

## MINUTES

### SENATE COMMITTEE ON BUSINESS & COMMERCE

Tuesday, April 19, 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 Business & Commerce was held on Tuesday, April 19, 2011, in the Capitol Extension, Room E1.016, at Austin, Texas.

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#### **MEMBERS PRESENT:**

Senator John Carona, Chair  
Senator Chris Harris, Vice Chair  
Senator Craig Estes  
Senator Mike Jackson  
Senator Eddie Lucio, Jr.  
Senator Leticia Van de Putte  
Senator Kirk Watson  
Senator John Whitmire

#### **MEMBERS ABSENT:**

Senator Kevin Eltife

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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 1375 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 1375, Senator Carona moved that SB 1375 be left pending; without objection, it was so ordered.

The chair laid out SB 1227 and recognized the author, Senator Hegar, to explain the bill.

Senator Estes sent up a committee substitute; the chair recognized Senator Hegar to explain the difference between the committee substitute and the senate bill as filed. Senator Carona 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 Carona moved that CSSB 1227 be left pending; without objection, it was so ordered.

The chair laid out SB 1849 and recognized the author, Senator Hegar, to explain the bill.

Senator Harris sent up a committee substitute; the chair recognized Senator Hegar to explain the difference between the committee substitute and the senate bill as filed. Senator Carona 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 Carona moved that CSSB 1849 be left pending; without objection, it was so ordered.

The chair laid out SB 995 and recognized the author, Senator Fraser, 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 995 be left pending; without objection, it was so ordered.

The chair laid out SB 1743 and recognized the author, Senator Fraser, to explain the bill.

Senator Jackson sent up a committee substitute; the chair recognized Senator Fraser to explain the difference between the committee substitute and the senate bill as filed. Senator Carona 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 Carona moved that CSSB 1743 be left pending; without objection, it was so ordered.

The chair laid out SB 365 and recognized Senator Fraser, in the absence of the author, to explain the bill.

Senator Estes sent up a committee substitute; the chair recognized Senator Fraser to explain the difference between the committee substitute and the senate bill as filed. Senator Carona 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 Carona moved that CSSB 365 be left pending; without objection, it was so ordered.

The chair laid out SB 1812 and recognized the author, Senator Nichols, to explain the bill.

There being no one present wishing to provide oral testimony for, on, or against on SB 1812, Senator Carona moved that SB 1812 be left pending; without objection, it was so ordered.

The chair laid out SB 1463 and recognized the author, Senator Hinojosa, 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 1463 be left pending; without objection, it was so ordered.

The chair laid out SB 1409 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 Carona 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 Carona moved that CSSB 1409 be left pending; without objection, it was so ordered.  
ordered.

The chair laid out SB 1863 and recognized Senator Lucio, Jr., in the absence of the author, 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 1863 be left pending; without objection, it was so ordered.

The chair laid out SB 1388 and recognized Senator Van de Putte, in the absence of the author, to explain the bill.

Senator Van de Putte sent up a committee substitute; the chair recognized Senator Van de Putte to explain the difference between the committee substitute and the senate bill as filed. Senator Carona moved adoption of the committee substitute; without objection, it was so ordered.

There being no one present wishing to provide oral testimony for, on, or against on CSSB 1388, Senator Carona moved that CSSB 1388 be left pending; without objection, it was so ordered.

The chair laid out SB 1575 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 Carona 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 Carona moved that CSSB 1575 be left pending; without objection, it was so ordered.

At 9:40 AM Senator Carona moved that the committee stand at ease until temporarily. Without objection, it was so ordered.

At 9:47 AM Senator Carona called the Senate Committee on Business and Commerce back to order.

The chair called up CSSB 365.

Senator Jackson moved that SB 365 do not pass but that CSSB 365 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 Whitmire submitted a motion in writing requesting unanimous consent to be shown voting aye on CSSB 365.

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 1463.

Senator Watson moved that SB 1463 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 Whitmire submitted a motion in writing requesting unanimous consent to be shown voting aye on SB 1463.

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 1812.

Senator Estes moved that SB 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 8 ayes, 0 nays, 0 present not voting, and 1 absent. Senator Whitmire submitted a motion in writing requesting unanimous consent to be shown voting aye on SB 1812.

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 CSSB 1849.

Senator Jackson moved that SB 1849 do not pass but that CSSB 1849 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 9:51 AM Senator Harris assumed the chair. The chair called up SB 1373.

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Senator Carona sent up a committee substitute to HB 1510 in lieu of SB 1373, and the chair recognized Senator Carona to explain the difference between the committee substitute and the house bill as filed. Senator Harris moved adoption of the committee substitute; without objection, it was so ordered.

Senator Carona moved that HB 1510 do not pass but that CSHB 1510 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 Whitmire submitted a motion in writing requesting unanimous consent to be shown voting aye on CSHB 1510.

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

At 9:54 AM Senator Carona resumed the chair.

There being no further business, at 9:55 AM 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

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Kimberly Selinger, Clerk