

**MINUTES**

**SENATE COMMITTEE ON TRANSPORTATION & HOMELAND SECURITY**

Wednesday, April 20, 2011

8:00 AM

Capitol Extension, Room E1.016

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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 Wednesday, April 20, 2011, in the Capitol Extension, Room E1.016, 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 Juan Hinojosa  
Senator Robert Nichols  
Senator Florence Shapiro  
Senator Jeff Wentworth

**MEMBERS ABSENT:**

None

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The chair called the meeting to order at 8:01 AM. There being a quorum present at 8:46 AM, the following business was transacted:

The following members arrived after the roll was called:

Senator Rodney Ellis  
Senator Juan Hinojosa

The chair laid out SB 1386 and recognized the author, Senator Lucio, to explain the bill.

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

**Senate Committee on Transportation & Homeland Security**

Minutes

Wednesday, April 20, 2011

Page 2

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 Williams moved that SB 1386 be left pending; without objection, it was so ordered.

The chair laid out as a matter of pending business SB 288 and recognized the author, Senator Lucio, to explain the bill.

Senator Nichols sent up a committee substitute; the chair recognized Senator Lucio 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 Williams moved that SB 288 be left pending; without objection, it was so ordered.

The chair laid out SB 197 and recognized Senator Shapiro, in the absence of the author, 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 Williams moved that SB 197 be left pending; without objection, it was so ordered.

The chair laid out SB 1422 and recognized the author, Senator Nelson, to explain the bill.

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

**Senate Committee on Transportation & Homeland Security**

Minutes

Wednesday, April 20, 2011

Page 3

Senator Harris moved that SB 1422 do not pass but that CSSB 1422 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 Harris 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.

Senator Watson moved that SB 150 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.

The chair laid out as a matter of pending business SB 530.

Senator Watson moved that SB 530 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.

The chair laid out as a matter of pending business SB 947.

Senator Watson moved that SB 947 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.

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

Senator Watson moved that SB 615 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.

The chair laid out as a matter of pending business 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 Nichols moved adoption of the committee substitute; without objection, it was so ordered.

**Senate Committee on Transportation & Homeland Security**

Minutes

Wednesday, April 20, 2011

Page 4

Senator Nichols moved that SB 730 do not pass but that CSSB 730 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 SB 1057.

Senator Wentworth moved that SB 1057 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 Wentworth 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 1608.

Senator Shapiro previously sent up a committee substitute; the chair had previously recognized Senator Carona 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 Watson moved that SB 1608 do not pass but that CSSB 1608 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 SB 1138 and recognized the author, Senator Watson, to explain the bill.

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

Senator Watson requested unanimous consent to incorporate the amendment into the committee substitute to create a new committee substitute; without objection, it was so ordered. Senator Watson then moved that the new committee substitute be adopted; without objection, it was so ordered. Senator Watson moved that SB 1138 do not pass but that CSSB 1138 be reported back

**Senate Committee on Transportation & Homeland Security**

Minutes

Wednesday, April 20, 2011

Page 5

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 1649.

Senator Watson moved that SB 1649 do not pass but that CSSB 1649 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 SB 1095 and recognized the author, Senator Rodriguez, to explain the bill.

Senator Wentworth sent up a committee substitute; the chair recognized Senator Rodriguez 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.

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 Williams moved that SB 1095 be left pending; without objection, it was so ordered.

The chair laid out SB 1104 and recognized the author, Senator Jackson, to explain the bill.

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

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

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

**Senate Committee on Transportation & Homeland Security**

Minutes

Wednesday, April 20, 2011

Page 6

Senator Watson moved that SB 1104 do not pass but that CSSB 1104 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 Ellis moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out SB 1742 and recognized the author, Senator Fraser, to explain the bill.

Senator Watson sent up a committee substitute; the chair recognized Senator Fraser 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.

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 1742 do not pass but that CSSB 1742 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, 0 nays, 1 present not voting, and 1 absent.

The chair laid out SB 1864 and recognized the author, Senator Davis, to explain the bill.

Senator Davis 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 Davis 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 Davis moved that SB 1864 do not pass but that CSSB 1864 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, 1 nay, 0 present not voting, and 2 absent.

The chair laid out SB 1114 and recognized the author, Senator Wentworth, to explain the bill.

**Senate Committee on Transportation & Homeland Security**

Minutes

Wednesday, April 20, 2011

Page 7

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 Wentworth 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 Williams moved that SB 1114 be left pending; without objection, it was so ordered.

The chair laid out SB 1611 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 Wentworth 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 Williams moved that SB 1611 be left pending; without objection, it was so ordered.

The chair laid out HB 993 and recognized the Senate sponsor, Senator Watson, 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 Williams moved that HB 993 be left pending; without objection, it was so ordered.

The chair laid out HB 563 and recognized the Senate sponsor, Senator Nichols, 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.

**Senate Committee on Transportation & Homeland Security**

Minutes

Wednesday, April 20, 2011

Page 8

Senator Williams moved that HB 563 be left pending; without objection, it was so ordered.

The chair laid out SB 581 and recognized the author, Senator Nichols, to explain the bill.

Senator Ellis assumed the chair.

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 SB 581 be left pending; without objection, it was so ordered.

Senator Davis asked to be shown voting aye for: SB 1649.

Senator Ellis asked to be shown voting aye for: SB 150, SB 530, SB 615, SB 730, SB 947, SB 1057, SB 1422, SB 1608, and SB 1864.

Senator Hinojosa asked to be shown voting aye for: SB 150, SB 530, SB 615, SB 730, SB 947, SB 1057, SB 1104, SB 1138, SB1422, SB 1608, SB 1649, and SB 1742.

Senator Nichols asked to be shown voting aye for: SB 1104.

There was no action taken for the following bill(s): HB 378, SB 1018, and SB 1604.

There being no further business, at 10:35 AM Senator Ellis 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