



# Legislative Update

**SME Meeting**  
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Presented by:

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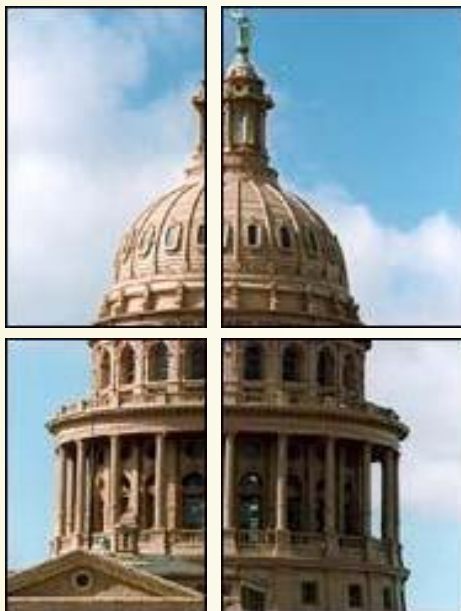
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# *News from the Texas Capitol 82<sup>nd</sup> Legislature*



## *Areas to be covered*

- I. Big Ticket Items
- II. Sunset Legislation
- III. Mining / Environmental Legislation

## ***82<sup>nd</sup> Legislature - Big Ticket Items***

- Budget
  - \$172.3 Billion for Biennium
  - Projected >\$20 Billion Dollar Budget Shortfall
  - Cuts in Services and State Agency Budgets
- Redistricting
  - Texas Senate
  - Texas House
  - U.S. House

## 82<sup>nd</sup> Legislature Statistics

Bill Type	Filed	Passed
House Bills	3865	797
Senate Bills	1931	582
House Joint Resolutions	154	3
Senate Joint Resolutions	53	8
House Concurrent Resolutions	173	101
Senate Concurrent Resolutions	60	41
Totals	6236	1532

## ***November 2010 Election Results***

### **Senate**

19 Republicans

12 Democrats

2 Freshmen Members

### **House**

101 Republicans

49 Democrats

35 Freshmen Members

## *House Environmental Regulation Committee*

- Chairman:** Wayne Smith - Baytown
- Vice Chair:** Jessica Farrar - Houston
- Membership:** Jose Aliseda - Beeville  
Lon Burnam - Forth Worth  
Warren Chisum - Pampa  
Kelly Hancock - Forth Worth  
Ken Legler - Pasadena  
Lanham Lyne - Wichita Falls  
Ron Reynolds – Missouri City

## *House Natural Resources Committee*

- Chairman:** Allan Ritter - Nederland
- Vice Chair:** Tracy O. King - Batesville
- Membership:** Marva Beck - Centerville  
Brandon Creighton - Conroe  
Chuck Hopson - Jacksonville  
Jim Keffer - Granbury  
Lyle Larson - San Antonio  
Eddie Lucio III - San Benito  
Trey Martinez Fischer - San Antonio  
Doug Miller - New Braunfels  
Walter "Four" Price - Amarillo



## *Senate Natural Resources Committee*

**Chairman:** Troy Fraser – Horseshoe Bay

**Vice Chair:** Craig Estes – Wichita Falls

**Membership:** Bob Deuell - Greenville

Robert Duncan - Lubbock

Kevin Eltife - Tyler

Glenn Hegar, Jr. - Katy

Juan “Chuy” Hinojosa - Mission

Mike Jackson – La Porte

Robert Nichols – Jacksonville

Kel Seliger - Amarillo

Carlos Uresti – San Antonio

## SB 1 – Appropriations / State Budget

### Railroad Commission of Texas (RCT) – Surface Mining and Reclamation Division (SMRD)

- original SB 1 made drastic cuts to SMRD.
- funding was restored during legislative process to return SMRD to full funding.

TCEQ – Radiation Materials Division = minor funding cuts did occur.

## ***Sunset Advisory Commission: What is it?***

- In 1977, the Texas Legislature created the Sunset Advisory Commission to identify and eliminate waste, duplication, and inefficiency in government agencies.
- The 12-member body of legislators and public members are appointed by the Lt. Governor and Speaker of the House.
- The Commission seeks public input through hearings on every agency under Sunset review and recommends actions on each agency to the full Legislature.

