

MINUTES

SENATE COMMITTEE ON NATURAL RESOURCES

Tuesday, April 5, 2011

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 5, 2011, 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 Kevin Eltife
Senator Glenn Hegar
Senator Mike Jackson
Senator Robert Nichols
Senator Kel Seliger
Senator Carlos Uresti

MEMBERS ABSENT:

Senator Juan Hinojosa

The chair called the meeting to order at 9:06 AM. The following business was transacted:

The chair laid out SB 1301 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 Fraser moved that SB 1301 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 1301 do not pass but that CSSB 1301 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 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 1258 and recognized the author, Senator Duncan, to explain the bill. Senator Duncan sent up a committee substitute; the chair recognized Senator Duncan 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 that SB 1258 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 1258 do not pass but that CSSB 1258 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 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 1140 and recognized the author, Senator Watson, 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.

The roll was called at 9:26 AM. A quorum was present.

Senator Estes moved that SB 1140 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 1073 and recognized the author, Senator Jackson, to explain the bill. Senator Jackson sent up a committee substitute; the chair recognized Senator Jackson 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 1073 be left pending; without objection, it was so ordered.

The chair laid out SB 1361 and recognized the author, Senator Estes, 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 Estes moved that SB 1361 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 1492 and recognized the author, Senator Uresti, 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 Uresti moved that SB 1492 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 Uresti moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out SB 1082 and recognized the author, 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 SB 1082 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 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 1134 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 that SB 1134 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 1134 do not pass but that CSSB 1134 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 1132 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 that SB 1132 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 1132 do not pass but that CSSB 1132 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 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 1290 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 Fraser moved that SB 1290 be left pending; without objection, it was so ordered.

The chair laid out SB 1225 and recognized the author, Senator Hegar, to explain the bill.

Senator Fraser moved to limit testimony to 3 minutes; without objection, it was so ordered.

Senator Estes assumed the chair.

Senator Fraser resumed the chair.

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 1225 be left pending; without objection, it was so ordered.

The chair laid out SB 1504 and recognized the author, 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. 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 1504 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 SB 1504 do not pass but that CSSB 1504 be reported back to the Senate with the recommendation that it do pass and be printed.

Senator Seliger moved to reconsider the vote by which SB 1504 was reported favorably as substituted; without objection, it was so ordered. Senator Seliger moved to reconsider the vote by which the committee substitute for SB 1504 was adopted; without objection, it was so ordered. Senator Seliger sent up Committee Amendment 1 and explained the amendment. Senator Seliger moved adoption of Committee Amendment 1; without objection, the amendment it adopted. Senator Seliger moved adoption of the committee substitute for SB 1504; without objection, it is so ordered. Senator Seliger moved that the adopted Committee Amendment 1 and the adopted committee substitute be rolled into a new committee substitute and that the new committee substitute be adopted. Without objection, it was so ordered. Senator Seliger moved that SB 1504 do not pass but that CSSB 1504 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, 1 nay, 0 present not voting, and 3 absent.

At 10:58 AM Senator Fraser moved that the Committee stand recessed until 30 minutes after adjournment of the Senate. Without objection, it was so ordered.

At 1:34 PM Senator Fraser reconvened the meeting.

The chair laid out SB 1605 and recognized the author, 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. 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 Seliger moved adoption of the committee substitute; without objection, it was so ordered. Senator Seliger moved that SB 1605 do not pass but that CSSB 1605 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, 1 nay, 0 present not voting, and 2 absent.

At 1:52 PM the chair moved that the committee stand in recess for 2 minutes; without objection it was so ordered.

At 1:54 PM the committee came back to order.

The Chairman read Motions in Writing requesting unanimous consent to be shown voting aye submitted by the following: Senator Deuell on SB 1140, CSSB 1258, CSSB 1301, SB 1361, SB 1492, SB 1082, CSSB 1605; Senator Nichols on SB 1140, CSSB 1258, CSSB 1301, SB 1361, SB 1492, SB 1082; Senator Jackson on CSSB 1132 and CSSB 1134; Senator Uresti on CSSB 1132, CSSB 1134, and CSSB 1605; Senator Duncan on SB 1140, CSSB

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1258, CSSB 1301, SB 1361, SB 1492, SB 1082, CSSB 1504. These votes are reflected in the final votes on the aforementioned bills.

The Chairman read Motions in Writing requesting unanimous consent to be shown voting nay submitted by the following: Senator Uresti on CSSB 1504; Senator Duncan on CSSB 1605. These votes are reflected in the final votes on the aforementioned bills.

There being no further business, at 2:02 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