

MINUTES

SENATE COMMITTEE ON BUSINESS & COMMERCE

Tuesday, April 2, 2013

8:00 AM

Capitol Extension, Room E1.016

Pursuant to a notice posted in accordance with Senate Rule 11.10 and 11.18, a public hearing of the Senate Committee on Business & Commerce was held on Tuesday, April 2, 2013, in the Capitol Extension, Room E1.016, at Austin, Texas.

MEMBERS PRESENT:

Senator John Carona, Chair
Senator Larry Taylor, Vice Chair
Senator Kevin Eltife
Senator Craig Estes
Senator Kelly Hancock
Senator Eddie Lucio, Jr.
Senator Leticia Van de Putte
Senator Kirk Watson
Senator John Whitmire

MEMBERS ABSENT:

None

The chair called the meeting to order at 8:00 AM. There being a quorum present, the following business was transacted:

The chair laid out SB 1120 and recognized the author, Senator West, to explain the bill.

Senator Watson sent up a committee substitute to SB 1120; the chair recognized Senator West to explain the difference between the committee substitute and the Senate bill as filed. Senator Carona moved committee substitute be left pending; 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 Carona moved that SB 1120 be left pending; without objection, it was so ordered.

The chair laid out SB 582 and recognized the author, 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 Carona moved that SB 582 be left pending; without objection, it was so ordered.

The chair laid out SB 598 and recognized the author, Senator Birdwell, 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 Carona moved that SB 598 be left pending; without objection, it was so ordered.

The chair laid out SB 1372 and recognized the author, Senator Hinojosa, to explain the bill.

Senator Watson sent up a committee substitute to SB 1372; the chair recognized Senator Hinojosa to explain the difference between the committee substitute and the Senate bill as filed. Senator Carona moved committee substitute be left pending; 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 Carona moved that SB 1372 be left pending; without objection, it was so ordered.

The chair laid out SB 1622 and recognized the author, Senator Duncan, to explain the bill.

Senator Taylor sent up a committee substitute to SB 1622; the chair recognized Senator Duncan to explain the difference between the committee substitute and the Senate bill as filed. Senator Carona moved committee substitute be left pending; 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 Carona moved that SB 1622 be left pending; without objection, it was so ordered.

The chair laid out SB 875 and recognized the author, Senator Eltife, 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 Carona moved that SB 875 be left pending; without objection, it was so ordered.

The chair laid out SB 1040 and recognized the author, Senator Taylor, 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 Carona moved that SB 1040 be left pending; without objection, it was so ordered.

The chair laid out SB 1672 and recognized the author, Senator Taylor, to explain the bill.

Senator Taylor sent up a committee substitute to SB 1672; the chair recognized Senator Taylor to explain the difference between the committee substitute and the Senate bill as filed. Senator Carona moved committee substitute be left pending; 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 Carona moved that SB 1672 be left pending; without objection, it was so ordered.

At 9:49 AM Senator Taylor assumed the chair.

The chair laid out SB 1639 and recognized the author, Senator Carona, to explain the bill.

Senator Carona sent up a committee substitute to SB 1639; the chair recognized Senator Carona to explain the difference between the committee substitute and the Senate bill as filed. Senator Taylor moved committee substitute be left pending; without objection, it was so ordered.

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

At 10:22 AM Senator Watson assumed the chair.

At 10:51 AM Senator Carona resumed the chair.

At 10:51 AM Senator Carona moved that the Committee stand recessed, and ordered that it reconvene 15 minutes upon adjournment of the Senate in a room to be determined. Without objection, it was so ordered.

The posting rule, Senate Rule 11.10 and 11.18, was suspended, and at 1:26 PM Senator Carona reconvened the meeting in the Capitol Extension Auditorium, room E1.004.

Testimony resumed on SB 1639.

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

Senator Carona moved that SB 1639 be left pending; without objection, it was so ordered.

At 1:35 PM Senator Watson assumed the chair.

The chair laid out SB 1090 and recognized the author, Senator Carona, to explain the bill.

Senator Carona sent up a committee substitute to SB 1090; the chair recognized Senator Carona to explain the difference between the committee substitute and the Senate bill as filed. Senator Watson moved committee substitute be left pending; without objection, it was so ordered.

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

Senator Watson moved that SB 1090 be left pending; without objection, it was so ordered.

The chair laid out SB 1004 and recognized the author, Senator Carona, to explain the bill.

Senator Carona sent up a committee substitute to SB 1004; the chair recognized Senator Carona to explain the difference between the committee substitute and the Senate bill as filed. Senator Watson moved committee substitute be left pending; without objection, it was so ordered.

