

## **BILL ANALYSIS**

Senate Research Center  
76R7978 MI-F

S.B. 707  
By: Carona  
Natural Resources  
3/17/1999  
Committee Report (Amended)

### **DIGEST**

Currently, the Texas Parks and Wildlife Department requires public utilities to obtain a permit for construction activities. This includes application submittal and possibly a lengthy public notice process depending on whether or not the executive director determines that the activity can be authorized under a general permit or an individual permit. S.B. 707 exempt certain entities from obtaining a permit for the construction of new utility lines.

### **PURPOSE**

As proposed, S.B. 707 exempts certain enties from sand and gravel permit requirements.

### **RULEMAKING AUTHORITY**

Rulemaking authority is granted to the Texas Parks and Wildlife Commission in SECTION 1 (Section 86.0191, Texas Parks and Wildlife Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 86.0191, Parks and Wildlife Code, to require the Texas Parks and Wildlife Commission (commission), by rule, to exempt entities from the requirements of this chapter regarding permits and fees required for disturbing or taking marl, sand, gravel, shell, and mudshell for noncommercial purposes when such disturbances or takings occur for maintenance projects or construction of new utility lines carried out by public utilities. Requires public utilities to make every reasonable effort to use best management practices established by the commission.

SECTION 2. Effective date: September 1, 1999.

SECTION 3. Emergency clause.

### **SUMMARY OF COMMITTEE CHANGES**

SECTION 1.

Amends Section 86.0191, Parks and Wildlife Code, by adding Subsection (b), to require public utilities to make every reasonable effort to use best management practices established by the commission. Makes a conforming change.