

MINUTES

SENATE COMMITTEE ON BUSINESS & COMMERCE

Tuesday, March 29, 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 29, 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., and the following business was transacted:

The chair announced that SB 1217 and SB 1309 would not be taken up by the committee.

The chair laid out SB 1150 and recognized the author, Senator Seliger, 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 1150 be left pending; without objection, it was so ordered.

Senate Committee on Business & Commerce

Minutes

Tuesday, March 29, 2011

Page 2

The chair laid out SB 1230 and recognized the author, Senator Estes, to explain the bill.

Senator Estes sent up a committee substitute; the chair recognized Senator Estes to explain the difference between the committee substitute and the senate bill as filed. Senator Estes 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 1230 be left pending; without objection, it was so ordered.

The chair laid out SB 1501 and recognized the author, Senator Watson, 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 1501 be left pending; without objection, it was so ordered.

The chair laid out SB 1153 and recognized the author, Senator Williams, to explain the bill.

Senator Eltife sent up a committee substitute; the chair recognized Senator Williams 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 CSSB 1153 be left pending; without objection, it was so ordered.

A quorum was established at 8:22 a.m.

The chair laid out SB 937 and recognized the author, Senator Lucio, Jr., 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 Lucio, Jr. 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 937 be left pending; without objection, it was so ordered.

At 8:42 a.m. Senator Harris assumed the chair.

The chair laid out SB 1693 and recognized the author, Senator Carona, to explain the bill.

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

At 9:05 a.m. Senator Whitmire assumed the chair.

At 9:08 a.m. Senator Harris resumed the chair.

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

Senator Carona moved that SB 1693 be left pending; without objection, it was so ordered.

The chair laid out SB 1087 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 Carona moved that SB 1087 be left pending; without objection, it was so ordered.

The chair laid out SB 1219 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.

The chair moved that SB 1219 be left pending; without objection, it was so ordered.

At 9:34 A.M. Senator Carona resumed the chair.

At 9:34 a.m. Senator Carona moved that the committee stand at ease temporarily. Without objection, it was so ordered.

At 9:45 a.m. Senator Carona reconvened the Senate Committee on Business and Commerce; there being a quorum present the following business was transacted:

Senator Carona called up CSSB 1230.

Senator Estes moved that CSSB 1230 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 in CSSB 1230.

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

Senator Carona called up SB 1150.

Senator Estes moved that SB 1150 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 in SB 1150.

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

Senator Carona called up CSSB 1501.

Senator Watson moved that CSSB 1501 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 in CSSB 1501.

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

Senator Carona called up CSSB 1153.

Senator Eltife moved that CSSB 1153 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 in CSSB 1153.

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

Senator Carona called up CSSB 937.

Senator Lucio, Jr. moved that CSSB 937 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 Carona recognized Senator Harris. Senator Harris moved to reconsider the vote by which CSSB 1000 was reported; without objection, it was so ordered. Senator Eltife moved to withdraw CSSB 1000; without objection, it was so ordered. Senator Carona moved that SB 1000 be left pending; without objection, it was so ordered.

Senator Carona called up SB 773 as pending business.

Senator Eltife sent up a committee substitute; the chair recognized Erika Akpan 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 773 do not pass but that CSSB 773 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 nay, 0 present not voting, and 0 absent.

At 9:54 A.M. Senator Harris assumed the chair.

The chair called up SB 1087. Senator Carona sent up CSSB 1087 Committee Amendment 1 and moved adoption of Amendment 1; the motion carried with a record vote of 7 ayes, 2 nays, 0 present not voting, and 0 absent.

Senator Carona sent up Committee Amendment 2 and moved adoption of Amendment 2; the motion carried with a record vote of 7 ayes, 2 nays, 0 present not voting, and 0 absent.

Senator Carona sent up Committee Amendment 3 and moved adoption of Amendment 3; the motion carried with a record vote of 8 ayes, 1 nays, 0 present not voting, and 0 absent.

Senator Carona sent up Committee Amendment 4 and moved adoption of Amendment 4; the motion carried with a record vote of 7 ayes, 2 nays, 0 present not voting, and 0 absent.

Senator Carona requested unanimous consent to incorporate the amendments into the committee substitute; without objection, it was so ordered. Senator Carona then moved that the new committee substitute as amended be adopted; without objection, it was so ordered. Senator Carona moved that SB 1087 do not pass but that CSSB 1087 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 nay, 0 present not voting, and 0 absent.

The chair called up SB 980, SB 984, SB 985, and SB 986.

Senator Carona sent up a committee substitute to SB 986; 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 986 do not pass but that CSSB 986 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 Carona moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

Senator Carona sent up a committee substitute to SB 985; the chair recognized Senator Carona to explain the difference between the committee substitute and the senate bill as filed. Senator Jackson moved adoption of the committee substitute; without objection, it was so ordered.

Senator Carona moved that SB 985 do not pass but that CSSB 985 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 Jackson moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

Senator Carona sent up a committee substitute to SB 984; 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 984 do not pass but that CSSB 984 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 Carona moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

Senator Carona sent up a committee substitute to SB 980; 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 980 do not pass but that CSSB 980 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 Eltife moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

At 10:09 A.M. Senator Carona resumed the chair.

There being no further business, at 10:10 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 29, 2011

Page 8

Senator John Carona, Chair

Kimberly Selinger, Clerk