

**MINUTES**

**SENATE COMMITTEE ON BUSINESS & COMMERCE**

Tuesday, March 8, 2011

8:00 a.m.

Capitol Extension, Room E1.016

\*\*\*\*\*

Pursuant to a notice posted in accordance with Senate Rule 11.10 and 11.18, a public hearing of the Senate Committee on Business & Commerce was held on Tuesday, March 8, 2011, in the Capitol Extension, Room E1.016, at Austin, Texas.

\*\*\*\*\*

**MEMBERS PRESENT:**

Senator John Carona, Chair  
Senator Chris Harris, Vice Chair  
Senator Kevin Eltife  
Senator Craig Estes  
Senator Mike Jackson  
Senator Eddie Lucio, Jr.  
Senator Leticia Van de Putte  
Senator Kirk Watson  
Senator John Whitmire

**MEMBERS ABSENT:**

None

\*\*\*\*\*

The chair called the meeting to order at 8:00 a.m. The following business was transacted:

The chair laid out SB 773 and recognized the author, Senator Zaffirini, to explain the bill.

The chair laid out SB 834 and recognized the author, Senator Deuell, to explain the bill.

Witnesses testifying and registering on the bills are shown on the attached list.

The chair moved that the public testimony be closed; without objection, it was so ordered.

Senator Carona moved that SB 834 and SB 773 be left pending; without objection, it was so ordered.

At 8:11 a.m. a quorum was established.

The chair laid out SB 351 and recognized Senator Watson, in the absence of the author, to explain the bill.

Witnesses testifying and registering on the bill are shown on the attached list.

The chair moved that the public testimony be closed; without objection, it was so ordered.

Senator Carona moved that SB 351 be left pending; without objection, it was so ordered.

The chair laid out SB 566 and recognized Senator Watson, in the absence of the author, to explain the bill.

Senator Watson sent up a committee substitute; the chair recognized Senator Watson to explain the difference between the committee substitute and the senate bill as filed. Senator Watson moved adoption of the committee substitute; without objection, it was so ordered.

Witnesses testifying and registering on the bill are shown on the attached list.

The chair moved that the public testimony be closed; without objection, it was so ordered.

Senator Carona moved that CSSB 566 be left pending; without objection, it was so ordered.

The chair laid out SB 438 and recognized the author, Senator Nelson, to explain the bill.

Witnesses testifying and registering on the bill are shown on the attached list.

The chair moved that the public testimony be closed; without objection, it was so ordered.

Senator Carona moved that SB 438 be left pending; without objection, it was so ordered.

The chair laid out SB 621 and recognized the author, Senator Nelson, to explain the bill.

Witnesses testifying and registering on the bill are shown on the attached list.

The chair moved that the public testimony be closed; without objection, it was so ordered.

Senator Carona moved that SB 621 be left pending; without objection, it was so ordered.

The chair laid out SB 799 and recognized the author, Senator Nelson, to explain the bill.

Witnesses testifying and registering on the bill are shown on the attached list.

The chair moved that the public testimony be closed; without objection, it was so ordered.

Senator Carona moved that SB 799 be left pending; without objection, it was so ordered.

At 9:13 AM Senator Jackson assumed the chair.

The chair laid out SB 890 and recognized the author, Senator Carona, to explain the bill.

Witnesses testifying and registering on the bill are shown on the attached list.

The chair moved that the public testimony be closed; without objection, it was so ordered.

Senator Jackson moved that SB 890 be left pending; without objection, it was so ordered.

The chair laid out SB 892 and recognized the author, Senator Carona, to explain the bill.

Witnesses testifying and registering on the bill are shown on the attached list.

The chair moved that the public testimony be closed; without objection, it was so ordered.

Senator Jackson moved that SB 892 be left pending; without objection, it was so ordered.

The chair laid out SB 762 and recognized the author, Senator Carona, to explain the bill.

Senator Carona sent up a committee substitute; the chair recognized Senator Carona to explain the difference between the committee substitute and the senate bill as filed.

Witnesses testifying and registering on the bill are shown on the attached list.

The chair moved that the public testimony be closed; without objection, it was so ordered.

Senator Jackson moved that CSSB 762 be left pending; without objection, it was so ordered.

The chair laid out SB 889 and recognized the author, Senator Carona, to explain the bill.

Witnesses testifying and registering on the bill are shown on the attached list.

The chair moved that the public testimony be closed; without objection, it was so ordered.

Senator Jackson moved that SB 889 be left pending; without objection, it was so ordered.

The chair laid out SB 781 and recognized the author, Senator Carona, to explain the bill.

Senator Carona sent up a committee substitute; the chair recognized Senator Carona to explain the difference between the committee substitute and the senate bill as filed.

