

MINUTES

SENATE COMMITTEE ON BUSINESS & COMMERCE

Tuesday, March 22, 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 22, 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. There being a quorum present, the following business was transacted:

The chair laid out SB 504 and recognized the author, Senator Davis, to explain the bill.

Senator Watson sent up a committee substitute; the chair recognized Senator Davis 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 Carona moved that SB 504 be left pending; without objection, it was so ordered.

The chair laid out SB 864 and recognized the author, Senator Rodriguez, 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 864 be left pending; without objection, it was so ordered.

The chair laid out SB 579 and recognized the author, Senator Hegar, to explain the bill.

Senator Estes sent up a committee substitute; the chair recognized Senator Hegar 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 Carona moved that SB 579 be left pending; without objection, it was so ordered.

The chair laid out SB 1133 and recognized the author, Senator Hegar, to explain the bill.

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

Senator Carona moved that SB 1133 be left pending; without objection, it was so ordered.

The chair laid out SB 871 and recognized the author, Senator Lucio, to explain the bill.

Senator Lucio, Jr. sent up a committee substitute; the chair recognized Senator Lucio, Jr. 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 Carona moved that SB 871 be left pending; without objection, it was so ordered.

The chair laid out SB 249 and recognized the author, Senator Estes, 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 249 be left pending; without objection, it was so ordered.

The chair laid out SB 740 and recognized Senator Lucio, Jr., 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 740 be left pending; without objection, it was so ordered.

The chair laid out SB 767 and recognized Senator Lucio, Jr., in the absence of the author, to explain the bill.

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

Senator Carona moved that SB 767 be left pending; without objection, it was so ordered.

Senator Van de Putte was recognized by the chair to explain written testimony regarding SB 782.

At 9:24 a.m. Senator Harris assumed the chair.

The chair laid out SB 1166 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.

The chair moved that SB 1166 be left pending; without objection, it was so ordered.

The chair laid out SB 1167 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. Senator Carona 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.

The chair moved that SB 1167 be left pending; without objection, it was so ordered.

The chair laid out SB 1165 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. Senator Carona 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.

The chair moved that SB 1165 be left pending; without objection, it was so ordered.

The chair laid out SB 1124 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. Senator Carona 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.

The chair moved that SB 1124 be left pending; without objection, it was so ordered.

The chair laid out SB 1008 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.

The chair moved that SB 1008 be left pending; without objection, it was so ordered.

The chair laid out SB 1125 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. Senator Carona 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.

The chair moved that SB 1125 be left pending; without objection, it was so ordered.

The chair laid out SB 981 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. Senator Carona 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.

The chair moved that SB 981 be left pending; without objection, it was so ordered.

At 10:14 a.m. Senator Carona resumed the chair.

At 10:14 a.m. Senator Carona moved that the committee stand at ease temporarily. Without objection, it was so ordered.

At 10:25 a.m. Senator Carona reconvened the Senate Committee on Business and Commerce; there being a quorum present the following business was transacted:

The chair called up SB 871. Senator Lucio, Jr. moved adoption of the committee substitute to SB 871; without objection, it was so ordered.

Senator Lucio, Jr. moved that SB 871 do not pass but that CSSB 871 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. Senators Van de Putte and Whitmire submitted motions in writing requesting unanimous consent to be shown voting aye on CSSB 871.

The chair called up SB 864. Senator Watson moved that SB 864 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. Senators Van de Putte and Whitmire submitted motions in writing requesting unanimous consent to be shown voting aye on SB 864.

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

The chair called up SB 579. Senator Carona moved adoption of the committee substitute to SB 579; without objection, it was so ordered.

Senator Estes moved that CSSB 579 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. Senators Van de Putte and Whitmire submitted motions in writing requesting unanimous consent to be shown voting aye on CSSB 579.

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

The chair called up SB 249. Senator Estes moved that SB 249 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. Senators Van de Putte and Whitmire submitted motions in writing requesting unanimous consent to be shown voting aye on SB 249.

