

## MINUTES

### SENATE COMMITTEE ON STATE AFFAIRS

Monday, April 4, 2011

9:00 AM

Senate Chamber

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Pursuant to a notice posted in accordance with Senate Rule 11.10 and 11.18, a public hearing of the Senate Committee on State Affairs was held on Monday, April 4, 2011, in the Senate Chamber.

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**MEMBERS PRESENT:**

Senator Robert Duncan, Chair  
Senator Bob Deuell, Vice Chair  
Senator Rodney Ellis  
Senator Troy Fraser  
Senator Joan Huffman  
Senator Mike Jackson  
Senator Eddie Lucio, Jr.  
Senator Leticia Van de Putte  
Senator Tommy Williams

**MEMBERS ABSENT:**

None

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The chair called the meeting to order at 9:10 AM. The following business was transacted:

The chair laid out SB 303 and recognized the author, Senator Nichols, to explain the bill. The chair opened public testimony. 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 Duncan moved that SB 303 be left pending; without objection, it was so ordered.

The chair laid out SB 1612 and recognized Senator Williams, in the absence of the author, to explain the bill. Senator Williams sent up a committee substitute; the chair recognized Senator Williams to explain the difference between the committee substitute and the senate bill as filed. The chair opened public testimony. 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.

There being a quorum present, the clerk called the roll. The following members arrived after the roll was called:

Senator Bob Deuell

Senator Troy Fraser

Senator Jackson moved adoption of the committee substitute; without objection, it was so ordered. Senator Duncan moved that SB 1612 be left pending; without objection, it was so ordered.

The chair laid out SB 1545 and recognized the author, Senator Patrick, to explain the bill. The chair opened public testimony. 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 Duncan moved that SB 1545 be left pending; without objection, it was so ordered.

The chair laid out as a matter of pending business SB 904 and recognized the author, Senator Patrick, to explain the bill. Senator Duncan sent up Committee Amendment 1 and moved adoption; without objection, the amendment was adopted. Senator Duncan moved that SB 904 be left pending; without objection, it was so ordered.

The chair laid out SB 511 and recognized the author, Senator Van de Putte, to explain the bill. Senator Van de Putte sent up a committee substitute; the chair recognized Senator Van de Putte to explain the difference between the committee substitute and the senate bill as filed. The chair opened public testimony. 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 Duncan moved that SB 511 be left pending; without objection, it was so ordered.

The chair laid out SB 554 and recognized Senator Jackson, in the absence of the author, 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. Senator Duncan moved adoption of the committee substitute; without objection, it was so ordered. The chair opened public testimony. 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 Duncan moved that SB 554 be left pending; without objection, it was so ordered.

The chair laid out SB 1565 and recognized Senator Van de Putte, in the absence of the author, to explain the bill. Senator Van de Putte sent up a committee substitute; the chair recognized Senator Van de Putte to explain the difference between the committee substitute and the senate bill as filed. The chair opened public testimony. 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 Duncan moved that SB 1565 be left pending; without objection, it was so ordered.

The chair laid out SB 1039 and recognized the author, Senator Ellis, to explain the bill. The chair opened public testimony. 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 Duncan moved that SB 1039 be left pending; without objection, it was so ordered.

The chair laid out SB 1213 and recognized Senator Jackson, in the absence of the author, to explain the bill. The chair opened public testimony. 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 Duncan moved that SB 1213 be left pending; without objection, it was so ordered.

Senator Deuell assumed the chair.

The chair laid out SB 1661 and recognized the author, Senator Duncan, to explain the bill. Senator Duncan sent up a committee substitute; the chair recognized Senator Duncan to explain the difference between the committee substitute and the senate bill as filed. The chair opened public testimony. 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 Deuell moved that SB 1661 be left pending; without objection, it was so ordered.

The chair laid out SB 1718 and SJR 45 and recognized the author, Senator Duncan, to explain the bill and resolution. The chair opened public testimony on both SB 1718 and SJR 45. 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 Deuell moved that SB 1718 and SJR 45 be left pending; without objection, it was so ordered.

There being no further business, at 1:15 PM Senator Duncan moved that the Committee stand recessed until after adjournment of the Senate. Without objection, it was so ordered.

At 6:05 PM Senator Duncan reconvened the meeting.

Senator Deuell assumed the chair.

The chair laid out SB 1667 and recognized the author, Senator Duncan, to explain the bill. The chair opened public testimony. 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 Deuell moved that SB 1667 be left pending; without objection, it was so ordered.

The chair laid out SB 1668 and recognized the author, Senator Duncan, to explain the bill. The chair opened public testimony. 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 Deuell moved that SB 1668 be left pending; without objection, it was so ordered.

The chair laid out SB 1669 and recognized the author, Senator Duncan, to explain the bill. The chair opened public testimony. 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 Deuell moved that SB 1669 be left pending; without objection, it was so ordered.

Senator Duncan resumed the chair and moved that the committee stand at ease; without objection, it was so ordered.

The chair reconvened the meeting at 6:30 PM. There being a quorum present, the following business was transacted:

The chair laid out as a matter of pending business SB 554. Senator Jackson previously sent up a committee substitute. Senator Duncan moved adoption of the committee substitute; without objection, it was so ordered. Senator Jackson moved that SB 554 do not pass but that CSSB 554 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 Deuell 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 SB 1545. Senator Van de Putte moved that SB 1545 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 Deuell 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 CSSB 1612 and recognized the author, Senator Ogden, to explain the bill. A committee substitute was previously adopted. Senator Williams moved that SB 1612 do not pass but that CSSB 1612 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 Deuell 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 SB 216 and recognized the author, Senator Ellis, to explain the bill. Senator Ellis sent up a committee substitute; the chair recognized Senator Ellis to explain the difference between the committee substitute and the senate bill as filed. Senator Duncan moved adoption of the committee substitute; without objection, it was so ordered. Senator Ellis moved that SB 216 do not pass but that CSSB 216 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 Ellis 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 SB 904. Senator Williams requested unanimous consent to incorporate the amendments into a committee substitute; without objection, it was so ordered. Senator Williams then moved that the committee substitute be adopted; without objection, it was so ordered. Senator Williams moved that SB 904 do not pass but that CSSB 904 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 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 SB 100 and recognized the author, Senator Van de Putte, to explain the bill. Senator Van de Putte sent up a committee substitute; the chair recognized Senator Van de Putte to explain the difference between the committee substitute and the senate bill as filed. The chair opened public testimony for resource witnesses. 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 the committee stand at ease; without objection, it was so ordered.

At 8:15 PM Senator Duncan reconvened the meeting.

Senator Van de Putte sent up a committee substitute for SB 100; the chair recognized Senator Van de Putte to explain the difference between the committee substitute and the senate bill as filed. Senator Duncan moved adoption of the committee substitute; without objection, it was so ordered. Senator Van de Putte moved that SB 100 do not pass but that CSSB 100 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.

The chair laid out as a matter of pending business SJR 37 and recognized the author, Senator Van de Putte, to explain the bill. Senator Van de Putte moved that SJR 37 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 Lucio requested unanimous consent to be shown voting aye on the following bills: SB 554, SB 1545, SB1612, SB 216, and SB 904; without objection, it was so ordered.

Senator Fraser requested unanimous consent to be shown voting aye on the following bills: SB 554, SB 1545, SB1612, SB 216, and SB 904; without objection, it was so ordered.

There being no further business, at 8:30 PM Senator Duncan moved that the Committee stand recessed subject to the call of the chair. Without objection, it was so ordered.

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Senator Robert Duncan, Chair

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Erin Fry, Clerk