

L1903.9

N 219

68

5/11/83

c. 1



Senate  
Committee on Natural Resources

LEGISLATIVE REFERENCE LIBRARY  
P. O. BOX 12488 - CAPITOL STATION  
AUSTIN, TEXAS 78711  
MAY 11 1984

H. TATI SANTIESTEBAN  
Chairman  
LINDON WILLIAMS  
Vice Chairman

State Capitol, Room G 38C  
Austin, Texas 78711  
512/475 1554

Members  
J. E. "Buster" Brown  
Glenn Kothmann  
Ted Lyon  
John T. Montford  
Bill Sarpalius  
Bill Sims  
Carlos Truan  
Bob Vale  
Hector Uribe

Staff  
Connie Johnson  
Caroline Kaimen

MINUTES

SENATE COMMITTEE ON NATURAL RESOURCES

WEDNESDAY, MAY 11, 1983

LT. GOVERNOR'S COMMITTEE ROOM

CAPITOL BUILDING

\* \* \* \* \*

The Senate Committee on Natural Resources met in the Lt. Governor's Committee Room at 2 p.m. on Wednesday, May 11, 1983, to consider the following bills:

- |  |                               |
|--|-------------------------------|
| H.J.R. 24 Patterson, et al (Sarpalius) | S.B. 1373 (Whitmire)          |
| H.B. 369 Patterson, et al (Sarpalius)  | S.B. 1378 (Montford)          |
| S.R. 563 (Santiesteban)                | S.B. 1380 (Parmer)            |
| S.B. 730 (Leedom)                      | S.B. 1394 (Santiesteban)      |
| S.B. 751 (Uribe)                       | S.B. 1398 (Glasgow)           |
| H.B. 930 Uher (Sharp)                  | H.B. 1510 Wieting (Sarpalius) |
| H.B. 1304 Criss                        | H.B. 2165 DeLay (Brooks)      |
| S.B. 1348 (Farabee)                    | H.B. 2306 Whaley (Montford)   |
| S.B. 1350 (Caperton)                   | H.B. 2226 Davis (Sharp)       |
| S.B. 1354 (Parker)                     | S.B. 1005 (Mauzy)             |
| S.B. 1356 (Parker)                     | S.B. 859 (Truan)              |
| S.B. 1367 (Whitmire)                   |                               |

Chairman H. Tati Santiesteban called the meeting to order and called for Roll Call #1, resulting as follows:

PRESENT: Senators Santiesteban, Williams, Brown, Kothmann, Lyon, Montford, Sarpalius, Sims, Truan and Uribe.

ABSENT: Vale.

With a quorum being present, the Chairman explained that S.B. 730 by Leedom had been tagged and that the bill could not be heard during this meeting.

The Chair laid out H.B. 1304 and recognized Senator Brooks who testified on his committee substitute which was signed by the chair. Mr. Oury L. Selig, Port of Galveston, testified on the bill. There being no further witnesses to testify either for or against the bill, Senator Brown moved that the committee substitute for H.B. 1304 be adopted. There being no objections, the motion carried. Senator Brown further moved that the committee substitute for H.B. 1304 be reported back favorably to the Senate with the recommendation that it do pass and be printed. Roll Call #2 resulted in: 9 Ayes, 0 Nays, 2 Absent. The motion carried. On a motion by Senator Williams, the bill was unanimously approved for certification to the Local and Uncontested Calendar.

The Chair laid out H.B. 2165 and recognized Senator Brooks who explained his bill. There being no witnesses either for or against the bill, Senator Lyon moved that H.B. 2165 be reported back to the Senate with the recommendation that it do pass and be printed. Roll Call #3 resulted in: 10 Ayes, 0 Nays, 1 Absent. The bill was reported out. On a motion by Senator Lyon the bill was unanimously certified to the Local and Uncontested Calendar.

MINUTES

May 11, 1983

Page 2

The Chair laid out H.B. 1367 and recognized Senator Whitmire who explained his bill. Mr. Sam Dixon, Coastal Industrial Water Authority, and Susan Plettman, General Counsel for the Texas Department of Water Resources testified on the bill. There being no further witnesses to testify either for or against the bill, Senator Truan moved that S.B. 1367 be reported out with the recommendation that it do pass and be printed. Roll Call #4 resulted in: 9 Ayes, 0 Nays, 2 Absent. The motion carried. On a motion by Senator Truan, the bill was unanimously approved for certification to the Local and Uncontested Calendar.

The Chair laid out H.B. 930 and recognized Senator Sharp who explained his bill. There being no witnesses to testify either for or against the bill, Senator Sims moved that H.B. 930 be reported back to the Senate with the recommendation that it do pass and be printed. Roll Call #5 resulted in: 9 Ayes, 0 Nays, 2 Absent. On a motion by Senator Brown, the bill was unanimously recommended for certification to the Local and Uncontested Calendar.

