

MINUTES

SENATE COMMITTEE ON BUSINESS & COMMERCE

Tuesday, April 12, 2011

7:30 AM

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, April 12, 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 7:30 AM. There being a quorum present, the following business was transacted:

The chair laid out SB 63 and recognized the author, Senator Zaffirini, to explain the bill.

Senator Watson sent up a committee substitute; the chair recognized Senator Zaffirini 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 63 be left pending; without objection, it was so ordered.

The chair laid out SB 1054 and recognized the author, Senator Hegar, 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 1054 be left pending; without objection, it was so ordered.

The chair laid out SB 1291 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 1291 be left pending; without objection, it was so ordered.

The chair laid out SB 1332 and recognized the author, Senator Deuell, to explain the bill.

Senator Estes sent up a committee substitute; the chair recognized Senator Deuell 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 1332 be left pending; without objection, it was so ordered.

The chair laid out SB 1274 and recognized the author, Senator Williams, to explain the bill.

Senator Jackson sent up a committee substitute; the chair recognized Senator Williams 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 1274 be left pending; without objection, it was so ordered.

The chair laid out SB 1425 and recognized the author, Senator Wentworth, to explain the bill.

Senator Harris sent up a committee substitute; the chair recognized Senator Wentworth 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 1425 be left pending; without objection, it was so ordered.

The chair laid out SB 1229 and recognized the author, Senator Eltife, 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 1229 be left pending; without objection, it was so ordered.

The chair laid out SB 1300 and recognized the author, Senator Jackson, to explain the bill.

Senator Jackson sent up a committee substitute; the chair recognized Senator Jackson 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 1300 be left pending; without objection, it was so ordered.

The chair laid out SB 1319 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.

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 1319 be left pending; without objection, it was so ordered.

The chair laid out SB 1320 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.

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 1320 be left pending; without objection, it was so ordered.

The chair laid out SB 1457 and recognized the author, Senator Harris, to explain the bill.

Witnesses testifying and registering on the bill are shown on the attached list. Senator Carona moved that testimony on SB 1457 be left open; without objection, it was so ordered.

Senator Carona moved that SB 1457 be left pending; without objection, it was so ordered.

The chair laid out SB 1568 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 1568 be left pending; without objection, it was so ordered.

The chair laid out SB 1656 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.

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 1656 be left pending; without objection, it was so ordered.

At 10:23 AM Senator Lucio, Jr. assumed the chair.

The chair laid out SB 1431 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 Lucio, Jr. moved that SB 1431 be left pending; without objection, it was so ordered.

The chair laid out SB 1433 and recognized the author, Senator Carona, to explain the bill.

There being no one present wishing to provide oral testimony for, on, or against on SB 1433, Senator Lucio, Jr. moved that SB 1433 be left pending; without objection, it was so ordered.

The chair laid out SB 1456 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 Lucio, Jr. moved that SB 1456 be left pending; without objection, it was so ordered.

At 10:31 AM Senator Carona resumed the chair.

At 10:31 AM Senator Carona moved that the committee stand recessed subject to the call of the chair. Without objection, it was so ordered.

Pursuant to the suspension of Senate Rules 11.10 and 11.18, the chair reconvened the Senate Committee on Business and Commerce at 12:38 p.m. in E1.028.

There being a quorum present, the following business was transacted:

The chair called up SB 1054.

Senator Estes moved that SB 1054 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 Whitmire and Harris submitted motions in writing requesting unanimous consent to be shown voting aye on SB 1054.

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 1229.

Senator Eltife moved that SB 1229 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 Whitmire and Harris submitted motions in writing requesting unanimous consent to be shown voting aye on SB 1229.

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

The chair called up SB 1291.

Senator Carona moved adoption of the committee substitute; without objection, it was so ordered.

Senator Estes moved that SB 1291 do not pass but that CSSB 1291 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 Whitmire and Harris submitted motions in writing requesting unanimous consent to be shown voting aye on CSSB 1291.

