

**MINUTES**

**SENATE COMMITTEE ON TRANSPORTATION & HOMELAND SECURITY**

Wednesday, May 4, 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, May 4, 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 8:03 AM. There being a quorum present at 8:25 AM, the following business was transacted:

The following members arrived after the roll was called:

Senator Rodney Ellis  
Senator Chris Harris  
Senator Florence Shapiro  
Senator Jeff Wentworth

The chair laid out SB 1610 and recognized the author, Senator Lucio, to explain the bill.

Witnesses testifying and registering on the bill are shown on the attached list.

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The chair moved that the public testimony be closed; without objection, it was so ordered.

Senator Williams moved that SB 1610 be left pending; without objection, it was so ordered.

The chair laid out as a matter of pending business SB 1485 and recognized the author, Senator West, to explain the bill.

Senator Hinojosa sent up a committee substitute; the chair recognized Senator West 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 1485 be left pending; without objection, it was so ordered.

The chair laid out HB 1148 and recognized the Senate sponsor, Senator Hinojosa, to explain the bill.

No witnesses registered on the bill.

The chair moved that the public testimony be closed; without objection, it was so ordered.

Senator Williams moved that HB 1148 be left pending; without objection, it was so ordered.

The chair laid out as a matter of pending business HB 563 and recognized the Senate sponsor, 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.

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

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

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

The chair laid out HB 1112 in lieu of the bill's companion, SB 581, and recognized the Senate sponsor, Senator Nichols, to explain the bill. The Senate companion to this bill was previously left pending in committee and public testimony was taken and closed.

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.

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

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

Senator Williams moved that HB 1112 be left pending; without objection, it was so ordered.

The chair laid out HB 1330 and recognized Senator Hinojosa, in the absence of the Senate sponsor, 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 1330 be left pending; without objection, it was so ordered.

The chair laid out HB 1075 and recognized the Senate sponsor, Senator Davis, 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 HB 1075 be left pending; without objection, it was so ordered.

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The chair laid out HB 42 and recognized the Senate sponsor, Senator Van de Putte, 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 HB 42 be left pending; without objection, it was so ordered.

The chair laid out HB 1301 and recognized the Senate sponsor, Senator Eltife, to explain the bill.

Senator Watson sent up a committee substitute; the chair recognized Senator Eltife 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 Williams moved that HB 1301 be left pending; without objection, it was so ordered.

The chair laid out HB 2792 and recognized the Senate sponsor, Senator Hegar, 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 2792 be left pending; without objection, it was so ordered.

The chair laid out as a matter of pending business SB 1572 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 Williams moved that SB 1572 be left pending; without objection, it was so ordered.

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The chair laid out HB 1376 and recognized the Senate sponsor, Senator Ellis, 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 HB 1376 be left pending; without objection, it was so ordered.

The chair laid out HB 1899 and recognized the Senate sponsor, Senator Rodriguez, to explain the bill.

Senator Watson assumed the chair.

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

Senator Williams 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 Williams resumed 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 Williams moved that HB 1899 be left pending; without objection, it was so ordered.

The chair laid out HB 2327 and recognized the Senate sponsor, 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 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 Williams moved that HB 2327 be left pending; without objection, it was so ordered.

The chair laid out HB 1499 and recognized the Senate sponsor, Senator Wentworth, 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 HB 1499 be left pending; without objection, it was so ordered.

The chair laid out as a matter of pending business SB 1466 and recognized Senator Watson, in the absence of the author, 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 Williams moved that SB 1466 be left pending; without objection, it was so ordered.

Senator Watson assumed the chair.

The chair laid out HB 422 and recognized the Senate sponsor, Senator Williams, 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 Watson moved that HB 422 be left pending; without objection, it was so ordered.

The chair laid out HB 441 and recognized the Senate sponsor, Senator Williams, 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.

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Senator Watson moved that HB 441 be left pending; without objection, it was so ordered.

The chair laid out HB 1353 and recognized the Senate sponsor, Senator Williams, 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 Watson moved that HB 1353 be left pending; without objection, it was so ordered.

The chair laid out HB 2017 and recognized the Senate sponsor, Senator Williams, to explain the bill.

Senator Davis assumed the chair.

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

Senator Williams requested unanimous consent to incorporate the amendment into the committee substitute to create a new committee substitute; without objection, it was so ordered. Senator Williams then moved that the new committee substitute be adopted; 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 HB 2017 be left pending; without objection, it was so ordered.

Senator Williams resumed the chair.

Senator Williams moved that the Committee stand at ease for a few minutes.

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At 10:20 AM Senator Williams reconvened the meeting.

The chair laid out as a matter of pending business HB 563.

Senator Nichols moved that HB 563 do not pass but that CSHB 563 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 HB 591.

Senator Wentworth moved that HB 591 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 HB 885 and recognized the Senate sponsor, Senator Watson, to explain the bill.

Senator Watson moved that HB 885 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 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 HB 993 and recognized the Senate sponsor, Senator Watson, to explain the bill.

Senator Watson moved that HB 993 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 Watson moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

Senator Watson assumed the chair.



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The chair laid out as a matter of pending business HB 1251 and recognized the Senate sponsor, Senator Williams, to explain the bill.

Senator Williams moved that HB 1251 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 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 1402 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 Wentworth sent up Committee Amendment 1 and moved adoption; without objection, the amendment was adopted.

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

Senator Williams moved to reconsider the vote by which Committee Amendment 1 was incorporated into the committee substitute; without objection, it was so ordered.

Senator Wentworth moved to reconsider the vote by which the Committee Amendment 1 was adopted; without objection, it was so ordered.

Senator Williams moved that SB 1402 do not pass but that CSSB 1402 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 Williams assumed the chair.

The chair laid out as a matter of pending business SB 197.

Senator Watson had previously sent up a committee substitute; the chair had previously recognized West 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 197 do not pass but that CSSB 197 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 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 1485.

Senator Watson moved that SB 1485 do not pass but that CSSB 1485 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, 2 nays, 1 present not voting, and 1 absent.

The chair laid out as a matter of pending business SB 1611.

Senator Wentworth moved that SB 1611 do not pass but that CSSB 1611 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 HB 1112 and recognized the Senate sponsor, Senator Nichols, to explain the bill.

Senator Nichols moved that HB 1112 do not pass but that CSHB 1112 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 1610.

Senator Watson moved that SB 1610 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.

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There being no further business, at 10:43 AM Senator Williams 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