

MINUTES

SENATE COMMITTEE ON INTERGOVERNMENTAL RELATIONS

Wednesday, May 8, 2013
1:30 PM or upon adjournment
Capitol Extension, Room E1.028

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 Wednesday, May 8, 2013, in the Capitol Extension, Room E1.028, at Austin, Texas.

MEMBERS PRESENT:

Senator Juan Hinojosa, Chair
Senator Robert Nichols, Vice Chair
Senator Sylvia Garcia
Senator Ken Paxton
Senator Larry Taylor

MEMBERS ABSENT:

None

The chair called the meeting to order at 2:37 PM. There being a quorum present, the following business was transacted:

The chair laid out HB 139 and recognized the Senate sponsor, Senator Zaffirini, to explain the bill. Senator Nichols sent up a committee substitute; the chair recognized Senator Zaffirini to explain the difference between the committee substitute and the house bill as engrossed. Senator Hinojosa moved adoption of the committee substitute; without objection, it was so ordered. The chair moved to open public testimony; 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 Nichols moved that HB 139 do not pass but that CSHB 139 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.

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The chair laid out HB 429 and recognized the Senate sponsor, Senator Zaffirini, to explain the bill. The chair moved to open public testimony; 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 Hinojosa moved that HB 429 be left pending until the end of the hearing; without objection, it was so ordered.

The chair laid out HB 64 and recognized the Senate sponsor, Senator Seliger, to explain the bill. The chair moved to open public testimony there was none. The chair moved that the public testimony be closed; without objection, it was so ordered. Senator Nichols moved that HB 64 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 HB 680 and recognized the Senate sponsor, Senator Patrick, to explain the bill. The chair moved to open public testimony; 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 Hinojosa moved that HB 680 be left pending; without objection, it was so ordered.

The chair laid out HB 3561 and recognized the Senate sponsor, Senator Patrick, to explain the bill. The chair moved to open public testimony there was none. The chair moved that the public testimony be closed; without objection, it was so ordered. Senator Nichols moved that HB 3561 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 SB 1695 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. Senator Hinojosa moved adoption of the committee substitute; without objection, it was so ordered. The chair moved to open public testimony; 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 Hinojosa moved that SB 1695 be left pending; without objection, it was so ordered.

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The chair laid out HB 2213 and recognized the Senate sponsor, Senator Lucio, Jr., to explain the bill. The chair moved to open public testimony; 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 Nichols moved that HB 2213 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 HB 242 and recognized the Senate sponsor, Senator Hegar, to explain the bill. The chair moved to open public testimony there was none. The chair moved that the public testimony be closed; without objection, it was so ordered. Senator Nichols moved that HB 242 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 SB 1917 and recognized the author, Senator Birdwell, to explain the bill. The chair moved to open public testimony there was none. The chair moved that the public testimony be closed; without objection, it was so ordered. Senator Nichols moved that SB 1917 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 HB 436 and recognized the Senate sponsor, Senator Birdwell, to explain the bill. The chair moved to open public testimony; 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 Nichols moved that HB 436 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.

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The chair laid out HB 518 and recognized the Senate sponsor, Senator Birdwell, to explain the bill. The chair moved to open public testimony; 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 Nichols moved that HB 518 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 HB 3361 and recognized the Senate sponsor, Senator Birdwell, to explain the bill. Senator Nichols sent up a committee substitute; the chair recognized Senator Birdwell to explain the difference between the committee substitute and the house bill as engrossed. Senator Hinojosa moved adoption of the committee substitute; without objection, it was so ordered. The chair moved to open public testimony; 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 Nichols sends up amendment # by Senator Birdwell and pulls it down. Senator Hinojosa sends up amendment # 2 by Senator West and he pulls it down. Senator Hinojosa moved that HB 3361 be left pending until the end of the hearing; without objection, it was so ordered.

The chair laid out HB 1247 and recognized the Senate sponsor, Senator Nichols, to explain the bill. The chair moved to open public testimony; 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 Nichols moved that HB 1247 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.

At 5:03 PM Senator Hinojosa moved that the Committee stand recessed subject to the call of the chair. Without objection, it was so ordered.

At 5:22 PM Senator Hinojosa reconvened the meeting.

The chair laid out HB 3925 and recognized the Senate sponsor, Senator Garcia, to explain the bill. The chair moved to open public testimony there was none. The chair moved that the public testimony be closed; without objection, it was so ordered. Senator Garcia moved that HB 3925 be reported favorably to the Senate with the recommendation that it do pass and be printed.

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The motion carried with a record vote of 5 ayes, 0 nays, 0 present not voting, and 0 absent. Senator Garcia moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out HB 3935 and recognized the Senate sponsor, Senator Garcia, to explain the bill. The chair moved to open public testimony there was none. The chair moved that the public testimony be closed; without objection, it was so ordered. Senator Garcia moved that HB 3935 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 Garcia moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out HB 1554 and recognized Senator Garcia, in the absence of the Senate sponsor, to explain the bill. Senator Garcia sent up a committee substitute; the chair recognized Senator Garcia to explain the difference between the committee substitute and the house bill as engrossed. Senator Hinojosa moved adoption of the committee substitute; without objection, it was so ordered. The chair moved to open public testimony; 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 Garcia moved that HB 1554 do not pass but that CSHB 1554 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 Garcia moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out SB 724 and recognized the author, Senator Williams, to explain the bill. The chair moved to open public testimony there was none. The chair moved that the public testimony be closed; without objection, it was so ordered. Senator Nichols moved that SB 724 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 SB 725 and recognized the author, Senator Williams, to explain the bill. The chair moved to open public testimony there was none. The chair moved that the public testimony be closed; without objection, it was so ordered. Senator Nichols moved that SB 725 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.