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

The chair called up SB 1133. Senator Estes moved adoption of the committee substitute to SB 1133; without objection, it was so ordered.

Senator Estes moved that SB 1133 do not pass but that CSSB 1133 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. Senators Van de Putte and Whitmire submitted motions in writing requesting unanimous consent to be shown voting aye on CSSB 1133.

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

The chair called up SB 855. Senator Estes moved that SB 855 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. Senators Van de Putte and Whitmire submitted motions in writing requesting unanimous consent to be shown voting aye on SB 855.

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

The chair called up SB 438. Senator Watson sent up a committee substitute to SB 438; 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.

Senator Watson moved that CSSB 438 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. Senators Van de Putte and Whitmire submitted motions in writing requesting unanimous consent to be shown voting aye on CSSB 438.

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

The chair called up SB 1000. Senator Eltife sent up a committee substitute to SB 1000; the chair recognized Senator Eltife to explain the difference between the committee substitute and the senate bill as filed. Senator Eltife moved adoption of the committee substitute; without objection, it was so ordered.

Senator Eltife moved that SB 1000 do not pass but that CSSB 1000 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. Senators Van de Putte and Whitmire submitted motions in writing requesting unanimous consent to be shown voting aye on CSSB 1000.

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

At 10:35 a.m. Senator Harris assumed the chair.

The chair called up SB 1166. Senator Carona moved that SB 1166 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. Senators Van de Putte and Whitmire submitted motions in writing requesting unanimous consent to be shown voting aye on SB 1166.

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

The chair called up CSSB 1167. Senator Carona moved that SB 1167 do not pass but that CSSB 1167 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. Senators Van de Putte and Whitmire submitted motions in writing requesting unanimous consent to be shown voting aye on CSSB 1167.

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

The chair called up CSSB 1165. Senator Carona moved that SB 1165 do not pass but that CSSB 1165 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. Senators Van de Putte and Whitmire submitted motions in writing requesting unanimous consent to be shown voting aye on CSSB 1165.

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

The chair called up CSSB 1124. Senator Carona moved that SB 1124 do not pass but that CSSB 1124 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. Senators

Van de Putte and Whitmire submitted motions in writing requesting unanimous consent to be shown voting aye on CSSB 1124.

The chair called up SB 1008. Senator Carona moved that SB 1008 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. Senators Van de Putte and Whitmire submitted motions in writing requesting unanimous consent to be shown voting aye on SB 1008.

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

The chair called up CSSB 981. Senator Carona moved that SB 981 do not pass but that CSSB 981 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. Senators Van de Putte and Whitmire submitted motions in writing requesting unanimous consent to be shown voting aye on CSSB 981.

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

The chair called up SB 782. Senator Carona sent up a committee substitute to SB 782; 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 782 do not pass but that CSSB 782 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. Senators Van de Putte and Whitmire submitted motions in writing requesting unanimous consent to be shown voting aye on CSSB 782.

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

The chair called up SB 17. Senator Carona sent up a committee substitute to SB 17; the chair recognized Senator Carona to explain the difference between the committee substitute and the senate bill as filed. Senator Carona moved that the previously adopted committee substitute be pulled down and moved adoption of the new committee substitute; without objection, it was so ordered.

Senator Carona moved that SB 17 do not pass but that CSSB 17 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 8 ayes, 1 nays, 0 present not voting, and 0 absent. Senators Van de Putte, Jackson, and Whitmire submitted motions in writing requesting unanimous consent to be shown voting aye on CSSB 17.

The chair called up SB 982. Senator Carona sent up a committee substitute to SB 982; 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 982 do not pass but that CSSB 982 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. Senators Van de Putte, Jackson and Whitmire submitted motions in writing requesting unanimous consent to be shown voting aye on CSSB 982.

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

At 10:49 a.m. Senator Carona resumed the chair.

There being no further business, at 10:50 a.m. Senator Carona moved that the committee stand recessed subject to the call of the chair. Without objection, it was so ordered.

Senator John Carona, Chair

Kimberly Selinger, Clerk