

BILL ANALYSIS

Senate Research Center

C.S.S.B. 728
By: Nelson
Natural Resources
4-6-97
Committee Report (Substituted)

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 certain authority vested in NRLC to GLO.

PURPOSE

As proposed, C.S.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 authority of the Texas National Research Laboratory Commission relating to the control, marketing, and disposing of real property and interests in real property relating to the superconducting super collider research facility to GLO.

RULEMAKING AUTHORITY

Rulemaking authority is granted to the commissioner of the General Land Office in SECTION 2 (Sections 31.308(d) and 31.309(d), Natural Resources Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 465.018, Government Code, by adding Subsection (d), to provide that the authority of the Texas Natural Research Laboratory Commission (NRLC) to manage, control, market, and dispose of real property and interests in real property is transferred to the General Land Office (GLO). Provides that the powers conferred on GLO under this subsection are in addition to and not in derogation of any other legal authority GLO has to acquire, manage, control, market, and dispose of real property.

SECTION 2. Amends Chapter 31G, Natural Resources Code, by adding Sections 31.307 - 31.309, as follows:

Sec. 31.307. DEDICATION OF ROADS. Authorizes the commissioner of GLO (commissioner) to dedicate roads located on the land used as the site for the superconducting super collider research facility to the county in which the roads are located if the commissioner believes that the dedication will enhance the value of remaining state land.

Sec. 31.308. CONVEYANCE OF SURFACE AND SUBSURFACE ESTATE. Defines "subsurface estate." Requires the commissioner to convey the state's interest in the subsurface estate underlying the surface estate of land used as the site for the superconducting super collider research facility if the owner of the surface estate pays a sum based on the value of the subsurface estate as determined by the commissioner. Provides that title to the

subsurface estate is reunited with the title to the surface estate. Provides that a conveyance of the surface estate of land by the state under this subchapter includes the conveyance of the subsurface estate to the extent of the state's interest in the subsurface estate. Authorizes the commissioner to adopt rules necessary to implement this section.

Sec. 31.309. PREFERENCE RIGHT TO PURCHASE CERTAIN LAND. Provides that a person or the person's heirs who conveyed land to the state for use by the superconducting super collider research facility has a preference right to purchase the same tract of land previously conveyed before the tract is offered for sale by the state to any other person. Requires a person who has a preference right under this section to pay at least the fair market value for the land as determined by an appraisal conducted by GLO. Provides that this section does not apply to a subsurface estate as defined by Section 31.308. Authorizes the commissioner to adopt rules necessary to implement this section.

SECTION 3. Effective date: September 1, 1997.

SECTION 4. Emergency clause.

SUMMARY OF COMMITTEE CHANGES

Revises proposed relating clause.

SECTION 1.

Amends Section 465.018, Government Code, to set forth and revise the transfer or power and authority between NRLC and GLO, originally set forth in SECTION 4, amending Chapter 31, Natural Resources Code.

SECTION 2.

Amends Chapter 31G, Natural Resources Code, to set forth and revise the proposed provisions relating to the disposition of certain state land used as the site for the superconducting super collider research facility, originally set forth in SECTIONS 1, 2, and 3, amending Chapter 31, Natural Resources Code.

SECTION 3.

Sets forth the effective date, originally set forth in SECTION 5.

SECTION 4.

Sets forth the emergency clause, originally set forth in SECTION 5.