

MINUTES

SENATE COMMITTEE ON BUSINESS & COMMERCE

Tuesday, May 10, 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 10, 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 HB 2067 and recognized the Senate sponsor, 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 HB 2067 be left pending; without objection, it was so ordered.

The chair laid out HB 2468 and recognized the Senate sponsor, Senator Seliger, to explain the bill.

There being no one present wishing to provide oral testimony for, on, or against on HB 2468, Senator Carona moved that HB 2468 be left pending; without objection, it was so ordered.

The chair laid out HB 989 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 989 be left pending; without objection, it was so ordered.

The chair laid out HB 2615 and recognized the Senate sponsor, Senator Rodríguez, to explain the bill.

There being no one present wishing to provide oral testimony for, on, or against on HB 2615, Senator Carona moved that HB 2615 be left pending; without objection, it was so ordered.

The chair laid out SB 301 and recognized the author, Senator Wentworth, to explain the bill.

Senator Lucio, Jr. 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 301 be left pending; without objection, it was so ordered.

The chair laid out SB 923 and recognized the author, Senator Deuell, to explain the bill.

Senator Jackson 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 923 be left pending; without objection, it was so ordered.

The chair laid out HB 3389 and recognized the Senate sponsor, Senator Watson, to explain the bill.

There being no one present wishing to provide oral testimony for, on, or against on HB 3389, Senator Carona moved that HB 3389 be left pending; without objection, it was so ordered.

The chair laid out HB 1123 and recognized the Senate sponsor, Senator West, to explain the bill.

Senator Lucio, Jr. sent up Committee Amendment 1.

There being no one present wishing to provide oral testimony for, on, or against on HB 1123, Senator Carona moved that HB 1123 be left pending; without objection, it was so ordered.

The chair laid out HB 2342 and recognized the Senate sponsor, Senator Watson, to explain the bill.

There being no one present wishing to provide oral testimony for, on, or against on HB 2342, Senator Carona moved that HB 2342 be left pending; without objection, it was so ordered.

The chair laid out HB 2033 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 2033, Senator Carona moved that HB 2033 be left pending; without objection, it was so ordered.

The chair laid out HB 2727 and recognized the Senate sponsor, Senator Whitmire, 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 2727 be left pending; without objection, it was so ordered.

The chair laid out HB 602 and recognized the Senate sponsor, Senator Lucio, Jr., 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 602 be left pending; without objection, it was so ordered.

The chair laid out SB 1459 and moved that SB 1459 be left pending and laid out HB 8 in lieu of SB 1459 and recognized the author, 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 8 be left pending; without objection, it was so ordered.

At 9:36 a.m. Senator Harris assumed the chair.

The chair laid out HB 2495 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 2495, Senator Carona moved that HB 2495 be left pending; without objection, it was so ordered.

The chair laid out HB 3004 and recognized the Senate sponsor, 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 HB 3004 be left pending; without objection, it was so ordered.

The chair laid out HB 3141 and recognized the Senate sponsor, Senator Carona, to explain the bill.

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

Senator Carona moved that HB 3141 be left pending; without objection, it was so ordered.

The chair laid out HB 3487 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 3487, Senator Carona moved that HB 3487 be left pending; without objection, it was so ordered.

The chair laid out SB 1599 and moved that SB 1599 be left pending and laid out HB 2699 in lieu of SB 1599 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 HB 2699 be left pending; without objection, it was so ordered.

The chair laid out HB 3570 and recognized the Senate sponsor, 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 HB 3570 be left pending; without objection, it was so ordered.

At 9:52 a.m. Senator Carona resumed the chair.

At 9:53 a.m. Senator Carona moved that the committee stand at ease temporarily. Without objection, it was so ordered.

At 10:00 a.m. Senator Carona called the Senate Committee on Business and Commerce back to order.

The chair called up HB 989 as pending business.

Senator Estes moved that HB 989 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 Van de Putte submitted motions in writing requesting unanimous consent to be shown voting aye on HB 989.

