

MINUTES

SENATE COMMITTEE ON WATER & RURAL AFFAIRS

Thursday, May 16, 2019

8:00 AM

Betty King Committee Room

Pursuant to a notice posted in accordance with Senate Rule 11.10 and 11.18, a public hearing of the Senate Committee on Water & Rural Affairs was held on Thursday, May 16, 2019, in the Betty King Committee Room at Austin, Texas.

MEMBERS PRESENT:

Senator Charles Perry, Chair
Senator Brandon Creighton, Vice Chair
Senator Carol Alvarado
Senator Nathan Johnson
Senator Lois Kolkhorst
Senator José Rodríguez
Senator Larry Taylor

MEMBERS ABSENT:

None

The chair called the meeting to order at 8:02 AM. There being a quorum present at 8:14 AM, the following business was transacted:

The following members arrived after the roll was called:

Senator Carol Alvarado
Senator Lois Kolkhorst
Senator Brandon Creighton

The chair laid out HB 3542 and recognized the Senate sponsor, Senator Lucio, Jr., 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 Perry moved that HB 3542 be left pending; without objection, it was so ordered.

The chair laid out HB 3616 and recognized the Senate sponsor, Senator Lucio, Jr., 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 Perry moved that HB 3616 be left pending; without objection, it was so ordered.

The chair laid out HB 1561 and recognized the Senate sponsor, Senator Paxton, 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 Perry moved that HB 1561 be left pending; without objection, it was so ordered.

The chair laid out HB 2053 and recognized the Senate sponsor, Senator Flores, to explain the bill. Senator Rodríguez sent up a committee substitute. The chair recognized Senator Flores to explain the difference between the committee substitute and the house bill as engrossed. Senator Perry moved committee substitute be left pending to await a quorum; without objection, it was so ordered. 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 Perry moved that HB 2053 be left pending; without objection, it was so ordered.

The chair laid out HCR 140 and recognized Senator Flores, in the absence of the Senate sponsor, to explain the bill. No witnesses testified or registered on the bill. The chair moved that the public testimony be closed; without objection, it was so ordered. Senator Perry moved that HCR 140 be left pending; without objection, it was so ordered.

The chair laid out as a matter of pending business HB 406 in lieu of SB 516 by Senator Zaffirini. Senator Rodríguez moved that HB 406 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 6 ayes, 0 nays, 0 present not voting, and 1 absent. Senator Rodríguez moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered. Senators Creighton and Kolkhorst submitted motions in writing requesting unanimous consent to be shown voting aye on HB 406; without objection, it was so ordered.

The chair laid out as a matter of pending business HB 1181. Senator Rodríguez moved that HB 1181 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 6 ayes, 0 nays, 0 present not voting, and 1 absent. Senator Rodríguez moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered. Senator Creighton submitted a motion in writing requesting unanimous consent to be shown voting aye on HB 1181; without objection, it was so ordered.

The chair laid out as a matter of pending business HB 1806. Senator Rodríguez moved that HB 1806 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 6 ayes, 0 nays, 0 present not voting, and 1 absent. Senator Creighton submitted a motion in writing requesting unanimous consent to be shown voting aye on HB 1806; without objection, it was so ordered.

The chair laid out as a matter of pending business HB 2345. Senator Rodríguez sent up a committee substitute. Senator Perry moved to leave HB 2345 and the proposed committee substitute pending; without objection, it was so ordered.

The chair laid out as a matter of pending business HB 2463 in lieu of SB 1998 by Senator Kolkhorst and recognized the Senate sponsor, Senator Kolkhorst, to explain the bill. Senator Rodríguez sent up a committee substitute. The chair recognized Senator Kolkhorst to explain the difference between the committee substitute and the house bill as engrossed. Senator Rodríguez moved adoption of the committee substitute; without objection, it was so ordered. Senator Rodríguez moved that HB 2463 do not pass but that CSHB 2463 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 5 ayes, 1 nay, 0 present not voting, and 1 absent. Senator Creighton submitted a motion in writing requesting unanimous consent to be shown voting nay on CSHB 2463; without objection, it was so ordered.

