

CHAPTER 639

H.B. No. 1938

AN ACT

relating to the creation of the Petroleum Storage Tank Advisory Committee.

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Section 1(2), Chapter 244, Acts of the 71st Legislature, Regular Session, 1989 (Article 8900, Vernon's Texas Civil Statutes), is amended to read as follows:

(2) "Committee" means the *Petroleum* [~~Underground~~] Storage Tank Advisory Committee.

SECTION 2. Section 10, Chapter 244, Acts of the 71st Legislature, Regular Session, 1989 (Article 8900, Vernon's Texas Civil Statutes), is amended to read as follows:

Sec. 10. ADVISORY COMMITTEE. (a) The *Petroleum* [~~Underground~~] Storage Tank Advisory Committee is established.

(b) The committee is composed of nine members appointed by the governor with the advice and consent of the senate. Committee members serve for staggered six-year terms, with the terms of three members expiring February 1 of each odd-numbered year. A member is not eligible for appointment to successive terms.

(c) The governor shall appoint *all members of the committee, of whom:* [~~one member from each of the following geographical areas of this state:~~

- ~~[(1) the Gulf Coast area;~~
- ~~[(2) the Trans Pecos area;~~
- ~~[(3) the central Texas area;~~
- ~~[(4) the northeast Texas area; and~~
- ~~[(5) the Panhandle-South Plains area.]~~

*(1) no more than three members may be appointed from a single metropolitan area;*

*(2) three [(d) Three] members [of the committee] must be persons with experience in the operation [installation] of underground storage tanks; [and who must obtain an installer's license from the commission within two years of the effective date of this Act.]*

*(3) one member [(e) Two members] must be a professional engineer [engineers] registered to practice in this state;[.]*

*(4) one [(f) One] member must be a person who is not eligible for a license under this Act but who has demonstrated experience in environmental protection, fire protection, or the operation and maintenance of underground storage tanks;[.]*

*(5) three [(g) Three] members must be persons who own construction firms engaged in installation of underground petroleum storage tanks [engineering construction] in the State of Texas; and*

*(6) one member must be a representative of the financial industry with experience in underground storage tank corrective action.*

*(d) [(h)] The governor annually shall designate one member to serve as chairman. The committee, at a minimum, shall meet quarterly, at the call of the chairman, or at the call of the chairman of the commission.*

*(e) [(i)] The committee shall provide technical expertise to the commission regarding petroleum [underground] storage tanks and shall advise the commission in the adoption of rules pertaining to the commission's petroleum storage tank program (31 TAC Chapter 334) and for the licensing and regulation of installers and corrective action specialists.*

~~[(j) A committee member is entitled to receive the compensatory per diem authorized by the General Appropriations Act for each day spent in performing the member's official duties, and to reimbursement for expenses incurred in performing those duties to the extent permitted by the General Appropriations Act.]~~

SECTION 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed by the House on April 30, 1993, by a non-record vote; passed by the Senate on May 24, 1993: Yeas 31, Nays 0.

Approved June 12, 1993.

Effective Aug. 30, 1993, 90 days after date of adjournment.