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 1123 as pending business.

Senator Lucio, Jr. moved adoption of Committee Amendment 1; without objection, the amendment was adopted.

Senator Lucio, Jr. moved that HB 1123, as amended, 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 Van de Putte submitted motions in writing requesting unanimous consent to be shown voting aye on HB 1123.

The chair called up HB 2033 as pending business.

Senator Eltife moved that HB 2033 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 Van de Putte submitted motions in writing requesting unanimous consent to be shown voting aye on HB 2033.

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 2067 as pending business.

Senator Estes moved that HB 2067 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 Van de Putte submitted motions in writing requesting unanimous consent to be shown voting aye on HB 2067.

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 2342 as pending business.

Senator Watson moved that HB 2342 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 Van de Putte submitted motions in writing requesting unanimous consent to be shown voting aye on HB 2342.

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 HB 2468 as pending business.

Senator Watson moved that HB 2468 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 Whitmire submitted a motion in writing requesting unanimous consent to be shown voting aye on HB 2468.

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 HB 2615 as pending business.

Senator Watson moved that HB 2615 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 Whitmire submitted a motion in writing requesting unanimous consent to be shown voting aye on HB 2615.

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 HB 2727 as pending business.

Senator Watson moved that HB 2727 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 Whitmire submitted a motion in writing requesting unanimous consent to be shown voting aye on HB 2727.

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 3389 as pending business.

Senator Watson moved that HB 3389 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 nay, 0 present not voting, and 0 absent. Senator Whitmire submitted a motion in writing requesting unanimous consent to be shown voting aye on HB 3389.

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 923 as pending business.

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

Senator Eltife moved that SB 923 do not pass but that CSSB 923 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 Whitmire submitted a motion in writing requesting unanimous consent to be shown voting aye on CSSB 923.

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 1425 as pending business.

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

Senator Lucio, Jr. moved that SB 1425 do not pass but that CSSB 1425 be reported back 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 Whitmire submitted a motion in writing requesting unanimous consent to be shown voting aye on CSSB 1425.

The chair called up SB 590 as pending business and moved that SB 590 be left pending and laid out HB 1390 in lieu of SB 590.

Senator Estes moved that HB 1390 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 Whitmire submitted a motion in writing requesting unanimous consent to be shown voting aye on HB 1390.

The chair called up SB 1375 as pending business and moved that SB 1375 be left pending and laid out HB 1401 in lieu of SB 1375.

Senator Estes moved that HB 1401 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 Whitmire submitted a motion in writing requesting unanimous consent to be shown voting aye on HB 1401.

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

At 10:15 a.m. Senator Watson assumed the chair.

The chair called up HB 2495 as pending business.

Senator Carona moved that HB 2495 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 Whitmire submitted a motion in writing requesting unanimous consent to be shown voting aye on HB 2495.

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 3004 as pending business.

Senator Carona moved that HB 3004 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 Whitmire submitted a motion in writing requesting unanimous consent to be shown voting aye on HB 3004.

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 3141 as pending business.

Senator Carona moved that HB 3141 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 Whitmire submitted a motion in writing requesting unanimous consent to be shown voting aye on HB 3141.

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 3487 as pending business.

Senator Carona moved that HB 3487 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 Whitmire submitted a motion in writing requesting unanimous consent to be shown voting aye on HB 3487.

The chair called up HB 3570 as pending business.

Senator Carona moved that HB 3570 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 Whitmire submitted a motion in writing requesting unanimous consent to be shown voting aye on HB 3570.

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 2699 as pending business.

Senator Carona moved that HB 2699 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 Whitmire submitted a motion in writing requesting unanimous consent to be shown voting aye on HB 2699.

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 734 as pending business and moved that SB 734 be left pending and laid out HB 1146 in lieu of SB 734.

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 HB 1146 do not pass but that CSHB 1146 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 CSHB 1146.

At 10:23 a.m. Senator Carona resumed the chair.

There being no further business, at 10:24 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