The chair laid out H.B. 2226 and recognized Senator Sharp who explained his bill. There being no witnesses to testify either for or against the bill, Senator Brown moved that H.B. 2226 be reported back to the Senate with the recommendation that it do pass and be printed. Roll Call #6 resulted in: 9 Ayes, 0 Nays, 2 Absent. On a motion by Senator Brown, the bill was unanimously approved for recommendation to the Local and Uncontested Calendar.

The Chair laid out S.R. 563 and explained his resolution. There being no witnesses either for or against the bill, Senator Brown moved that S.R. 563 be reported back to the Senate with the recommendation that it do pass and be printed. Roll Call #7 resulted in: 9 Ayes, 0 Nays, 2 Absent. On a motion by the Chairman, the resolution was unanimously approved for the Local and Uncontested Calendar.

The Chair laid out S.B. 1350 and recognized Senator Caperton who explained his bill. There being no witnesses to testify either for or against the bill, Senator Brown moved that S.B. 1350 be reported back to the Senate with the recommendation that it do pass and be printed. Roll Call #8 resulted in: 9 Ayes, 0 Nays, 2 Absent. The motion carried. On a motion by Senator Brown, the bill was unanimously approved for certification to the Local and Uncontested Calendar.

The Chair laid out the subcommittee report on S.B. 1005 and recognized Senator Truan, subcommittee chairman. Senator Truan asked that Senator Mauzy, the bill's sponsor, explain the bill. Senator Mauzy explained the committee substitute. There being no witnesses to testify either for or against the bill, the chairman moved that the subcommittee report be adopted. There being no objections, the report was adopted. Senator Truan then moved that the committee substitute adopted in lieu thereof be reported back to the Senate with the recommendation that it do pass and be printed. Roll Call #9 resulted in: 9 Ayes, 0 Nays, 2 Absent. The motion carried.

The Chair laid out H.B. 854 and H.B. 2320 and recognized Senator Jones who explained his bills. There being no witnesses to testify either for or against the bill, Senator Sims moved that H.B. 854 be reported out with the recommendation that it do pass and be printed. Roll Call #10 resulted in: 10 Ayes, 0 Nays, 1 Absent. The motion carried. Senator Sims moved that H.B. 84 be recommended to the Local and Uncontested Calendar. The motion carried. Senator Sims further moved that H.B. 2320 be reported back to the Senate with the recommendation that it do pass and be printed. Roll Call #11 resulted in: 10 Ayes, 0 Nays, 1 Absent. The motion carried. On a motion by Senator Sims, H.B. 2320 was unanimously recommended for placement on the Local and Uncontested Calendar.

MINUTES

May 11, 1983

Page 3

The Chair laid out S.B. 1378 and recognized Senator Montford who explained his bill. There being no further witnesses to testify either for or against the bill, Senator Sims moved that S.B. 1378 be reported back to the Senate with the recommendation that it do pass and be printed. Roll Call #2 resulted in: 10 Ayes, 0 Nays, 1 Absent. The motion carried. On a motion by Senator Montford, the bill was unanimously recommended for placement to the Local and Uncontested Calendar.

The chair laid out H.B. 2306 and recognized Senator Montford who explained his bill. There being no witnesses either for or against the bill, Senator Montford moved that H.B. 2306 be reported back to the Senate with the recommendation that it do pass and be printed. Roll Call #13 resulted in: 9 Ayes, 0 Nays, 2 Absent. The motion carried. Senator Sims moved that H.B. 2306 be recommended for certification to the Local and Uncontested Calendar. There being no objections, the motion carried.

The Chair laid out H.J.R. 24 and H.B. 369 and recognized Senator Sarpalius who explained his resolution. He introduced the house sponsor of the bill, Representative Patterson who added testimony on H.J.R. 24 and H.B. 369. Signing a witness card in favor of the bill was Mr. J. E. Blakley, Texas Farmers Union. Jack Giberson, General Land Office, was available as a resource witness. There being no further witnesses to testify either on behalf of or against the bill, Senator Truan moved that H.J.R. 24 be reported back to the Senate with the recommendation that it do pass and be printed. Roll Call #14 resulted in: 10 Ayes, 0 Nays, 1 Absent. The motion carried.

Senator Truan then moved that H.B. 369 be reported back favorably to the Senate with the recommendation that it do pass and be printed. Roll Call #15 resulted in: 10 Ayes, 0 Nays, 1 Absent. The motion carried.

