

MINUTES

SENATE COMMITTEE ON INTERGOVERNMENTAL RELATIONS

Tuesday, May 17, 2011

8:00 AM

Extension Auditorium, E1.004

Pursuant to a notice posted in accordance with Senate Rule 11.10 and 11.18, a public hearing of the Senate Committee on Intergovernmental Relations was held on Tuesday, May 17, 2011, in the Extension Auditorium, E1.004.

MEMBERS PRESENT:

Senator Royce West, Chair

Senator Robert Nichols, Vice Chair

Senator Mario Gallegos, Jr.

Senator Dan Patrick

Senator Jeff Wentworth

MEMBERS ABSENT:

None

The Chair called the meeting to order at 8:00 AM. The following business was transacted:

The Chair laid out HB 91 and recognized the Senate sponsor, Senator Birdwell, to explain the bill.

There were no witnesses registered to testify on this bill.

Senator West moved that HB 91 be left pending. Without objection, it was so ordered.

The Chair laid out HB 2207 and recognized the Senate sponsor, 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. Senator Nichols moved adoption of the committee substitute. Without objection, it was so ordered.

Senate Committee on Intergovernmental Relations

Minutes

Tuesday, May 17, 2011

Page 2

At 8:05 AM, a quorum was established.

Senator Nichols moved adoption of the minutes from the previous hearing held on May 11, 2011. 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 West moved that HB 2207 be left pending. Without objection, it was so ordered.

The Chair laid out HB 361 and recognized the Senate sponsor, Senator Seliger, to explain the bill.

There were no witnesses registered to testify on this bill.

Senator West moved that HB 361 be left pending. Without objection, it was so ordered.

The Chair laid out HB 1090 and recognized the Senate sponsor, Senator Seliger, 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 West moved that HB 1090 be left pending. Without objection, it was so ordered.

The Chair laid out HB 1278 and recognized the Senate sponsor, Senator Seliger, 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 West moved that HB 1278 be left pending. Without objection, it was so ordered.

The Chair laid out HB 1812 and recognized the Senate sponsor, Senator Seliger, to explain the bill.

Senate Committee on Intergovernmental Relations

Minutes

Tuesday, May 17, 2011

Page 3

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 West moved that HB 1812 be left pending. Without objection, it was so ordered.

The Chair laid out HB 1293 and recognized the Senate sponsor, Senator Seliger, to explain the bill.

There were no witnesses registered to testify on this bill.

Senator West moved that HB 1293 be left pending. Without objection, it was so ordered.

The Chair laid out HB 499 and recognized the Senate sponsor, Senator Watson, 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 West moved that HB 499 be left pending. Without objection, it was so ordered.

The Chair laid out HB 554 and recognized the Senate sponsor, Senator Watson, 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 West moved that HB 554 be left pending. Without objection, it was so ordered.

The Chair laid out HB 707 and recognized the Senate sponsor, Senator Estes, 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 Intergovernmental Relations

Minutes

Tuesday, May 17, 2011

Page 4

Senator West moved that HB 707 be left pending. Without objection, it was so ordered.

At 8:21 AM Senator Nichols assumed the Chair.

The Chair laid out HB 362 and recognized the Senate sponsor, Senator West, to explain the bill.

Senator West 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 West 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 West moved that HB 362 be left pending. Without objection, it was so ordered.

The Chair laid out HB 1228 and recognized the Senate sponsor, Senator West, to explain the bill.

Senator West 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 West 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 West moved that HB 1228 be left pending. Without objection, it was so ordered.

The Chair laid out HB 1821 and recognized the Senate sponsor, Senator Birdwell, to explain the bill.

Senator West 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 West 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 Intergovernmental Relations

Minutes

Tuesday, May 17, 2011

Page 5

Senator West moved that HB 1821 be left pending. Without objection, it was so ordered.

The Chair laid out HB 2761 and recognized the Senate sponsor, Senator West, to explain the bill.

Senator West 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 West 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 West moved that HB 2761 be left pending. Without objection, it was so ordered.

The Chair laid out HB 2779 and recognized the Senate sponsor, Senator West, to explain the bill.

Senator West 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 West 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 West moved that HB 2779 be left pending. Without objection, it was so ordered.

At 8:31 AM Senator West resumed the Chair.

The Chair laid out HB 831 and recognized Senator Nichols, in the absence of the Senate sponsor, 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 West moved that HB 831 be left pending. Without objection, it was so ordered.

Senate Committee on Intergovernmental Relations

Minutes

Tuesday, May 17, 2011

Page 6

The Chair laid out HB 1768 and recognized Senator Nichols, in the absence of the Senate sponsor, 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 West moved that HB 1768 be left pending. Without objection, it was so ordered.