The chair laid out as a matter of pending business HB 3070 by Senator Zaffirini. Senator Rodríguez moved that HB 3070 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 6 ayes, 0 nays, 0 present not voting, and 1 absent. Senator Rodríguez moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered. Senator Creighton submitted a motion in writing requesting unanimous consent to be shown voting aye on HB 3070; without objection, it was so ordered.

The chair laid out HB 1059 and recognized the Senate sponsor, Senator Rodríguez, 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 Perry moved that HB 1059 be left pending; without objection, it was so ordered.

The chair laid out HB 1090 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 Perry moved that HB 1090 be left pending; without objection, it was so ordered.

The chair laid out HB 3264 and recognized the Senate sponsor, Senator Buckingham, to explain the bill. Senator Creighton sent up a committee substitute. The chair recognized Senator Buckingham to explain the difference between the committee substitute and the house bill as engrossed. Senator Creighton moved adoption of the committee substitute; 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 Perry moved that CSHB 3264 be left pending; without objection, it was so ordered.

The chair laid out HB 3782 and recognized the Senate sponsor, Senator Alvarado, to explain the bill. Senator Creighton sent up a committee substitute. The chair recognized Senator Alvarado to explain the difference between the committee substitute and the house bill as engrossed. Senator Creighton moved adoption of the committee substitute; 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 Perry moved that CSHB 3782 be left pending; without objection, it was so ordered.

The chair laid out HB 4350 and recognized the Senate sponsor, Senator Alvarado, 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 Perry moved that HB 4350 be left pending; without objection, it was so ordered.

The chair laid out HB 2218 and recognized Senator Nathan Johnson, in the absence of the Senate sponsor, to explain the bill. Senator Creighton sent up a committee substitute. The chair recognized Senator Nathan Johnson to explain the difference between the committee substitute and the house bill as engrossed. Senator Perry moved committee substitute be left pending to await a quorum; without objection, it was so ordered. 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 Perry moved that HB 2218 be left pending; without objection, it was so ordered.

The chair laid out HB 4712 and recognized Senator Creighton, 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 Perry moved that HB 4712 be left pending; without objection, it was so ordered.

The chair laid out HB 510 and recognized the Senate sponsor, Senator Schwertner, 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 Perry moved that HB 510 be left pending; without objection, it was so ordered.

The chair laid out HB 1263 and recognized Senator Creighton, in the absence of the Senate sponsor, to explain the bill. Senator Creighton sent up a committee substitute. The chair recognized Senator Creighton to explain the difference between the committee substitute and the house bill as engrossed. Senator Perry moved committee substitute be left pending to await a quorum; without objection, it was so ordered. 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 Perry moved that HB 1263 be left pending; without objection, it was so ordered.

The chair laid out HB 3668 and recognized the Senate sponsor, Senator Creighton, to explain the bill. Senator Creighton sent up a committee substitute. The chair recognized Senator Creighton to explain the difference between the committee substitute and the house bill as engrossed. Senator Perry moved committee substitute be left pending to await a quorum; 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 Perry moved that HB 3668 be left pending; without objection, it was so ordered.

The chair laid out HB 4166 and recognized Senator Creighton, 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 Perry moved that HB 4166 be left pending; without objection, it was so ordered.

Pursuant to a motion made by Senator Perry to suspend Senate Rules 11.10 and 11.18, the Chair reconvened the hearing at 4:01 PM along the back railing in the Senate Chamber. The Clerk called the roll and a quorum was established.

The chair laid out as a matter of pending business HB 510. Senator Rodríguez moved that HB 510 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 0 absent. Senator Johnson moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered. Senators Alvarado & Kolkhorst submitted motions in writing requesting unanimous consent to be shown voting aye on HB 510; without objection, it was so ordered.

