

## MINUTES

### SENATE COMMITTEE ON TRANSPORTATION & HOMELAND SECURITY

Monday, April 11, 2011

10:00 AM or upon adjournment/recess of Nominations

Capitol Extension, Room E1.028

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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 Transportation & Homeland Security was held on Monday, April 11, 2011, in the Capitol Extension, Room E1.028, at Austin, Texas.

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#### **MEMBERS PRESENT:**

Senator Tommy Williams, Chair  
Senator Kirk Watson, Vice Chair  
Senator Wendy Davis  
Senator Rodney Ellis  
Senator Chris Harris  
Senator Robert Nichols  
Senator Florence Shapiro  
Senator Jeff Wentworth

#### **MEMBERS ABSENT:**

Senator Juan Hinojosa

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The chair called the meeting to order at 10:00 AM. There being a quorum present, the following business was transacted:

The following members arrived after the roll was called:

Senator Wendy Davis  
Senator Rodney Ellis  
Senator Chris Harris

The chair laid out as a matter of pending business SB 896.

Senator Watson moved that SB 896 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.

**Senate Committee on Transportation & Homeland Security**

Minutes

Monday, April 11, 2011

Page 2

Senator Watson 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 1043 and recognized the author, Senator Watson, to explain the bill.

Senator Watson moved that SB 1043 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 Watson 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 1096.

Senator Watson moved that SB 1096 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 Watson 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 1100 and recognized the author, Senator Shapiro, to explain the bill.

Senator Shapiro moved that SB 1100 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 Shapiro 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 1311.

Senator Watson moved that SB 1311 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.

**Senate Committee on Transportation & Homeland Security**

Minutes

Monday, April 11, 2011

Page 3

Senator Shapiro 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 1649 and recognized the author, Senator Watson, to explain the bill.

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

Senator Williams moved that SB 1649 be left pending; without objection, it was so ordered.

The chair laid out as a matter of pending business SB 529 and recognized the author, Senator Huffman, to explain the bill.

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

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

Senator Williams requested unanimous consent to incorporate the amendments into a new committee substitute; without objection, it was so ordered. Senator Wentworth then moved that the committee substitute be adopted; without objection, it was so ordered. Senator Davis moved that SB 529 do not pass but that CSSB 529 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, 1 present not voting, and 2 absent.

The chair laid out as a matter of pending business SB 1831 and recognized the author, Senator Wentworth, to explain the bill.

Senator Wentworth moved that SB 1831 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.

**Senate Committee on Transportation & Homeland Security**

Minutes

Monday, April 11, 2011

Page 4

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

Senator Watson assumed the chair.

The chair laid out as a matter of pending business SB 266 and recognized the author, Senator Williams, 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. Senator Williams moved adoption of the committee substitute; without objection, it was so ordered.

Senator Williams moved that SB 266 do not pass but that CSSB 266 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 Williams 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 267 and recognized the author, Senator Williams, 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. Senator Williams moved adoption of the committee substitute; without objection, it was so ordered.

Senator Williams moved that SB 267 do not pass but that CSSB 267 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 Williams 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 1035 and recognized the author, Senator Williams, to explain the bill.

**Senate Committee on Transportation & Homeland Security**

Minutes

Monday, April 11, 2011

Page 5

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

Senator Watson moved that SB 1035 be left pending; without objection, it was so ordered.

The chair laid out as a matter of pending business SB 1065 and recognized the author, Senator Williams, 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. Senator Williams moved adoption of the committee substitute; without objection, it was so ordered.

Senator Williams moved that SB 1065 do not pass but that CSSB 1065 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 SB 1401 and recognized the author, Senator Williams, to explain the bill.

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

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 1401 do not pass but that CSSB 1401 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 SCR 36 and recognized the author, Senator Williams, to explain the bill.

Senator Williams moved that SCR 36 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, 0 nays, 0 present not voting, and 2 absent.

Senator Williams resumed the chair.

**Senate Committee on Transportation & Homeland Security**

Minutes

Monday, April 11, 2011

Page 6

Senator Watson assumed the chair.

The chair laid out SB 1608 and recognized the author, Senator Carona, to explain the bill.

