

## MINUTES

### SENATE COMMITTEE ON NATURAL RESOURCES

Thursday, May 12, 2011

9:00 AM

Capitol Extension, Room E1.012

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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 Thursday, May 12, 2011, in the Capitol Extension, Room E1.012, at Austin, Texas.

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#### **MEMBERS PRESENT:**

Senator Troy Fraser, Chair  
Senator Craig Estes, Vice Chair  
Senator Bob Deuell  
Senator Kevin Eltife  
Senator Glenn Hegar  
Senator Mike Jackson  
Senator Robert Nichols  
Senator Kel Seliger  
Senator Carlos Uresti

#### **MEMBERS ABSENT:**

Senator Robert Duncan  
Senator Juan Hinojosa

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The chair called the meeting to order at 9:04 AM. The following business was transacted:

The chair laid out HB 1403 and recognized the Senate sponsor, Senator Deuell, 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 Fraser moved that HB 1403 be left pending to await a quorum; without objection, it was so ordered. Upon arrival of a quorum, Senator Deuell moved that HB 1403 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, 1 nay, 0 present not voting, and 3 absent.

The chair laid out HB 1981 and recognized the Senate sponsor, Senator Gallegos, Jr., to explain the bill. Senator Nichols sent up a committee substitute; the chair recognized Senator Gallegos, Jr. to explain the difference between the committee substitute and the senate bill as filed.

Senator Deuell assumed the chair.

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 Deuell moved that HB 1981 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 HB 1981 do not pass but that CSHB 1981 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 HB 3002 and recognized Senator Nichols, in the absence of the Senate sponsor, 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. There were no witnesses registered on the bill. The chair moved that the public testimony be closed; without objection, it was so ordered. Senator Deuell moved that HB 3002 be left pending to await a quorum; without objection, it was so ordered. Upon arrival of a quorum, Senator Eltife moved adoption of the committee substitute; without objection, it was so ordered. Senator Eltife moved that HB 3002 do not pass but that CSHB 3002 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 Eltife moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out HB 2280 and recognized Senator Nichols, 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 Deuell moved that HB 2280 be left pending to await a quorum; without objection, it was so ordered. Upon arrival of a quorum, Senator Jackson moved that HB 2280 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 Jackson moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out HB 3818 and recognized Senator Nichols, 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 Deuell moved that HB 3818 be left pending to await a quorum; without objection, it was so ordered. Upon arrival of a quorum, Senator Estes moved that HB 3818 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 HB 3391 and recognized Senator Nichols, in the absence of the Senate sponsor, to explain the bill. Senator Deuell moved to limit testimony to 3 minutes; 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 Deuell moved that HB 3391 be left pending; without objection, it was so ordered.

The chair laid out HB 2826 and recognized Senator Nichols, 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 Deuell moved that HB 2826 be left pending to await a quorum; without objection, it was so ordered. Upon arrival of a quorum, Senator Estes moved that HB 2826 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 HB 3134 and recognized Senator Nichols, in the absence of the Senate sponsor, 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.

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 HB 3134 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 HB 3134 do not pass but that CSHB 3134 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.

Senator Hegar assumed the chair.

The chair laid out HB 725 and recognized the Senate sponsor, 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. Senator Nichols sent up Committee Amendment 1 and explained the amendment. 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 HB 725 be left pending to await a quorum; without objection, it was so ordered. Upon arrival of a quorum, Senator Estes assumed the chair. Senator Nichols moved adoption of Committee Amendment 1; without objection, the amendment was adopted. Senator Fraser moved adoption of the committee substitute; without objection, it was so ordered. Senator Fraser requested unanimous consent to incorporate the amendment into the committee substitute; without objection, it was so ordered. Senator Fraser then moved that the new committee substitute be adopted; without objection, it was so ordered. Senator Fraser moved that HB 725 do not pass but that CSHB 725 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 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 1930 and recognized the author, Senator Nelson, 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 Fraser moved that SB 1930 be left pending; without objection, it was so ordered.

At 10:17 AM Senator Fraser moved the Committee stand at ease for two minutes; without objection, it was so ordered.

At 10:27 AM the Committee came back to order.

At 10:28 AM the roll was called. A quorum was present.

The chair laid out as a matter of pending business HB 3272 and recognized the Senate sponsor, Senator Deuell, to explain the bill. Senator Deuell moved that HB 3272 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, 1 nay, 0 present not voting, and 2 absent.

There being no further business, at 10:31 AM Senator Fraser moved that the Committee stand recessed subject to the call of the chair. Without objection, it was so ordered.

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Senator Troy Fraser, Chair

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Tatum Reagan, Clerk