The chair laid out as a matter of pending business HB 1059. Senator Rodríguez moved that HB 1059 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 0 absent. Senator Perry moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered. Senators Alvarado & Kolkhorst submitted motions in writing requesting unanimous consent to be shown voting aye on HB 1059; without objection, it was so ordered.

The chair laid out as a matter of pending business HB 1090. Senator Rodríguez moved that HB 1090 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 0 absent. Senator Rodríguez moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered. Senators Alvarado & Kolkhorst submitted motions in writing requesting unanimous consent to be shown voting aye on HB 1090; without objection, it was so ordered.

The chair laid out as a matter of pending business HB 1263. Senator Rodríguez moved adoption of the committee substitute which was previously sent up; without objection, it was so ordered. Senator Rodríguez moved that HB 1263 do not pass but that CSHB 1263 be reported back 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 0 absent. Senator Rodríguez 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 1964 and recognized Senator Alvarado, in the absence of the Senate sponsor, to explain the bill. Senator Alvarado sent up a committee substitute. The chair recognized Senator Alvarado to explain the difference between the committee substitute and the house bill as engrossed. Senator Alvarado moved adoption of the committee substitute; without objection, it was so ordered. Senator Alvarado moved that HB 1964 do not pass but that CSHB 1964 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, 0 nays, 0 present not voting, and 1 absent. Senator Rodríguez 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 2053. Senator Rodríguez moved adoption of the committee substitute which was previously sent up; without objection, it was so ordered. Senator Rodríguez moved that HB 2053 do not pass but that CSHB 2053 be reported back 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 0 absent. Senator Rodríguez 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 2218. Senator Rodríguez moved adoption of the committee substitute which was previously sent up; without objection, it was so ordered. Senator Rodríguez moved that HB 2218 do not pass but that CSHB 2218 be reported back 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 0 absent. Senator Kolkhorst 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 2345 and recognized the Senate sponsor, Senator Juan Hinojosa, to explain the difference between the committee substitute, which was previously sent up, and the house bill as engrossed. Senator Kolkhorst moved adoption of the committee substitute; without objection, it was so ordered. Senator Kolkhorst moved that HB 2345 do not pass but that CSHB 2345 be reported back 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 0 absent.

The chair laid out as a matter of pending business HB 3542. Senator Kolkhorst moved that HB 3542 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 0 absent. Senator Kolkhorst 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 3616. Senator Rodríguez moved that HB 3616 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 0 absent. Senator Rodríguez 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 3782. Senator Rodríguez moved adoption of the committee substitute which was previously sent up; without objection, it was so ordered. Senator Rodríguez moved that HB 3782 do not pass but that CSHB 3782 be reported back 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 0 absent. Senator Alvarado 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 4166. Senator Kolkhorst moved that HB 4166 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 0 absent. Senator Kolkhorst 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 4350. Senator Kolkhorst moved that HB 4350 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 0 absent. Senator Kolkhorst 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 4712. Senator Rodríguez moved that HB 4712 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 0 absent. Senator Rodríguez 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 HCR 140. Senator Kolkhorst moved that HCR 140 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 0 absent. Senator Creighton submitted a motion in writing requesting unanimous consent to be shown voting aye on HCR 140; without objection, it was so ordered.

The chair laid out as a matter of pending business HB 91. Senator Rodríguez moved that HB 91 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 0 absent. Senator Rodríguez 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 3668. The chair recognized Senator Kolkhorst to explain the difference between the committee substitute, which was previously sent up, and the house bill as engrossed. Senator Kolkhorst moved adoption of the committee substitute; without objection, it was so ordered. Senator Kolkhorst moved that HB 3668 do not pass but that CSHB 3668 be reported back 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 0 absent. Senator Kolkhorst moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

There was no action taken for the following bill(s):

HB 13

There being no further business, at 4:19 PM Senator Rodríguez moved that the Committee stand recessed subject to the call of the chair. Without objection, it was so ordered.

Senator Charles Perry, Chair

Leah Curren, Clerk