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

Senator Watson moved that SB 1004 be left pending; without objection, it was so ordered.

The chair laid out SB 1665 and recognized the author, Senator Carona, to explain the bill.

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

Senator Watson moved that SB 1665 be left pending; without objection, it was so ordered.

The chair laid out SB 1250 and SJR 48 and recognized the author, Senator Carona, to explain both bills.

Senator Carona sent up committee substitutes to SB 1250 and SJR 48; the chair recognized Senator Carona to explain the difference between the committee substitutes and the Senate bills as filed. Senator Watson moved that both committee substitutes be left pending; without objection, it was so ordered.

Witnesses testifying and registering on both bills are shown on the attached list.

The chair moved that the public testimony on SB 1250 and SJR 48 be closed; without objection, it was so ordered.

Senator Watson moved that SB 1250 and SJR 48 be left pending; without objection, it was so ordered.

The chair laid out SB 1666 and recognized the author, Senator Carona, 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 SB 1666 be left pending; without objection, it was so ordered.

At 2:27 PM Senator Carona resumed the chair.

At 2:27 PM Senator Carona moved that the Committee stand at ease until 2:40 to vote on bills. Without objection, it was so ordered.

At 2:49 PM Senator Carona reconvened the meeting.

Senator Lucio, Jr. moved adoption of the committee substitute to SB 1120; without objection, it was so ordered.

Senator Lucio, Jr. moved that SB 1120 do not pass but that CSSB 1120 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.

Senator Estes moved that SB 875 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 Estes moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

Senator Carona moved adoption of the committee substitute to SB 1672; without objection, it was so ordered.

Senator Taylor moved that SB 1672 do not pass but that CSSB 1672 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 Taylor moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

Senator Lucio, Jr. moved adoption of the committee substitute to SB 1372; without objection, it was so ordered.

Senator Lucio, Jr. moved that SB 1372 do not pass but that CSSB 1372 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.

As a matter of pending business, Senator Taylor moved adoption of the committee substitute to SB 992; without objection, it was so ordered.

Senator Taylor moved that SB 992 do not pass but that CSSB 992 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.

As a matter of pending business, Senator Taylor moved adoption of the committee substitute to SB 1296; without objection, it was so ordered.

Senator Taylor moved that SB 1296 do not pass but that CSSB 1296 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 Taylor moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

At 2:56 PM Senator Taylor assumed the chair.

Senator Carona moved adoption of the committee substitute to SB 1090; without objection, it was so ordered.

Senator Carona moved that SB 1090 do not pass but that CSSB 1090 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 Carona moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

Senator Carona moved adoption of the committee substitute to SB 1004; without objection, it was so ordered.

Senator Carona moved that SB 1004 do not pass but that CSSB 1004 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 Carona moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

Senator Carona moved that SB 1665 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 Carona 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 1247 and recognized the author, Senator Carona, to explain the bill.

Senator Carona 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 Taylor moved committee substitute be left pending; without objection, it was so ordered.

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

Senator Carona sent up Committee Amendment 2 and moved adoption; without objection, the amendment was adopted.

Senator Carona requested unanimous consent to incorporate the amendments into the bill to create a new committee substitute to SB 1247; without objection, it was so ordered. Senator Carona then moved that the committee substitute be adopted; without objection, it was so ordered. Senator Carona moved that SB 1247 do not pass but that CSSB 1247 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, 3 nays, 0 present not voting, and 1 absent.

The chair laid out as a matter of pending business SB 583 and recognized the author, Senator Carona, to explain the bill.

Senator Carona 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 Taylor moved committee substitute be left pending; without objection, it was so ordered.

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

Senator Carona requested unanimous consent to incorporate the amendments into the bill to create a new committee substitute to SB 583; without objection, it was so ordered. Senator Carona then moved that the committee substitute be adopted; without objection, it was so ordered. Senator Carona moved that SB 583 do not pass but that CSSB 583 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 734 and recognized the author, Senator Carona, to explain the bill.

Senator Carona moved adoption of the committee substitute to SB 734 that was sent up at a previous hearing; without objection, it was so ordered.

Senator Carona moved that SB 734 do not pass but that CSSB 734 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.

At 3:39 PM Senator Carona resumed the chair.

There being no further business, at 3:39 PM Senator Carona moved that the Committee stand recessed subject to the call of the chair. Without objection, it was so ordered.

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Senator John Carona, Chair

Troupe Brewer, Clerk