

MINUTES

SENATE COMMITTEE ON BUSINESS & COMMERCE

Wednesday, May 18, 2011

8:00 AM

Betty King Committee Room

Pursuant to suspension of Senate Rule 11.10 and 11.18, a public hearing of the Senate Committee on Business & Commerce was held on Wednesday, May 18, 2011, in the Betty King Committee Room 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.

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

At 8:01 AM Senator Whitmire assumed the chair.

The chair laid out HB 2592 and recognized the Senate sponsor, 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 Carona sent up 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 HB 2592 be left pending; without objection, it was so ordered.

The chair laid out HB 2594 and recognized the Senate sponsor, Senator Carona, to explain the bill.

Senator Carona sent up Committee Amendments 1 and 2.

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 2594 be left pending; without objection, it was so ordered.

At 8:15 a.m. Senator Carona resumed the chair.

The chair laid out HB 2931 and recognized the Senate sponsor, Senator Van de Putte, to explain the bill.

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

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 2931, as amended, be left pending; without objection, it was so ordered.

The chair laid out HB 1469 and recognized Senator Van de Putte, in the absence of the Senate sponsor, to explain the bill.

There being no one present wishing to provide oral testimony for, on, or against on HB 1469, Senator Carona moved that HB 1469 be left pending; without objection, it was so ordered.

At 8:23 a.m. Senator Harris assumed the chair.

The chair laid out HB 3167 and recognized the Senate sponsor, Senator Carona, to explain the bill.

There being no one present wishing to provide oral testimony for, on, or against on HB 3167, the chair moved that HB 3167 be left pending; without objection, it was so ordered.

The chair laid out HB 3410 and recognized Senator Carona, 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.

The chair moved that HB 3410 be left pending; without objection, it was so ordered.

At 8:34 a.m. Senator Carona resumed the chair.

The chair called up HB 1469 as an item of pending business.

Senator Van de Putte moved that HB 1469 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 7 ayes, 0 nays, 0 present not voting, and 2 absent.

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

The chair called up HB 2931 as an item of pending business.

Senator Van de Putte moved that HB 2931, as amended, be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 7 ayes, 0 nays, 0 present not voting, and 2 absent.

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

The chair called up HB 602 as an item of pending business.

Senator Lucio, Jr. moved that HB 602 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 7 ayes, 0 nays, 0 present not voting, and 2 absent.

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

The chair called up HB 2408 as an item of pending business.

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

Senator Harris moved that HB 2408 do not pass but that CSHB 2408 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 Harris moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair called up HB 3453 as an item of pending business.

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

Senator Eltife moved that HB 3453 do not pass but that CSHB 3453 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 Eltife moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair called up SB 1837 as an item of pending business.

Senator Van de Putte moved that HB 1837 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 Van de Putte moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair called up HB 213 as an item of pending business.

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

Senator Lucio, Jr. moved that HB 213 do not pass but that CSHB 213 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.

The chair called up HB 1242 as an item of pending business.

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

Senator Harris moved that HB 1242 do not pass but that CSHB 1242 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 Harris moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair called up HB 1355 as an item of pending business.

Senator Harris moved that HB 3410 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 Harris moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair called up HB 1456 as an item of pending business.

Senator Harris moved that HB 1456 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 Harris moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair called up HB 2295 as an item of pending business.

Senator Estes moved that HB 2295 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.

The chair called up HB 2382 as an item of pending business.

Senator Estes moved that HB 2382 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.

The chair called up HB 2604 as an item of pending business.

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

Senator Harris moved that HB 2604 do not pass but that CSHB 2604 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 Harris moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair called up HB 2619 as an item of pending business.

Senator Whitmire moved that HB 2619 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 moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair called up HB 2707 as an item of pending business.

Senator Watson moved that HB 2707 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 Watson moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair called up HB 3116 as an item of pending business.

Senator Lucio, Jr. moved adoption of Committee Amendment 1; without objection, the amendment was adopted.

Senator Lucio, Jr. moved that HB 3116, as amended, 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.

The chair called up HB 3329 as an item of pending business.

Senator Harris moved that HB 3329 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 Harris moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair called up HB 3573 as an item of pending business.

Senator Harris moved that HB 3573 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 Harris moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

At 8:51 a.m. Senator Harris assumed the chair.

The chair called up HB 2592 as an item of pending business.

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

Senator Carona requested unanimous consent to incorporate Committee Amendment 1 into a 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 HB 2592 do not pass but that CSHB 2592 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 called up HB 2594 as an item of pending business.

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

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

Senator Carona moved that HB 2594, as amended, 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 called up HB 3167 as an item of pending business.

Senator Carona moved that HB 3167 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 called up HB 3410 as an item of pending business.

Senator Carona moved that HB 3410 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.

The chair called up HB 272 as an item of pending business.

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

Senator Carona moved that HB 272 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 6 ayes, 3 nays, 0 present not voting, and 0 absent.

The chair called up HB 1580 as an item of pending business.

Senator Carona moved that HB 1580 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 Van de Putte submitted a motion in writing requesting unanimous consent to be shown voting aye on HB 1580.

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

At 9:15 a.m. Senator Carona resumed the chair.

Senator Carona moved to reconsider the vote by which CSHB 3116 passed; without objection it was so ordered.

Senator Lucio, Jr. moved adoption of Committee Amendment 1 to HB 3116; without objection, the amendment was adopted.

Senator Lucio, Jr. requested unanimous consent to incorporate Committee Amendment 1 into the bill to create a committee substitute; without objection, it was so ordered. Senator Lucio, Jr. then

moved that the committee substitute be adopted; without objection, it was so ordered. Senator Lucio, Jr. moved that HB 3116 do not pass but that CSHB 3116 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 Van de Putte and Watson submitted motions in writing requesting unanimous consent to be shown voting aye on CSHB 3116.

At 9:16 a.m. Senator Harris assumed the chair.

The chair called up HB 1959 as an item of pending business.

Senator Carona moved that HB 1959 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. Senators Estes, Van de Putte, and Watson submitted motions in writing requesting unanimous consent to be shown voting aye on HB 1959.

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 2103 as an item of pending business.

Senator Carona moved that HB 2103 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. Senators Estes, Van de Putte, and Watson submitted motions in writing requesting unanimous consent to be shown voting aye on HB 2103.

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 2655 as an item of pending business.

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

Senator Carona moved that HB 2655 do not pass but that CSHB 2655 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 Estes, Van de Putte, and Watson submitted motions in writing requesting unanimous consent to be shown voting aye on CSHB 2655.

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 2982 as an item of pending business.

Senator Carona moved that HB 2982 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. Senators Estes, Van de Putte, and Watson submitted motions in writing requesting unanimous consent to be shown voting aye on HB 2982.

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

At 9:21 a.m. Senator Carona resumed the chair.

There being no further business, at 9:22 a.m. Senator Carona moved that the committee stand recessed subject to the call of the chair. Without objection, it was so ordered.

Senator John Carona, Chair

Kimberly Selinger, Clerk