The Chair laid out HB 2690 and recognized Senator Wentworth, in the absence of the Senate sponsor, 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 West moved that HB 2690 be left pending. Without objection, it was so ordered.

The Chair laid out HB 2972 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 West moved that HB 2972 be left pending. Without objection, it was so ordered.

The Chair laid out HB 850 and recognized Senator Nichols, in the absence of the Senate sponsor, 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 West moved that HB 850 be left pending. Without objection, it was so ordered.

The Chair laid out HB 811 and recognized Senator Nichols, in the absence of the Senate sponsor, to explain the bill.

Senate Committee on Intergovernmental Relations

Minutes

Tuesday, May 17, 2011

Page 7

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 West moved that HB 811 be left pending. Without objection, it was so ordered.

The Chair laid out HB 1413 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.

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 West moved that HB 1413 be left pending. Without objection, it was so ordered.

The Chair laid out HB 1967 and recognized the Senate sponsor, Senator Nichols, to explain the bill.

There were no witnesses registered to testify on this bill.

Senator West moved that HB 1967 be left pending. Without objection, it was so ordered.

The Chair laid out HB 3003 and recognized Senator Nichols, in the absence of the Senate sponsor, 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 West moved that HB 3003 be left pending. Without objection, it was so ordered.

The Chair laid out HB 2584 and recognized the Senate sponsor, Senator Nichols, to explain the bill.

Senate Committee on Intergovernmental Relations

Minutes

Tuesday, May 17, 2011

Page 8

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 West moved that HB 2584 be left pending. Without objection, it was so ordered.

The Chair laid out HB 2226 and recognized Senator Nichols, in the absence of the Senate sponsor, 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 West moved that HB 2226 be left pending. Without objection, it was so ordered.

The Chair laid out HB 1118 and recognized Senator Nichols, in the absence of the Senate sponsor, 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 West moved that HB 1118 be left pending. Without objection, it was so ordered.

The Chair laid out HB 2516 and recognized Senator Nichols, in the absence of the Senate sponsor, 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 West moved that HB 2516 be left pending. Without objection, it was so ordered.

The Chair laid out HB 3788 and recognized the Senate sponsor, Senator Davis, to explain the bill.

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

Senate Committee on Intergovernmental Relations

Minutes

Tuesday, May 17, 2011

Page 9

The Chair moved that the public testimony be closed. Without objection, it was so ordered.

Senator West moved that HB 3788 be left pending. Without objection, it was so ordered.

There being no further business, at 9:05 AM Senator West moved that the Committee stand recessed until after 15 minutes upon adjournment of the Senate. Without objection, it was so ordered.

At 3:45 PM Senator West reconvened the meeting.

The Chair laid out as a matter of pending business HB 91 and Senator Nichols moved that HB 91 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 5 ayes, 0 nays, 0 present not voting, and 0 absent.

Senator Nichols 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 361 and Senator Nichols moved that HB 361 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 5 ayes, 0 nays, 0 present not voting, and 0 absent.

Senator Nichols 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 362 and Senator Nichols moved that HB 362 do not pass but that CSHB 362 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, 0 nays, 0 present not voting, and 0 absent.

Senator Nichols 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 499 and Senator Nichols moved that HB 499 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 5 ayes, 0 nays, 0 present not voting, and 0 absent.

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

Senate Committee on Intergovernmental Relations

Minutes

Tuesday, May 17, 2011

Page 10

The Chair laid out as a matter of pending business HB 554 and Senator Nichols moved that HB 554 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 5 ayes, 0 nays, 0 present not voting, and 0 absent.

Senator Nichols 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 707 and Senator Nichols moved that HB 707 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 5 ayes, 0 nays, 0 present not voting, and 0 absent.

Senator Nichols 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 811 and Senator Nichols moved adoption of the committee substitute. Without objection, it was so ordered.

Senator Nichols moved that HB 811 do not pass but that CSHB 811 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, 0 nays, 0 present not voting, and 0 absent.

Senator Nichols 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 831 Senator Nichols moved that HB 831 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 5 ayes, 0 nays, 0 present not voting, and 0 absent.

Senator Nichols 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 850 Senator Nichols moved that HB 850 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 5 ayes, 0 nays, 0 present not voting, and 0 absent.

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

Senate Committee on Intergovernmental Relations

Minutes

Tuesday, May 17, 2011

Page 11

The Chair laid out as a matter of pending business HB 1090 Senator Nichols moved that HB 1090 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 5 ayes, 0 nays, 0 present not voting, and 0 absent.

Senator Nichols 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 1118 and Senator Nichols moved that HB 1118 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 5 ayes, 0 nays, 0 present not voting, and 0 absent.

