

MINUTES

SENATE COMMITTEE ON NATURAL RESOURCES

Tuesday, May 10, 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, May 10, 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 9:01 AM. The following business was transacted:

The chair laid out HB 3847 and recognized the Senate sponsor, Senator Eltife, 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 3847 be left pending to await a quorum; without objection, it was so ordered. Upon arrival of a quorum, Senator Eltife moved that HB 3847 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 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 3272 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 3272 be left pending; without objection, it was so ordered.

The chair laid out HB 960 and recognized Senator Eltife, 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 Fraser moved that HB 960 be left pending to await a quorum; without objection, it was so ordered. Upon arrival of a quorum, Senator Eltife moved that HB 960 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 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 240 and recognized Senator Deuell, in the absence of the Senate sponsor, 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 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 240 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 240 do not pass but that CSHB 240 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, 0 nays, 0 present not voting, and 1 absent. Senator Eltife moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

Senator Eltife assumed the chair.

The chair laid out HB 1906 and recognized the Senate sponsor, Senator Fraser, 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 Eltife moved that HB 1906 be left pending to await a quorum; without objection, it was so ordered. Upon arrival of a quorum, Senator Estes assumed the chair. Senator Fraser moved that HB 1906 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 Fraser moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out HB 2133 and recognized the Senate sponsor, Senator Fraser, 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 Eltife moved that HB 2133 be left pending; without objection, it was so ordered.

Senator Fraser resumed the chair.

The chair laid out HB 1814 and recognized the Senate sponsor, Senator Lucio, Jr., to explain the bill. Senator Fraser sent up Committee Amendment 1 and explained the amendment. 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 1814 be left pending to await a quorum; without objection, it was so ordered. Upon arrival of a quorum, Senator Estes assumed the chair. Senator Fraser moved adoption of Committee Amendment 1; without objection, the amendment was adopted. Senator Fraser requested unanimous consent to incorporate the amendment into the bill to create a committee substitute; without objection, it was so ordered.

Senator Fraser resumed the chair.

Senator Estes then moved that the committee substitute be adopted; without objection, it was so ordered. Senator Estes moved that HB 1814 do not pass but that CSHB 1814 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, 0 nays, 0 present not voting, and 1 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 2289 and recognized the Senate sponsor, Senator Jackson, 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 HB 2289 be left pending to await a quorum; without objection, it was so ordered. Upon arrival of a quorum, Senator Jackson moved that HB 2289 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 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 3372 and recognized the Senate sponsor, 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 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 3372 be left pending to await a quorum; without objection, it was so ordered. Upon arrival of a quorum, Senator Jackson moved adoption of the committee substitute; without objection, it was so ordered. Senator Jackson moved that HB 3372 do not pass but that CSHB 3372 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, 0 nays, 0 present not voting, and 1 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 2418 and recognized the Senate sponsor, Senator Patrick, 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 HB 2418 be left pending to await a quorum; without objection, it was so ordered. Upon arrival of a quorum, Senator Eltife moved that HB 2418 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 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 451 and recognized Senator Eltife, 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 Fraser moved that HB 451 be left pending to await a quorum; without objection, it was so ordered. Upon arrival of a quorum, Senator Hegar moved that HB 451 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 chair laid out HB 2859 and recognized Senator Eltife, in the absence of the Senate sponsor, 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 HB 2859 be left pending to await a quorum; without objection, it was so ordered. Upon arrival of a quorum, Senator Uresti moved that HB 2859 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 Uresti moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

Senator Fraser moved the Committee stand at ease until 10:15 AM. Without objection, it was so ordered.

At 10:20 AM the Committee came back to order.

At 10:21 AM the roll was called. A quorum was present.

The Chairman read Motions in Writing requesting unanimous consent to be shown voting aye submitted by the following: Senator Duncan on CSHB 240, HB 451, HB 960, CSHB 1814, HB 1906, HB 2289, HB 2418, HB 2859, CSHB 3372, and HB 3847; Senator Deuell on CSHB 240, HB 451, HB 960, CSHB 1814, HB 1906, HB 2289, HB 2418, HB 2859, CSHB 3372, and HB 3847; Senator Seliger on CSHB 240, HB 451, HB 960, CSHB 1814, HB 2289, HB 2418, HB 2859, CSHB 3372, and HB 3847. These votes are reflected in the final votes on the aforementioned bills.

There being no further business, at 10:32 AM 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