pass but that CSHB 3177 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. Senators Burton, Garcia, Miles, and Rodríguez submitted motions in writing requesting unanimous consent to be shown voting aye on CSHB 3177; without objection, it was so ordered.

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 as a matter of pending business HB 3726. Senator Van Taylor moved that HB 3726 be reported favorably 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. Senators Burton, Garcia, Miles, and Rodríguez submitted motions in writing requesting unanimous consent to be shown voting aye on HB 3726; without objection, it was so ordered.

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

Senator Estes moved to reconsider the vote by which HB 129 was reported favorably; without objection, it was so ordered. Senator Estes moved adoption of the committee substitute; without objection, it was so ordered. Senator Estes moved that HB 129 do not pass but that CSHB 129 be

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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. Senators Burton, Garcia, Miles, and Rodríguez submitted motions in writing requesting unanimous consent to be shown voting aye on CSHB 129; without objection, it was so ordered.

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

Senator Estes resumed the chair.

The chair laid out as a matter of pending business HB 4181. Senator Zaffirini moved that HB 4181 be reported favorably 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. Senators Burton, Garcia, Miles, and Rodríguez submitted motions in writing requesting unanimous consent to be shown voting aye on HB 4181; without objection, it was so ordered.

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 2252 in lieu of SB 1000 and the committee substitute, which had been heard and left pending at the April 11, 2017 hearing.

Senator Estes moved to pull down the committee substitute that had previously been sent up and left pending; without objection, it was so ordered. Senator Zaffirini moved that HB 2252 be reported favorably 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. Senators Burton, Garcia, and Miles submitted motions in writing requesting unanimous consent to be shown voting aye on HB 2252; without objection, it was so ordered.

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 2386 in lieu of SB 1064, which had been heard and left pending at the April 11, 2017 hearing.

Senator Zaffirini moved that HB 2386 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. Senators Burton and Miles submitted motions in

writing requesting unanimous consent to be shown voting aye on HB 2386; without objection, it was so ordered.

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

Senator Zaffirini assumed the chair.

The chair laid out as a matter of pending business HB 1515. Senator Estes moved that HB 1515 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 Burton submitted a motion in writing requesting unanimous consent to be shown voting nay on HB 1515; without objection, it was so ordered. Senators Garcia and Miles submitted motions in writing requesting unanimous consent to be shown voting aye on HB 1515; without objection, it was so ordered.

Senator Estes resumed the chair.

The chair laid out as a matter of pending business HB 2079. Senator Hinojosa moved that HB 2079 be reported favorably 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. Senators Burton, Garcia, and Miles submitted motions in writing requesting unanimous consent to be shown voting aye on HB 2079; without objection, it was so ordered.

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 as a matter of pending business HB 2662 and the committee substitute, which had been sent up earlier in the hearing.

Senator Seliger moved adoption of the committee substitute; without objection, it was so ordered. Senator Seliger moved that HB 2662 do not pass but that CSHB 2662 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, 2 nays, 0 present not voting, and 0 absent. Senator Garcia submitted a motion in writing requesting unanimous consent to be shown voting nay on CSHB 2662; without objection, it was so ordered. Senator Miles submitted a motion in writing requesting unanimous consent to be shown voting aye on CSHB 2662; without objection, it was so ordered.

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Senator Zaffirini assumed the chair.

The chair laid out as a matter of pending business HB 2533 and the committee substitute, which had been sent up earlier in the hearing.

Senator Estes moved adoption of the committee substitute; without objection, it was so ordered. Senator Estes moved that HB 2533 do not pass but that CSHB 2533 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 6 ayes, 5 nays, 0 present not voting, and 0 absent. Senators Garcia and Miles submitted motions in writing requesting unanimous consent to be shown voting nay on CSHB 2533; without objection, it was so ordered.

Senator Estes resumed the chair.

There being no further business, at 3:30 PM Senator Estes moved that the Committee stand recessed subject to the call of the chair. Without objection, it was so ordered.

Senator Craig Estes, Chair

Paige McGhee, Clerk