

MINUTES

SENATE COMMITTEE ON STATE AFFAIRS

Monday, May 2, 2011

9:00 AM

Senate Chamber

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, May 2, 2011, in the Senate Chamber.

MEMBERS PRESENT:

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

MEMBERS ABSENT:

Senator Troy Fraser

The chair called the meeting to order at 9:00 AM. The following business was transacted:

Senator Lucio, Jr. assumed the chair.

The chair laid out SB 849 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 Lucio, Jr. moved that SB 849 be left pending; without objection, it was so ordered.

The chair laid out SB 1666 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 Lucio, Jr. moved that SB 1666 be left pending; without objection, it was so ordered.

The chair laid out SB 1671 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 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 1671 be left pending; without objection, it was so ordered.

The chair laid out HB 2561 and recognized the Senate sponsor, 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 Lucio, Jr. moved that HB 2561 be left pending; without objection, it was so ordered.

Senator Duncan assumed the chair.

The chair laid out as a matter of pending business SB 303 and recognized the author, Senator Nichols, to explain the bill. Senator Duncan sent up a committee substitute and recognized Senator Nichols to explain the difference between the committee substitute and the senate bill as filed. Senator Duncan moved that SB 303 be left pending; without objection, it was so ordered.

The chair laid out HB 1032 and recognized the Senate sponsor, Senator Davis, 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 HB 1032 be left pending; without objection, it was so ordered.

The chair laid out as a matter of pending business SB 1866 and recognized the author, Senator Davis, to explain the bill. Senator Duncan sent up a committee substitute; the chair recognized Senator Davis to explain the difference between the committee substitute and the senate bill as filed. Senator Duncan moved that SB 1866 be left pending; without objection, it was so ordered.

The chair laid out HB 457 and recognized the Senate sponsor, Senator Nelson, to explain the bill. The chair opened public testimony. 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 Duncan moved that HB 457 be left pending; without objection, it was so ordered.

The chair laid out SB 1417 and recognized the author, Senator Hinojosa, to explain the bill. Senator Duncan sent up a committee substitute; the chair recognized Senator Hinojosa 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 1417 be left pending; without objection, it was so ordered.

The chair laid out SB 1735 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 1735 be left pending; without objection, it was so ordered.

The chair laid out HB 438 and recognized Senator Van de Putte, in the absence of the Senate sponsor, 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 HB 438 be left pending; without objection, it was so ordered.

The chair laid out as a matter of pending business SB 1213 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. Senator Van de Putte sent up Committee Amendment 1 and explained the amendment. Senator Duncan moved that SB 1213 be left pending; without objection, it was so ordered.

The chair laid out HB 1405 and recognized Senator Van de Putte, in the absence of the Senate sponsor, 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 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 no further business, at 10:03 AM Senator Duncan moved that the Committee stand recessed until after adjournment of the Senate. Without objection, it was so ordered.

At 3:35 PM Senator Duncan reconvened the meeting.

The chair laid out as a matter of pending business SB 1417. Senator Duncan sent up a committee substitute. Senator Lucio, Jr. moved adoption of the committee substitute; without objection, it was so ordered. Senator Lucio, Jr. moved that SB 1417 do not pass but that CSSB 1417 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 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 SB 1735. Senator Van de Putte sent up a committee substitute. Senator Van de Putte moved adoption of the committee substitute; without objection, it was so ordered. Senator Van de Putte moved that SB 1735 do not pass but that CSSB 1735 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 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 HB 438. Senator Lucio, Jr. moved that HB 438 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 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 HB 457. Senator Deuell moved that HB 457 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 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 HB 1032. Senator Jackson moved that HB 1032 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 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 HB 1405. Senator Van de Putte sent up a committee substitute. Senator Deuell moved adoption of the committee substitute; without objection, it was so ordered. Senator Deuell moved that HB 1405 do not pass but that CSHB 1405 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 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 303. Senator Duncan sent up a committee substitute. Senator Deuell moved adoption of the committee substitute; without objection, it was so ordered. Senator Deuell moved that SB 303 do not pass but that CSSB 303 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 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 1213. Senator Van de Putte sent up a committee substitute. Senator Deuell moved adoption of the committee substitute; without objection, it was so ordered. Senator Van de Putte sent up Committee Amendment 1 and moved adoption; without objection, the amendment was adopted. Senator Deuell requested unanimous consent to incorporate the amendments into a committee substitute; without objection, it was so ordered. Senator Van de Putte then moved that the committee substitute be adopted; without objection, it was so ordered. Senator Deuell moved that SB 1213 do not pass but that CSSB 1213 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 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 1866. Senator Duncan sent up a committee substitute. Senator Van de Putte moved adoption of the committee substitute; without objection, it was so ordered.

Senator Van de Putte moved that SB 1866 do not pass but that CSSB 1866 be reported back to the Senate with the recommendation that it do pass and be printed. The motion failed with a record vote of 4 ayes, 1 nay, 0 present not voting, and 4 absent.

Senator Deuell assumed the chair.

The chair laid out as a matter of pending business SB 849. Senator Duncan sent up a committee substitute and moved adoption; without objection, it was so ordered. Senator Duncan moved that SB 849 do not pass but that CSSB 849 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.

The chair laid out as a matter of pending business HB 2561. Senator Duncan moved that HB 2561 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 Duncan 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 1671. Senator Duncan moved that SB 1671 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.

The chair moved the committee stand at ease.

The chair reconvened the meeting.

Senator Huffman moved to reconsider the vote on SB 1866. The motion carried with a record vote of 8 ayes, 0 nays, 0 present not voting, and 1 absent. Senator Lucio, Jr. moved that SB 1866 do not pass but that CSSB 1671 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, 1 nay, 0 present not voting, and 1 absent.

Senator Ellis asked unanimous consent to be shown voting aye on the following bills: SB 849, SB 1417, SB 1671, SB 1735, HB 438, HB 457, HB 1032, HB 1405, HB 2561, SB 303, and SB 1213; without objection, it was so ordered.

Senator Jackson asked unanimous consent to be shown voting aye on SB 1417; without objection, it was so ordered.

Senator Lucio asked unanimous consent to be shown voting aye on the following bills: HB 457, HB 1032, HB 1405, SB 303, SB 1213, SB 849, HB 2561 and SB 1671; without objection, it was so ordered.

Senator Williams asked unanimous consent to be shown voting aye on the following bills: SB 849, SB 1417, SB 1735, SB 438, HB 457, HB 1032, HB 1405, SB 2561, SB 303, and SB 1213; without objection, it was so ordered.

There being no further business, at 4:03 PM Senator Duncan moved that the Committee stand recessed subject to the call of the chair. Without objection, it was so ordered.

Senator Robert Duncan, Chair

Erin Fry, Clerk