

MINUTES

SENATE COMMITTEE ON GOVERNMENT ORGANIZATION

Monday, May 16, 2011

9:00 AM

Betty King Committee Room

Pursuant to a notice posted in accordance with Senate Rule 11.10 and 11.18, a public hearing of the Senate Committee on Government Organization was held on Monday, May 16, 2011, in the Betty King Committee Room at Austin, Texas.

MEMBERS PRESENT:

Senator Rodney Ellis, Chair
Senator Glenn Hegar, Vice Chair
Senator Brian Birdwell
Senator Eddie Lucio, Jr.
Senator Jane Nelson
Senator John Whitmire

MEMBERS ABSENT:

Senator Steve Ogden

The chair called the meeting to order at 9:05 AM. There being a quorum present, the following business was transacted:

The chair laid out HB 1247 and recognized the Senate sponsor, Senator Birdwell, to explain the bill.

No witnesses testified or registered on the bill. The chair moved that the public testimony be closed; without objection, it was so ordered.

Senator Ellis moved that HB 1247 be left pending; without objection, it was so ordered.

The chair laid out HCR 24 and recognized Senator Hegar to explain the bill on behalf of the Senate sponsor, Senator Duncan.

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Witnesses testifying 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 Ellis moved that HCR 24 be left pending; without objection, it was so ordered.

The chair laid out HB 1818 and recognized Senator Hegar to explain the bill on behalf of the Senate sponsor, Senator Hinojosa.

Senator Hegar sent up a committee substitute; the chair recognized Senator Hegar to explain the difference between the committee substitute and the house bill as engrossed. Senator Hegar 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 Hegar sent up Committee Amendment 1 and explained the amendment. Amendment 1 was withdrawn.

Senator Ellis moved that HB 1818 be left pending; without objection, it was so ordered.

The chair laid out HB 2608 and recognized Senator Hegar to explain the bill on behalf of the Senate sponsor, Senator Hinojosa.

Senator Hegar sent up a committee substitute; the chair recognized Senator Hegar to explain the difference between the committee substitute and the house bill as engrossed. Senator Hegar 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 Hegar sent up Committee Amendment 1 (lead agency in disaster) on behalf of Senator Hinojosa and moved adoption; without objection, the amendment was adopted.

Senator Hegar requested unanimous consent to incorporate the amendments into a committee substitute; without objection, it was so ordered. Senator Hegar then moved that the committee substitute be adopted; without objection, it was so ordered.

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Senator Hegar sent up Committee Amendment 2 (SB 759) on behalf of Senator West and explained the amendment. Amendment 2 was withdrawn.

Senator Lucio, Jr. sent up Committee Amendment 3 (boot strap) and explained the amendment. Amendment 3 was withdrawn.

Senator Hegar sent up Committee Amendment 4 (TDHC flexibility) and explained the amendment. Amendment 4 was withdrawn.

Senator Lucio, Jr. sent up Committee Amendment 5 (Sec. of State) and explained the amendment. Amendment 5 was withdrawn.

Senator Ellis moved that HB 2608 be left pending; without objection, it was so ordered.

The chair laid out HB 2632 and recognized the Senate sponsor, Senator Wentworth, to explain the bill.

Witnesses 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 Hegar moved that HB 2632 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 5 ayes, 0 nays, 0 present not voting, and 2 absent.

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

The chair laid out HB 2769 and recognized the Senate sponsor, Senator Wentworth, to explain the bill.

Witnesses 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 Hegar moved that HB 2769 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 5 ayes, 0 nays, 0 present not voting, and 2 absent.

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

The chair laid out HB 3395 and recognized the Senate sponsor, 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 house bill as engrossed. Senator Lucio, Jr. moved adoption of the committee substitute; without objection, it was so ordered.

Witnesses testifying 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 Ellis moved that HB 3395 be left pending; without objection, it was so ordered.

The chair laid out HB 2518 and recognized Senator Hegar to explain the bill on behalf of the Senate sponsor, Senator Ogden.

Witnesses 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 Ellis moved that HB 2518 be left pending; without objection, it was so ordered.

The chair laid out HB 2549 and recognized Senator Hegar to explain the bill on behalf of the Senate sponsor, Senator Estes.

No witnesses testified or registered on the bill. The chair moved that the public testimony be closed; without objection, it was so ordered.

Senator Ellis moved that HB 2549 be left pending; without objection, it was so ordered.

The chair laid out HB 2004 and recognized Senator Hegar to explain the bill on behalf of the Senate sponsor, Senator Jackson.

Witnesses 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.

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Senator Hegar sent up Committee Amendment 1 (minimum bid) and explained the amendment. Amendment 1 was left pending to await a quorum.

Senator Hegar sent up Committee Amendment 2 (mineral rights) and explained the amendment. Amendment 2 was left pending to await a quorum.

Senator Ellis moved that HB 2004 be left pending; without objection, it was so ordered.