Senator Nichols 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 1278 and Senator Nichols moved that HB 1278 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 5 ayes, 0 nays, 0 present not voting, and 0 absent.

Senator Nichols 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 1293 and Senator Nichols moved that HB 1293 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 5 ayes, 0 nays, 0 present not voting, and 0 absent.

Senator Nichols 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 1413 and Senator Nichols moved adoption of the committee substitute. Without objection, it was so ordered.

Senator Nichols moved that HB 1413 do not pass but that CSHB 1413 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, 0 nays, 0 present not voting, and 0 absent.

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

Senate Committee on Intergovernmental Relations

Minutes

Tuesday, May 17, 2011

Page 12

The Chair laid out as a matter of pending business HB 1768 and Senator Gallegos, Jr. sent up Committee Amendment 1 and moved adoption. Without objection, the amendment was adopted.

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

Senator West moved that HB 1768 be left pending. Without objection, it was so ordered.

The Chair laid out as a matter of pending business HB 1812 and Senator Nichols moved that HB 1812 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 5 ayes, 0 nays, 0 present not voting, and 0 absent.

Senator Nichols 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 1967 and Senator Nichols moved that HB 1967 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 5 ayes, 0 nays, 0 present not voting, and 0 absent.

Senator Nichols 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 2207 and Senator Nichols moved adoption of the committee substitute. Without objection, it was so ordered.

Senator Nichols moved that HB 2207 do not pass but that CSHB 2207 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, 0 nays, 0 present not voting, and 0 absent.

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

Senator West moved that the vote by which HB 2207 passed be re-considered. Without objection, it was so ordered.

Senate Committee on Intergovernmental Relations

Minutes

Tuesday, May 17, 2011

Page 13

Senator Nichols moved that HB 2207 do not pass but that CSHB 2207 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, 0 nays, 0 present not voting, and 0 absent.

Senator Nichols 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 2226 and Senator Nichols moved that HB 2226 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 5 ayes, 0 nays, 0 present not voting, and 0 absent.

The Chair laid out as a matter of pending business HB 2516 and Senator Gallegos, Jr. moved adoption of the committee substitute. Without objection, it was so ordered.

Senator Gallegos, Jr. moved that HB 2516 do not pass but that CSHB 2516 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, 0 nays, 0 present not voting, and 0 absent.

Senator Gallegos, Jr. 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 2584 and Senator Nichols moved that HB 2584 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 5 ayes, 0 nays, 0 present not voting, and 0 absent.

Senator Nichols 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 2690 and Senator Nichols moved that HB 2690 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 5 ayes, 0 nays, 0 present not voting, and 0 absent.

Senator Nichols 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 2972 and Senator Nichols moved that HB 2972 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 5 ayes, 0 nays, 0 present not voting, and 0 absent.

Senate Committee on Intergovernmental Relations

Minutes

Tuesday, May 17, 2011

Page 14

Senator Nichols 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 3003 and Senator Nichols moved that HB 3003 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 5 ayes, 0 nays, 0 present not voting, and 0 absent.

Senator Nichols 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 3788 and Senator Nichols moved that HB 3788 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 4 ayes, 1 nays, 0 present not voting, and 0 absent.

The Chair laid out as a matter of pending business, HB 1768 and Senator Gallegos, Jr. moved adoption of the committee substitute. Without objection, it was so ordered.

Senator Gallegos, Jr. requested unanimous consent to incorporate Committee Amendment 1 into a committee substitute. Without objection, it was so ordered. Senator Gallegos, Jr. then moved that the new committee substitute be adopted.

Senator Gallegos, Jr. moved that HB 1768 do not pass but that CSHB 1768 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, 0 nays, 0 present not voting, and 0 absent.

Senator Gallegos, Jr. 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 232 and 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 moved that the bill be recommended for placement on the Local & Uncontested Calendar. Without objection, it was so ordered.

Senate Committee on Intergovernmental Relations

Minutes

Tuesday, May 17, 2011

Page 15

The Chair laid out as a matter of pending business HB 975 and Senator Gallegos, Jr. moved that HB 975 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion failed to be carried with a record vote of 2 ayes, 3 nays, 0 present not voting, and 0 absent.

The Chair laid out as a matter of pending business HB 2296 and Senator Nichols moved that HB 2296 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 5 ayes, 0 nays, 0 present not voting, and 0 absent.

Senator Nichols 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 2809 and Senator Nichols moved that HB 2809 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 5 ayes, 0 nays, 0 present not voting, and 0 absent.

Senator Nichols 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 4:07 PM Senator West moved that the Committee stand recessed subject to the call of the Chair. Without objection, it was so ordered.

Senator Royce West, Chair

Tiffany White, Clerk