

BILL ANALYSIS

Senate Research Center

S.B. 728
By: Nelson
Natural Resources
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As Filed

DIGEST

Currently, regulations concerning the Superconducting Super Collider (SSC) research facility fall under the auspices of both the General Land Office (GLO) and the Texas National Research Laboratory Commission (NRLC). NRLC was created in 1985 to make the state's proposal for award of the U.S. Department of Energy's SSC project. After the SSC was awarded to Texas, NRLC began acquiring surface and subsurface acreage for construction and maintenance of the SSC tunnel and related facilities. The U.S. government has terminated the SSC project. NRLC will cease to exist on or before September 1, 1997. Because the NRLC will dissolve in the near future, its authority to manage, control, market, and dispose of the real property interest of the NRLC will likewise terminate. This bill would authorize the commissioner of GLO to deal with the status, control over, and disposition of state property relating to the SSC research facility. Additionally, this bill would transfer the powers and authority vested in NRLC to GLO.

PURPOSE

As proposed, S.B. 728 authorizes the commissioner of the General Land Office (GLO) to deal with the status, control over, and disposition of state property relating to the superconducting super collider research facility. Additionally, this bill transfers powers and authority of the Texas National Research Laboratory Commission to GLO.

RULEMAKING AUTHORITY

Rulemaking authority is granted to the commissioner of the General Land Office in SECTIONS 2, 3, and 4 (Sections 31.3041(c), 31.3042, and 31.307, Natural Resources Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 31, Natural Resources Code, by adding Section 31.068, as follows:

Sec. 31.068. DEDICATION OF ROADS. Provides that the legislature finds that the dedication to a county of roads on state land may enhance the value of the remaining state land. Authorizes the commissioner of the General Land Office (GLO), upon determining that such a dedication will enhance the value of remaining state land, to dedicate roads located on superconducting super collider research facility land to the county in which the roads are located.

SECTION 2. Amends Chapter 31, Natural Resources Code, by adding Section 31.3041, as follows:

Sec. 31.3041. DISPOSITION OF SUBSURFACE ESTATE. Defines "subsurface estate." Provides that unless the instrument of conveyance provides otherwise, any conveyance of the surface of real property of the state also conveys the subsurface estate of the state to the extent that the subsurface estate has not previously been conveyed or reserved. Authorizes the owner of the surface estate, upon payment of \$50, to receive a deed, which the commissioner is directed to issue, conveying the state's subsurface estate underlying the surface estate owned by the applicant. Requires the title to the subsurface estate, upon delivery of the state's deed to the applicant surface owner, to be reunited with the title to the surface estate. Authorizes the commissioner to adopt any rules necessary to implement this section.

SECTION 3. Amends Chapter 31, Natural Resources Code, by adding Section 31.3042, as follows:

Sec. 31.3042. DISPOSITION OF SURFACE ESTATE. Requires a person, or the heirs of a person, who conveyed a particular tract of land to the State of Texas for the use of the superconducting super collider research, to have a preference right to purchase the tract before the tract is made available for sale to any other person, provided the person having the preference right pays not less than the fair market value of the land as determined by an appraisal conducted by GLO. Prohibits this section from applying to subsurface estates. Defines a "subsurface estate." Authorizes the commissioner to adopt any rules necessary to implement this section.

SECTION 4. Amends Chapter 31, Natural Resources Code, by adding Section 31.307, as follows:

Sec. 31.307. TRANSFER OF POWER AND AUTHORITY. Provides that effective September 1, 1997, all the power and authority of the Texas National Research Laboratory Commission to manage, control, market, and dispose of real property and interests in real property, as set out in Chapter 465 of the Government Code, is transferred to GLO. Requires all the powers to which GLO shall succeed pursuant to this section to be in addition to, and not in derogation of, any other legal authority GLO has to acquire, manage, control, market, and dispose of property.

SECTION 5. Emergency clause.

Effective date: upon passage.