The chair laid out C.S.S.B. 1394 and explained his bill. Senator Sims moved that the committee substitute be adopted by the committee. Mr. Jim Bell, Parks and Wildlife, was available as a resource witness. There being no further witnesses to testify either for or against the bill, Senator Sims moved that C.S.S.B. 1394 be reported back favorably to the Senate with the recommendation that it do pass and be printed. Roll Call #16 resulted in: 8 Ayes, 0 Nays, 3 Absent. On a motion by the chair, the bill was unanimously approved for certification to the Local and Uncontested Calendar.

The chair laid out S.B. 1373 and recognized Senator Glasgow who explained his committee substitute. Judge George Crump, county judge, testified in favor of the committee substitute, which was sent up by Senator Montford. There being no further witnesses to testify either for or against the bill, Senator Montford moved that the committee substitute adopted in lieu thereof, be reported back favorably to the Senate with the recommendation that it do pass and be printed. Roll Call #17 resulted in: 9 Ayes, 0 Nays, 2 Absent. The motion carried. On a motion by the chair, the bill was unanimously approved for certification to the Local and Uncontested Calendar.

The Chair laid out S.B. 1398 and recognized Senator Glasgow. Mayor Yvonne A. Jenkins testified in favor of the bill. There being no further witnesses to testify either for or against the bill, Senator Montford moved that S.B. 1398 be reported back favorably to the Senate with the recommendation that it do pass and be printed. Roll Call #18 resulted in: 9 Ayes, 0 Nays, 2 Absent. The motion carried. On a motion by Senator Sims, S.B. 1398 was unanimously approved for certification to the Local and Uncontested Calendar.

The Chair laid out S.B. 1348 and recognized Senator Farabee who explained his bill. Mr. Rick Porter, Red River Authority of Texas, testified in favor of the bill. There being no further witnesses to testify either for or against the bill, Senator Truan moved that S.B. 1348 be reported back favorably to the Senate with the recommendation that it do pass and be printed. Roll Call #19 resulted in: 9 Ayes, 0 Nays, 2 Absent. The motion carried. On a motion by Senator Truan, the bill was unanimously certified for the Local and Uncontested Calendar.

MINUTES

May 11, 1983

Page 4

The Chair laid out C.S.S.B. 1380 (signed by Senator Sarpalius) and recognized Senator Parmer who explained the committee substitute. Testifying for the bill was Alan R. Erwin, Public Utility Commission, Sam F. Skinner, Public Utility Commission, Mr. Russell Smith, Texas Solar Energy Society and Anthony George was a resource witness. There being no further witnesses to testify either for or against the bill, Senator Sims moved that C.S.S.B. 1380 be reported back favorably to the Senate with the recommendation that it do pass and be printed. Roll Call #20 resulted in: 7 Ayes, 0 Nays, 1 Present, 3 Absent. The motion carried. The chair moved that the committee substitute be adopted. There were no objections.

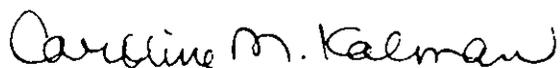
The Chair laid out H.B. 1510 and recognized Senator Sarpalius who explained his bill. Mr. Neville P. Clarke, Texas Agriculture Experimental Station, testified on behalf of the bill. There being no further witnesses either for or against the bill, Senator Sarpalius moved that H.B. 1510 be reported back favorably to the Senate with the recommendation that it do pass and be printed. Roll Call #21 resulted in: 8 Ayes, 0 Nays, 3 Absent. Senator Sarpalius moved that it be recommended for certification to the Local and Uncontested Calendar. There being no objections, the motion carried.

The Chair laid out S.B. 1356 and recognized Senator Parker who explained his bill. There being no witnesses either for or against the bill, Senator Williams moved that S.B. 1356 be reported back favorably to the Senate with the recommendation that it do pass and be printed. Roll Call #22 resulted in: 7 Ayes, 0 Nays, 4 Absent. The motion carried. On a motion by Senator Williams the bill was unanimously approved for the Local and Uncontested Calendar.

The Chair laid out S.B. 1354 and recognized Senator Parker who explained it. The following witnesses testified in favor of the bill: Dan Kubiak, Bluebonnet Electrical Cooperative; and Mr. A. W. Moursund, Pedernales Electric Coop., Inc., Texland Elec. Coop, Inc. Against the bill were; John C. Scanlan, Louis A. Ambrosio with First Boston, Corp. representing Lower Colorado River Authority; Marvin Selig, LCRA. Mr. Nub Donaldson, LCRA, signed a witness card against the bill. There being no further witnesses to testify either for or against the bill, Senator Williams moved that S.B. 1354 be reported back favorably to the Senate with the recommendation that it do pass and be printed. Roll Call #23 resulted in: 7 Ayes, 2 Nays, 2 Absent. The motion carried.

There being no further business to come before the committee, it was adjourned subject to the call of the chair.

Respectfully submitted,

  
Caroline M. Kalman  
Caroline Kalman