

MINUTES

SENATE COMMITTEE ON BUSINESS & COMMERCE

Tuesday, April 26, 2011

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 26, 2011, in the Capitol Extension, Room E1.016, at Austin, Texas.

MEMBERS PRESENT:

Senator John Carona, Chair
Senator Chris Harris, Vice Chair
Senator Kevin Eltife
Senator Craig Estes
Senator Mike Jackson
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 a.m., and the following business was transacted:

The chair laid out SB 710 and recognized the author, Senator Van de Putte, to explain the bill.

There being no one present wishing to provide oral testimony for, on, or against on SB 710, Senator Carona moved that SB 710 be left pending; without objection, it was so ordered.

The chair laid out SB 1309 and recognized the author, Senator Hinojosa, to explain the bill.

Senator Van de Putte sent up a committee substitute; the chair recognized Senator Hinojosa 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 Carona moved that SB 1309 be left pending; without objection, it was so ordered.

A quorum was established at 8:43 a.m.

The chair laid out SB 1910 and recognized the author, Senator Rodríguez, to explain the bill.

Senator Lucio, Jr., sent up a committee substitute; the chair recognized Senator Rodríguez 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 Carona moved that SB 1910 be left pending; without objection, it was so ordered.

The chair laid out SB 1848 and recognized the author, Senator Hegar, 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 1848 be left pending; without objection, it was so ordered.

The chair laid out SB 1806 and recognized the author, Senator Lucio, Jr., to explain the bill.

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

Senator Lucio, Jr., sent up Committee Amendment 1; the chair recognized Senator Lucio, Jr., to explain Committee Amendment 1.

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 1806 be left pending; without objection, it was so ordered.

The chair laid out SB 1231 and recognized the author, Senator Estes, to explain the bill.

There being no one present wishing to provide oral testimony for, on, or against on SB 1231, Senator Carona moved that SB 1231 be left pending; without objection, it was so ordered.

The chair laid out HB 2035 and recognized Senator Estes, in the absence of the Senate sponsor, to explain the bill.

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

There being no one present wishing to provide oral testimony for, on, or against on HB 2035, Senator Carona moved that HB 2035 be left pending; without objection, it was so ordered.

At 9:08 a.m. Senator Jackson assumed the chair.

The chair laid out HB 558 and recognized the Senate sponsor, 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.

The chair moved that HB 558 be left pending; without objection, it was so ordered.

The chair laid out HB 1956 and recognized the Senate sponsor, 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 Carona moved that HB 1956 be left pending; without objection, it was so ordered.

At 9:20 a.m. Senator Carona resumed the chair.

At 9:20 a.m. Senator Carona moved that the committee stand at ease temporarily. Without objection, it was so ordered.

At 9:30 a.m. Senator Carona called the Senate Committee on Business and Commerce back to order.

The chair called up SB 710.

Senator Watson moved that SB 710 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. Senators Harris; Lucio, Jr.; Van de Putte; and Whitmire submitted motions in writing requesting unanimous consent to be shown voting aye on SB 710.

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

The chair called up SB 1231.

Senator Estes moved that SB 1231 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. Senators Harris; Lucio, Jr.; Van de Putte; and Whitmire submitted motions in writing requesting unanimous consent to be shown voting aye on SB 1231.

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

The chair called up SB 1806.

Senator Carona moved adoption of Amendment 1; without objection, the amendment was adopted.

Senator Carona requested unanimous consent to incorporate the amendment into the committee substitute; 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 1806 do not pass but that CSSB 1806 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. Senators Harris; Lucio, Jr.; Van de Putte; and Whitmire submitted motions in writing requesting unanimous consent to be shown voting aye on CSSB 1806.

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

The chair called up SB 1910.

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

Senator Estes moved that SB 1910 do not pass but that CSSB 1910 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. Senators Harris; Lucio, Jr.; and Whitmire submitted motions in writing requesting unanimous consent to be shown voting aye on CSSB 1910.

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

The chair called up HB 2035.

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

Senator Jackson moved that HB 2035 do not pass but that CSSB 2035 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. Senators Harris; Lucio, Jr.; and Whitmire submitted motions in writing requesting unanimous consent to be shown voting aye on CSHB 2035.

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

The chair called up SB 63.

Senator Carona sent up a committee substitute, and Senator Carona explained 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 63 do not pass but that CSSB 63 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. Senators Harris; Lucio, Jr.; and Whitmire submitted motions in writing requesting unanimous consent to be shown voting aye on CSSB 63.

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

The chair called up SB 1399.

Senator Carona sent up a committee substitute, and Senator Carona explained the difference between the committee substitute and the senate bill as filed. Senator Jackson moved adoption of the committee substitute; without objection, it was so ordered.

Senator Jackson moved that SB 1399 do not pass but that CSSB 1399 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. Senators Lucio, Jr. and Whitmire submitted motions in writing requesting unanimous consent to be shown voting aye on CSSB 1399.

At 9:37 a.m. Senator Jackson assumed the chair.

The chair called up HB 558.

Senator Carona moved that HB 558 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. Senators Harris; Lucio, Jr.; and Whitmire submitted motions in writing requesting unanimous consent to be shown voting aye on HB 558.

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

The chair called up HB 1956.

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

Senator Carona requested unanimous consent to incorporate the amendment into the committee substitute. Senator Carona withdrew Amendment 1.

Senator Carona moved that HB 1956 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. Senators Harris; Lucio, Jr.; and Whitmire submitted motions in writing requesting unanimous consent to be shown voting aye on HB 1956.

At 9:40 a.m. Senator Carona resumed the chair.

There being no further business, at 9:41 a.m. Senator Carona moved that the committee stand recessed subject to the call of the chair. Without objection, it was so ordered.

Pursuant to the suspension of Senate Rules 11.10 and 11.18, the chair reconvened the Senate Committee on Business and Commerce at his desk, at 2:34 p.m.

There being a quorum present, the following business was transacted:

The chair laid out as a matter of pending business CSSB 1743.

Senator Harris moved that SB 1743 do not pass but that CSSB 1743 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.

There being no further business, at 2:35 p.m. 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

Kimberly Selinger, Clerk