The chair laid out HB 3333 and recognized the Senate sponsor, Senator Hegar, to explain the bill.

Senator Hegar sent up a committee substitute; the chair recognized Senator Hegar to explain the difference between the committee substitute and the house bill as engrossed. Senator Hegar moved adoption of the committee substitute; without objection, it was so ordered.

Witnesses 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 Hegar moved that HB 3333 do not pass but that CSHB 3333 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 5 ayes, 0 nays, 0 present not voting, and 2 absent.

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

The chair laid out HB 3404 and recognized Senator Hegar to explain the bill on behalf of the Senate sponsor, Senator Watson.

Witnesses 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 Ellis moved that HB 3404 be left pending; without objection, it was so ordered.

The chair laid out HB 1781 and recognized Senator Hegar to explain the bill on behalf of the Senate sponsor, Senator Nelson.

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Senator Hegar sent up a committee substitute; the chair recognized Senator Hegar to explain the difference between the committee substitute and the house bill as engrossed. Senator Hegar moved adoption of the committee substitute; without objection, it was so ordered.

Witnesses 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 Ellis moved that HB 1781 be left pending; without objection, it was so ordered.

The chair laid out HB 2139 and recognized Senator Hegar to explain the bill on behalf of the Senate sponsor, Senator Zaffirini.

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 Ellis moved that HB 2139 be left pending; without objection, it was so ordered.

The chair laid out HB 2608 as previously explained.

Senator Hegar sent up Committee Amendment 6 (central business districts) to HB 2608 and recognized Senator Ellis to explain the amendment. Amendment 6 was withdrawn.

Senator Ellis moved that HB 2608 be left pending; without objection, it was so ordered.

The chair laid out HCR 24 as previously explained.

Senator Hegar moved that HCR 24 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 5 ayes, 0 nays, 0 present not voting, and 2 absent.

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

The chair laid out CSHB 1818 as previously explained.

Senator Hegar moved that HB 1818 do not pass but that CSHB 1818 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 5 ayes, 0 nays, 0 present not voting, and 2 absent.

The chair laid out CSHB 3395 as previously explained.

Senator Hegar moved that HB 3395 do not pass but that CSHB 3395 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 5 ayes, 0 nays, 0 present not voting, and 2 absent.

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

The chair laid out HB 2518 as previously explained.

Senator Hegar moved that HB 2518 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 5 ayes, 0 nays, 0 present not voting, and 2 absent.

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

The chair laid out HB 2004 as previously explained.

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

Senator Hegar sent up Committee Amendment 2 and moved adoption; without objection, the amendment was adopted.

Senator Hegar requested unanimous consent to incorporate the amendments into a committee substitute; without objection, it was so ordered. Senator Hegar then moved that the committee substitute be adopted; without objection, it was so ordered. Senator Hegar moved that HB 2004 do not pass but that CSHB 2004 be reported back to the Senate with the recommendation that it do pass and be printed.

The motion carried with a record vote of 5 ayes, 0 nays, 0 present not voting, and 2 absent.

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

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The chair laid out HB 1781 as previously explained. Senator Hegar moved that HB 1781 do not pass but that CSHB 1781 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 5 ayes, 0 nays, 0 present not voting, and 2 absent.

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

The chair laid out HB 3404 as previously explained.

Senator Hegar moved that HB 3404 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 5 ayes, 0 nays, 0 present not voting, and 2 absent.

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

The chair laid out HB 2139 as previously explained.

Senator Hegar moved that HB 2139 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 5 ayes, 0 nays, 0 present not voting, and 2 absent.

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

There being no further business, at 10:26 AM Senator Ellis moved that the Committee stand recessed subject to the call of the chair. Without objection, it was so ordered.

At 1:29 PM Senator Ellis reconvened the meeting.

The chair laid out as a matter of pending business HB 2549.

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

Senator Nelson requested unanimous consent to incorporate the amendment into a committee substitute; without objection, it was so ordered. Senator Hegar then moved that the committee

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substitute be adopted; without objection, it was so ordered. Senator Hegar moved that HB 2549 do not pass but that CSHB 2549 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, 0 nays, 0 present not voting, and 1 absent.

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

The chair laid out as a matter of pending business CSHB 2608.

Senator Hegar sent up Committee Amendment 7 and moved adoption; without objection, the amendment was adopted.

Senator Hegar requested unanimous consent to incorporate the amendment into a committee substitute; without objection, it was so ordered. Senator Hegar then moved that the committee substitute be adopted; without objection, it was so ordered. Senator Hegar moved that HB 2608 do not pass but that CSHB 2608 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, 0 nays, 0 present not voting, and 1 absent.

Senator Whitmire requested unanimous consent to be shown voting with the chair on the previous bill; without objection it was so ordered.

There being no further business, at 1:42 PM Senator Ellis moved that the Committee stand recessed subject to the call of the chair. Without objection, it was so ordered.

Senator Rodney Ellis, Chair

Jessica Schleifer, Clerk