

MINUTES

SENATE COMMITTEE ON BUSINESS & COMMERCE

Tuesday, May 3, 2011

8:00 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, May 3, 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

MEMBERS ABSENT:

Senator John Whitmire

The chair called the meeting to order at 8:02 AM. There being a quorum present, the following business was transacted:

The chair laid out HB 2376 and recognized the Senate sponsor, 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 HB 2376 be left pending; without objection, it was so ordered.

The chair laid out HB 2582 and recognized Senator Lucio, Jr., in the absence of the Senate sponsor, 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 HB 2582 be left pending; without objection, it was so ordered.

The chair laid out HB 1064 and recognized the Senate sponsor, 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 HB 1064 be left pending; without objection, it was so ordered.

The chair laid out HB 1952 and recognized the Senate sponsor, Senator Eltife, to explain the bill.

There being no one present wishing to provide oral testimony for, on, or against on HB 1952, the chair moved that HB 1952 be left pending; without objection, it was so ordered.

The chair laid out HB 1953 and recognized the Senate sponsor, Senator Eltife, to explain the bill.

There being no one present wishing to provide oral testimony for, on, or against on HB 1953, the chair moved that HB 1953 be left pending; without objection, it was so ordered.

The chair laid out SB 712 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 712 be left pending; without objection, it was so ordered.

The chair laid out HB 2680 and recognized the Senate sponsor, 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 HB 2680 be left pending; without objection, it was so ordered.

The chair laid out HB 2503 and recognized the Senate sponsor, 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 HB 2503 be left pending; without objection, it was so ordered.

The chair laid out HB 2559 and recognized the Senate sponsor, Senator Harris, 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 HB 2559 be left pending; without objection, it was so ordered.

At 8:47 AM Senator Harris assumed the chair.

The chair laid out HB 2375 and recognized the Senate sponsor, Senator Carona, to explain the bill.

There being no one present wishing to provide oral testimony for, on, or against on HB 2375, Senator Carona moved that HB 2375 be left pending; without objection, it was so ordered.

The chair laid out HB 3287 and recognized the Senate sponsor, Senator Carona, to explain the bill.

There being no one present wishing to provide oral testimony for, on, or against on HB 3287, Senator Carona moved that HB 3287 be left pending; without objection, it was so ordered.

At 8:51 AM Senator Carona resumed the chair.

The chair called up SB 712 as pending business.

Senator Eltife moved that SB 712 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 7 ayes, 1 nay, 0 present not voting, and 1 absent. Senator Van de Putte submitted a motion in writing requesting unanimous consent to be shown voting aye on SB 712.

The chair called up HB 1064 as pending business.

Senator Eltife moved that HB 1064 be reported favorably 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 Van de Putte submitted a motion in writing requesting unanimous consent to be shown voting aye on HB 1064.

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 HB 1952 as pending business.

Senator Eltife moved that HB 1952 be reported favorably 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 Van de Putte submitted a motion in writing requesting unanimous consent to be shown voting aye on HB 1952.

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 HB 1953 as pending business.

Senator Eltife moved that HB 1953 be reported favorably 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 Van de Putte submitted a motion in writing requesting unanimous consent to be shown voting aye on HB 1953.

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 HB 2503 as pending business.

Senator Eltife moved that HB 2503 be reported favorably 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 Van de Putte submitted a motion in writing requesting unanimous consent to be shown voting aye on HB 2503.

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 HB 2582 as pending business.

Senator Lucio, Jr., moved that HB 2582 be reported favorably 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 Van de Putte submitted a motion in writing requesting unanimous consent to be shown voting aye on HB 2582.

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 HB 2559 as pending business.

Senator Harris moved that HB 2559 be reported favorably 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 Van de Putte submitted a motion in writing requesting unanimous consent to be shown voting aye on HB 2559.

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

The chair called up HB 2680 as pending business.

Senator Estes moved that HB 2680 be reported favorably 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 Van de Putte submitted a motion in writing requesting unanimous consent to be shown voting aye on HB 2680.

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 HB 2376 as pending business.

Senator Watson sent up Committee Amendment 1 and moved adoption; without objection, the amendment was adopted.

Senator Watson requested unanimous consent to incorporate the amendments into the bill to create a committee substitute; without objection, it was so ordered. Senator Watson then moved that the committee substitute be adopted; without objection, it was so ordered. Senator Watson moved that HB 2376 do not pass but that CSHB 2376 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 Van de Putte submitted a motion in writing requesting unanimous consent to be shown voting aye on HB 2376.

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

At 8:58 AM Senator Harris assumed the chair.

The chair called up HB 2375 as pending business.

Senator Carona moved that HB 2375 be reported favorably 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 Van de Putte submitted a motion in writing requesting unanimous consent to be shown voting aye on HB 2375.

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 HB 3287 as pending business.

The chair moved that HB 3287 be reported favorably 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 Van de Putte submitted a motion in writing requesting unanimous consent to be shown voting aye on HB 3287.

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

At 9:01 AM Senator Carona resumed the chair.

The chair called up SB 1409 as pending business.

The chair moved that SB 1409 be left pending and laid out HB 1936 in lieu of SB 1409 and explained HB 1936.

Senator Lucio, Jr., moved that HB 1936 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 6 ayes, 2 nays, 0 present not voting, and 1 absent. Senator Van de Putte submitted a motion in writing requesting unanimous consent to be shown voting aye on HB 1936.

The chair called up SB 1388 as pending business.

The chair moved that SB 1388 be left pending and laid out HB 2012 in lieu of SB 1388 and explained HB 2012.

Senator Watson moved that HB 2012 be reported favorably 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 Van de Putte submitted a motion in writing requesting unanimous consent to be shown voting aye on HB 2012.

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 1567 as pending business.

The chair moved that SB 1567 be left pending and laid out HB 1753 in lieu of SB 1567 and explained HB 1753.

Senator Watson moved that HB 1753 be reported favorably 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 Van de Putte submitted a motion in writing requesting unanimous consent to be shown voting aye on HB 1753.

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

At 9:05 AM Senator Harris assumed the chair.

The chair called up SB 1372 as pending business.

The chair moved that SB 1372 be left pending and laid out HB 1625 in lieu of SB 1372 and explained HB 1625.

Senator Carona moved that HB 1625 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 7 ayes, 1 nays, 0 present not voting, and 1 absent. Senator Van de Putte submitted a motion in writing requesting unanimous consent to be shown voting aye on HB 1625.

The chair called up SB 1456 as pending business.

The chair moved that SB 1456 be left pending and laid out HB 2991 in lieu of SB 1456 and explained HB 2991.

Senator Carona moved that HB 2991 be reported favorably 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 Van de Putte submitted a motion in writing requesting unanimous consent to be shown voting aye on HB 2991.

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

At 9:08 AM Senator Carona resumed the chair.

There being no further business, at 9:08 AM 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, May 3, 2011

Page 9

Senator John Carona, Chair

Kimberly Selinger, Clerk