The chair moved that the public testimony be closed; without objection, it was so ordered.

Senator Jackson moved that SB CSSB 781 be left pending; without objection, it was so ordered.

At 9:26 AM Senator Carona resumed the chair.

The chair laid out SB 595 and recognized the author, Senator Ellis, to explain the bill.

Witnesses testifying and registering on the bill are shown on the attached list.

The chair moved that the public testimony be closed; without objection, it was so ordered.

Senator Carona moved that SB 595 be left pending; without objection, it was so ordered.

Senator Carona announced that the Committee would stand at ease until 10:15 a.m.

Senator Carona called the Committee to order at 10:16 a.m. A quorum was established, and the following business was transacted:

The chair laid out as a matter of pending business CSSB 566.

Senator Estes moved that SB 566 do not pass but that CSSB 566 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of

9 ayes, 0 nays, 0 present not voting, and 0 absent. Senator Van de Putte submitted a motion in writing requesting unanimous consent to be shown voting aye on CSSB 566.

Senator Estes moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out as a matter of pending business SB 351.

Senator Estes moved that SB 351 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 9 ayes, 0 nays, 0 present not voting, and 0 absent. Senator Van de Putte submitted a motion in writing requesting unanimous consent to be shown voting aye on SB 351

Senator Estes moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out as a matter of pending business SB 799.

Senator Lucio, Jr. moved that SB 799 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 9 ayes, 0 nays, 0 present not voting, and 0 absent. Senator Van de Putte submitted a motion in writing requesting unanimous consent to be shown voting aye on SB 799.

Senator Lucio, Jr. moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

At 10:18 AM Senator Watson assumed the chair.

The chair laid out as a matter of pending business SB 762.

Senator Carona sent up a committee substitute; the chair recognized Senator Carona to explain the difference between the committee substitute and the senate bill as filed. Senator Carona moved adoption of the committee substitute; without objection, it was so ordered.

Senator Carona moved that SB 762 do not pass but that CSSB 762 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 9 ayes, 0 nays, 0 present not voting, and 0 absent. Senator Van de Putte submitted a motion in writing requesting unanimous consent to be shown voting aye on CSSB 762.

Senator Carona moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out as a matter of pending business SB 781.

Senator Carona sent up a committee substitute; the chair recognized Senator Carona to explain the difference between the committee substitute and the senate bill as filed. Senator Carona moved adoption of the committee substitute; without objection, it was so ordered.

Senator Carona moved that SB 781 do not pass but that CSSB 781 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 9 ayes, 0 nays, 0 present not voting, and 0 absent. Senator Van de Putte submitted a motion in writing requesting unanimous consent to be shown voting aye on CSSB 781.

Senator Carona moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out as a matter of pending business SB 889.

Senator Carona moved that SB 889 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 9 ayes, 0 nays, 0 present not voting, and 0 absent. Senator Van de Putte submitted a motion in writing requesting unanimous consent to be shown voting aye on SB 889.

Senator Carona moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out as a matter of pending business SB 890.

Senator Carona moved that SB 890 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 9 ayes, 0 nays, 0 present not voting, and 0 absent. Senator Van de Putte submitted a motion in writing requesting unanimous consent to be shown voting aye on SB 890.

Senator Carona moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out as a matter of pending business SB 892.

Senator Carona moved that SB 892 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 9 ayes, 0 nays, 0 present not voting, and 0 absent. Senator Van de Putte submitted a motion in writing requesting unanimous consent to be shown voting aye on SB 892.

Senator Carona moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out as a matter of pending business SB 690 and recognized the author, Senator Carona, to explain the bill.

Senator Carona sent up a committee substitute and explained the difference between the committee substitute and the senate bill as filed.

Senator Lucio, Jr. sent up Committee Amendment 1 and moved adoption and requested unanimous consent to incorporate the amendment into the committee substitute; without objection, it was so ordered. Senator Carona then moved that the committee substitute as amended be adopted; without objection, it was so ordered.

Senator Carona moved that SB 690 do not pass but that CSSB 690 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 9 ayes, 0 nays, 0 present not voting, and 0 absent. Senator Van de Putte submitted a motion in writing requesting unanimous consent to be shown voting aye on CSSB 690.

Senator Carona moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

At 10:26 a.m. Senator Carona resumed the chair.

There being no further business, at 10:27 a.m. Senator Carona moved that the Committee stand recessed subject to the call of the chair. Without objection, it was so ordered.

**Senate Committee on Business & Commerce**

Minutes

Tuesday, March 8, 2011

Page 8

---

Senator John Carona, Chair

---

Kimberly Selinger, Clerk