## *Sunset Advisory Commission Members*

### Senate Members:

- **Glenn Hegar, Jr., Chair**
- Juan "Chuy" Hinojosa
- Joan Huffman
- Robert Nichols
- John Whitmire
- Charles McMahan, Public Member

### House Members:

- **Dennis Bonnen, V- Chair**
- Carl Isett
- Linda Harper-Brown
- Rafael Anchia
- Byron Cook
- Lamont Jefferson, Public Member

## ***TCEQ Sunset Bill***

- **HB 2694** (Wayne Smith / Huffman). This bill is the TCEQ Sunset legislation which continues the TCEQ until 2023 and abolishes the On-site Wastewater Treatment Research Council.
- Specifically, HB 2694 establishes a requirement that each person who holds a water right issued by the commission or who impounds, diverts, or otherwise uses state water shall maintain water use information on a monthly basis during those months the water rights holder uses permitted water.
- Gives TCEQ Executive Director the authority to take steps to address drought conditions, such as temporarily suspend the right of any person who holds a water right to use the water; and adjusting the allocation of water between water rights holders.
- The bill also requires commission to exempt dams of a certain size and specification from dam safety requirements, and allows commission to enter into agreements with dam owners required to meet dam safety requirements to establish a timeline for such compliance.

## ***RCT Sunset Bill***

- SB 655 – RCT Sunset Legislation did not pass during Regular or Special Sessions.
- RCT part of Sunset safety net bill and continued for another two years.
- RCT will go through Sunset process again during the legislative interim and legislation will be needed to continue the agency.

## ***SB 1479 – RCT /TCEQ Coordination***

- **SB 1479 (Hegar)**. This legislation would have established increased coordination between the RCT and TCEQ on uranium mining matters to address complaints.
- SB 1479 did not receive a hearing in the Senate Natural Resources Committee and, therefore, did not pass.

## HB 3163 – PAA / Contested Case Hearings

- **HB 3163 (Hancock)**. The bill made revisions to Chapter 27 of the Water Code to reduce the types of PAA applications that would be subject to a contested case hearing.
- HB 3163 was passed out of the House Environmental Regulation Committee but was not placed on the House Calendar by the Calendars Committee. Therefore, HB 3163 did not pass this session.



## SB 15 – State Energy Policy

- SB 15 (Fraser) – This legislation would have established a State Energy Act and a Texas Energy Policy Council to plan for the development and utilization of energy in Texas.
- SB 15 included nuclear power as a component of State Energy Policy.
- SB 15 was passed out of the Senate and received a hearing in the House State Affairs Committee. But the House State Affairs Committee did not pass SB 15 out and, thus, SB 15 died this session.

## *Groundwater Ownership Bill*

- **SB 332** (Fraser/Ritter). The legislation addresses groundwater ownership issues, including the ownership interest in groundwater by a landowner beneath the surface and the right of the landowner to produce groundwater.

## Hydraulic Fracturing Disclosure Bill

- HB 3328 – amends the Natural Resources Code to establish a regulatory framework by which the composition of the fluids used in the hydraulic fracturing process are publicly disclosed.
- 
- Railroad Commission of Texas working on rules to create disclosure process.

# QUESTIONS

**Thank You For Coming**

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## ***Don't Mess With Texas' Water Bill***

- **HB 451** (Lucio III/Hegar) The bill establishes a Don't Mess with Texas Water program to prevent illegal dumping that affects the state's surface waters. TCEQ, with the cooperation of TxDOT, is required to place signs at major highway water crossings that notify drivers of a toll-free number to call to report illegal dumping to the appropriate law enforcement agency. Local governments may participate in the program.

## *Idling of Motor Vehicles*

- **SB 493** (Fraser/Wayne Smith). The legislation amends Chapter 382, Health and Safety Code, by allowing the "clean idle" engines to idle in this state as an exception to the rules relating to the idling of motor vehicles.
- Defines "idling" as allowing an engine to run while the motor vehicle is not engaged in forward or reverse motion and prohibits the commission from prohibiting or limiting the idling of any motor vehicle with a gross vehicle weight rating greater than 8,500 pounds that is equipped with a 2008 or subsequent model year heavy-duty diesel engine that has been certified by the United States Environmental Protection Agency or another state environmental agency to emit no more than 30 grams of nitrogen oxides emissions per hour when idling.