Senator Shapiro 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 Watson moved that SB 1608 be left pending; without objection, it was so ordered.

The chair laid out SB 1280 and recognized the author, Senator Estes, to explain the bill.

Senator Shapiro sent up a committee substitute; the chair recognized Senator Estes to explain the difference between the committee substitute and the senate bill as filed.

Senator Watson moved that SB 1280 be left pending; without objection, it was so ordered.

The chair laid out SB 615 and recognized the author, Senator Rodriguez, to explain the bill.

Senator Watson moved that SB 615 be left pending; without objection, it was so ordered.

The chair laid out SB 1376 and recognized the author, Senator Shapiro, to explain the bill.

Senator Watson moved that SB 1376 be left pending; without objection, it was so ordered.

The chair laid out SB 730 and recognized the author, Senator Nichols, to explain the bill.

Senator Nichols sent up a committee substitute; the chair recognized Senator Nichols to explain the difference between the committee substitute and the senate bill as filed.

Senator Watson moved that SB 730 be left pending; without objection, it was so ordered.

The chair laid out SJR 13 and recognized the author, Senator Harris, to explain the bill.

Senator Watson moved that SJR 13 be left pending; without objection, it was so ordered.

The chair laid out SB 1057 and recognized the author, Senator Wentworth, to explain the bill.

**Senate Committee on Transportation & Homeland Security**

Minutes

Monday, April 11, 2011

Page 7

Senator Watson moved that SB 1057 be left pending; without objection, it was so ordered.

The chair laid out SB 1248 and recognized the author, Senator Lucio, to explain the bill.

Senator Davis sent up a committee substitute; the chair recognized Senator Lucio to explain the difference between the committee substitute and the senate bill as filed.

Senator Watson moved that SB 1248 be left pending; without objection, it was so ordered.

The chair laid out SB 1102 and recognized the author, Senator Wentworth, to explain the bill.

Senator Wentworth sent up a committee substitute; the chair recognized Senator Wentworth to explain the difference between the committee substitute and the senate bill as filed.

Senator Watson moved that SB 1102 be left pending; without objection, it was so ordered.

The chair laid out SB 1402 and recognized Senator Davis, in the absence of the author, to explain the bill.

Senator Wentworth sent up Committee Amendment 1.

Senator Watson moved that SB 1402 be left pending; without objection, it was so ordered.

The chair laid out as a matter of pending business SB 1280.

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 Watson moved that SB 1280 be left pending; without objection, it was so ordered.

The chair laid out as a matter of pending business SB 615.

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 Watson moved that SB 615 be left pending; without objection, it was so ordered.

The chair laid out as a matter of pending business SB 1608.

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 Watson moved that SB 1608 be left pending; without objection, it was so ordered.

The chair laid out as a matter of pending business SB 1376.

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 Watson moved that SB 1376 be left pending; without objection, it was so ordered.

The chair laid out as a matter of pending business SB 730.

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 Watson moved that SB 730 be left pending; without objection, it was so ordered.

The chair laid out as a matter of pending business SJR 13.

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 Watson moved that SJR 13 be left pending; without objection, it was so ordered.

The chair laid out as a matter of pending business SB 1057.

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.

**Senate Committee on Transportation & Homeland Security**

Minutes

Monday, April 11, 2011

Page 9

Senator Watson moved that SB 1057 be left pending; without objection, it was so ordered.

The chair laid out as a matter of pending business SB 1102.

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 Watson moved that SB 1102 be left pending; without objection, it was so ordered.

The chair laid out as a matter of pending business SB 1248.

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 Watson moved that SB 1248 be left pending; without objection, it was so ordered.

The chair laid out as a matter of pending business SB 1402.

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 Watson moved that SB 1402 be left pending; without objection, it was so ordered.

**Senate Committee on Transportation & Homeland Security**

Minutes

Monday, April 11, 2011

Page 10

There being no further business, at 11:43 AM Senator Watson moved that the Committee stand recessed subject to the call of the chair. Without objection, it was so ordered.

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Senator Tommy Williams, Chair

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Tulsi Reddy, Clerk