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 1568.

Senator Estes moved that SB 1568 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 Whitmire and Harris submitted motions in writing requesting unanimous consent to be shown voting aye on SB 1568.

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 1319.

Senator Carona moved adoption of the committee substitute; without objection, it was so ordered.

Senator Lucio, Jr., moved that SB 1319 do not pass but that CSSB 1319 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 Whitmire and Harris submitted motions in writing requesting unanimous consent to be shown voting aye on CSSB 1319.

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

The chair called up SB 1656.

Senator Carona moved adoption of the committee substitute; without objection, it was so ordered.

Senator Watson moved that SB 1656 do not pass but that CSSB 1656 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 Whitmire and Harris submitted motions in writing requesting unanimous consent to be shown voting aye on CSSB 1656.

The chair called up SB 1332.

Senator Jackson moved adoption of the committee substitute; without objection, it was so ordered.

Senator Jackson moved that SB 1332 do not pass but that CSSB 1332 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 Whitmire and Harris submitted motions in writing requesting unanimous consent to be shown voting aye on CSSB 1332.

The chair called up SB 1320.

Senator Carona moved adoption of the committee substitute; without objection, it was so ordered.

Senator Lucio, Jr., moved that SB 1320 do not pass but that CSSB 1320 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 Whitmire and Harris submitted motions in writing requesting unanimous consent to be shown voting aye on CSSB 1320.

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

The chair called up SB 1300.

Senator Carona moved adoption of the committee substitute; without objection, it was so ordered.

Senator Jackson moved that SB 1300 do not pass but that CSSB 1300 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 Whitmire and Harris submitted motions in writing requesting unanimous consent to be shown voting aye on CSSB 1300.

The chair called up SB 767.

Senator Carona moved adoption of the committee substitute; without objection, it was so ordered.

Senator Watson moved that SB 767 do not pass but that CSSB 767 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, 0 nays, 0 present not voting, and 1 absent. Senator Whitmire submitted a motion in writing requesting unanimous consent to be shown voting aye on CSSB 767.

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 1450.

Senator Carona moved adoption of the committee substitute; without objection, it was so ordered.

Senator Watson moved that SB 1450 do not pass but that CSSB 1450 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 7 ayes, 2 nays, 0 present not voting, and 0 absent. Senator Whitmire submitted a motion in writing requesting unanimous consent to be shown voting aye on CSSB 1450. Senator Harris submitted a motion in writing requesting unanimous consent to be shown voting nay on CSSB 1450.

At 12:46 PM Senator Watson assumed the chair.

The chair called up SB 1431.

The chair moved adoption of the committee substitute; without objection, it was so ordered.

Senator Carona, moved that SB 1431 do not pass but that CSSB 1431 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 Whitmire and Harris submitted motions in writing requesting unanimous consent to be shown voting aye on CSSB 1431.

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 1433.

Senator Carona, moved that SB 1433 pass and 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 Whitmire and Harris submitted motions in writing requesting unanimous consent to be shown voting aye on SB 1433.

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 1219.

The chair pulled down the previously laid out committee substitute and 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 1219 do not pass but that CSSB 1219 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 Whitmire and Harris submitted motions in writing requesting unanimous consent to be shown voting aye on CSSB 1219.

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 1434.

Senator Carona moved that the previously adopted substitute be pulled down; without objection, it was so ordered.

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 1434 do not pass but that CSSB 1434 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 Whitmire and Harris

submitted motions in writing requesting unanimous consent to be shown voting aye on CSSB 1434.

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 1693.

The chair pulled down the previously laid out committee substitute and 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 1693 do not pass but that CSSB 1693 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 Whitmire and Harris submitted motions in writing requesting unanimous consent to be shown voting aye on CSSB 1693.

At 12:54 PM Senator Carona assumed the chair.

There being no further business, at 12:54 PM 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