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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 HB 1492 and recognized the Senate sponsor, Senator Williams, to explain the bill. The chair moved to open public testimony there was none. The chair moved that the public testimony be closed; without objection, it was so ordered. Senator Nichols moved that HB 1492 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 HB 1506 and recognized the Senate sponsor, Senator Williams, to explain the bill. The chair moved to open public testimony there was none. The chair moved that the public testimony be closed; without objection, it was so ordered. Senator Nichols moved that HB 1506 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 1385 and recognized the Senate sponsor, Senator Williams, to explain the bill. The chair moved to open public testimony there was none. The chair moved that the public testimony be closed; without objection, it was so ordered.

Senator Nichols moved that HB 1385 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 SB 1909 and recognized Senator Taylor, in the absence of the author, to explain the bill. The chair moved to open public testimony there was none. The chair moved that

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

SB 1909 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 Taylor moved that the bill be recommended for placement on the Local &

Uncontested Calendar; without objection, it was so ordered.

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The chair laid out HB 964 and recognized Senator Taylor, in the absence of the Senate sponsor, to explain the bill. The chair moved to open public testimony there was none. The chair moved that the public testimony be closed; without objection, it was so ordered. Senator Taylor moved that HB 964 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 Taylor moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out HB 802 and recognized Senator Nichols, in the absence of the Senate sponsor, to explain the bill. The chair moved to open public testimony; 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 Nichols moved that HB 802 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 HB 35 and recognized Senator Nichols, in the absence of the Senate sponsor, to explain the bill. The chair moved to open public testimony; 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 Nichols moved that HB 35 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 moved to bring back up HB 3361 by sponsor Senator Birdwell. Senator Nichols sends up his amendment # 3 and he pulls it down. Senator Taylor sends up his amendment # 4 and pulls it down. Senator Nichols moved that HB 3361 do not pass but that CSHB 3361 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.

At 5:57 PM Senator Nichols assumed the chair.

The chair laid out SB 1920 and recognized the author, Senator Hinojosa, to explain the bill. The chair moved to open public testimony there was none. The chair moved that the public testimony be closed; without objection, it was so ordered.

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Senator Hinojosa moved that SB 1920 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 Hinojosa moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out HB 654 and recognized the Senate sponsor, Senator Hinojosa, to explain the bill. The chair moved to open public testimony there was none. The chair moved that the public testimony be closed; without objection, it was so ordered. Senator Hinojosa moved that HB 654 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 Hinojosa moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out HB 995 and recognized the Senate sponsor, Senator Hinojosa, to explain the bill. The chair moved to open public testimony there was none. The chair moved that the public testimony be closed; without objection, it was so ordered. Senator Hinojosa moved that HB 995 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 Hinojosa moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

At 6:03 PM Senator Hinojosa resumed the chair.

The chair moved that HB 429 by sponsor Senator Zaffirini be brought up. Senator Nichols moved that HB 429 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 3 ayes, 2 nays, 0 present not voting, and 0 absent.

The chair laid out as a matter of pending business HB 241 by sponsor Senator Hegar. The bill was laid out at previous hearing. Senator Nichols moved that HB 241 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 CSHB 326 by sponsor Senator Huffman. The bill was laid out at previous hearing and the substitute was sent up and adopted at a previous hearing. Senator Nichols moved that HB 326 do not pass but that CSHB 326 be reported back to

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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 712 by sponsor Senator Patrick. The bill was laid out at previous hearing. Senator Taylor moved that HB 712 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 Taylor 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 1237 by sponsor Senator Duncan. The bill was laid out at previous hearing. Senator Taylor moved that HB 1237 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 Taylor 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 1259 by sponsor Senator Duncan. The bill was laid out at previous hearing. Senator Taylor moved that HB 1259 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 Taylor 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 1427 by sponsor Senator Fraser. The bill was laid out at previous hearing. Senator Taylor moved that HB 1427 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 Taylor 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 1920 by sponsor Senator Duncan. The bill was laid out at previous hearing. Senator Taylor moved that HB 1920 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 Taylor moved that the

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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 1969 by sponsor Senator Duncan. The bill was laid out at previous hearing. Senator Taylor moved that HB 1969 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 Taylor 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 3889 by sponsor Senator Duncan. The bill was laid out at previous hearing. Senator Taylor moved that HB 3889 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 Taylor moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

Senator Hinojosa moved that HB 1127 be left pending; without objection, it was so ordered.

There being no further business, at 6:17 PM Senator Hinojosa moved that the Committee stand recessed subject to the call of the chair. Without objection, it was so ordered.

Senator Juan Hinojosa, Chair

JD Pedraza, Clerk