

MINUTES

SENATE COMMITTEE ON GOVERNMENT ORGANIZATION

Monday, April 4, 2011

9:00 AM

Betty King Committee Room

Pursuant to a notice posted in accordance with Senate Rule 11.10 and 11.18, a public hearing of the Senate Committee on Government Organization was held on Monday, April 4, 2011, in the Betty King Committee Room at Austin, Texas.

MEMBERS PRESENT:

Senator Rodney Ellis, Chair
Senator Glenn Hegar, Vice Chair
Senator Brian Birdwell
Senator Eddie Lucio, Jr.
Senator Jane Nelson
Senator John Whitmire

MEMBERS ABSENT:

Senator Steve Ogden

The chair called the meeting to order at 9:01 AM. There being a quorum present, the following business was transacted:

The chair laid out SB 1420 and recognized the author, Senator Hinojosa, to explain the bill.

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

At 9:33 AM Senator Nelson assumed the chair.

At 9:35 AM Senator Ellis resumed the chair.

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

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Senator Birdwell sent up Committee Amendment 1. Senator Hinojosa was recognized to discuss Amendment 1 (commission) to SB 1420, relating to the continuation and functions of the Texas Department of Transportation; providing penalties.

Senator Birdwell sent up Committee Amendment 2. Senator Hinojosa was recognized to discuss Amendment 2 (written complaints process) to SB 1420, relating to the continuation and functions of the Texas Department of Transportation; providing penalties.

Senator Birdwell sent up Committee Amendment 3. Senator Hinojosa was recognized to discuss Amendment 3(lobby provision) to SB 1420, relating to the continuation and functions of the Texas Department of Transportation; providing penalties.

Senator Birdwell sent up Committee Amendment 4. Senator Hinojosa was recognized to discuss Amendment 4 (public hotline) to SB 1420, relating to the continuation and functions of the Texas Department of Transportation; providing penalties.

Senator Birdwell sent up Committee Amendment 5. Senator Hinojosa was recognized to discuss Amendment 5 (use of state money) to SB 1420, relating to the continuation and functions of the Texas Department of Transportation; providing penalties.

Senator Birdwell sent up Committee Amendment 6. Senator Hinojosa was recognized to discuss Amendment 6 (waiving payment) to SB 1420, relating to the continuation and functions of the Texas Department of Transportation; providing penalties.

Senator Birdwell sent up Committee Amendment 7. Senator Hinojosa was recognized to discuss Amendment 7 (integration plans and policy) to SB 1420, relating to the continuation and functions of the Texas Department of Transportation; providing penalties.

Senator Birdwell sent up Committee Amendment 8. Senator Hinojosa was recognized to discuss Amendment 8 (employee performance evaluation) to SB 1420, relating to the continuation and functions of the Texas Department of Transportation; providing penalties.

Senator Birdwell sent up Committee Amendment 9. Senator Hinojosa was recognized to discuss Amendment 9 (project prioritization and funding allocation) to SB 1420, relating to the continuation and functions of the Texas Department of Transportation; providing penalties.

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Senator Birdwell sent up Committee Amendment 10. Senator Hinojosa was recognized to discuss Amendment 10 (on-line reporting) to SB 1420, relating to the continuation and functions of the Texas Department of Transportation; providing penalties.

Senator Birdwell sent up Committee Amendment 11. Senator Hinojosa was recognized to discuss Amendment 11 (compensation and benefits) to SB 1420, relating to the continuation and functions of the Texas Department of Transportation; providing penalties. Amendment 11 was withdrawn.

Senator Birdwell sent up Committee Amendment 12. Senator Hinojosa was recognized to discuss Amendment 12 (conflicts of interest) to SB 1420, relating to the continuation and functions of the Texas Department of Transportation; providing penalties. Amendment 12 was withdrawn.

Senator Birdwell sent up Committee Amendment 13. Senator Hinojosa was recognized to discuss Amendment 13 (prior corridors) to SB 1420, relating to the continuation and functions of the Texas Department of Transportation; providing penalties. Amendment 13 was withdrawn.

Senator Birdwell sent up Committee Amendment 14. Senator Hinojosa was recognized to discuss Amendment 14 (design build contracts) to SB 1420, relating to the continuation and functions of the Texas Department of Transportation; providing penalties. Amendment 14 was withdrawn.

Senator Birdwell sent up Committee Amendment 15. Senator Birdwell was recognized to discuss Amendment 15 (TXDOT accounts) to SB 1420, relating to the continuation and functions of the Texas Department of Transportation, on behalf of Senator Ogden. Amendment 15 was withdrawn.

Senator Birdwell sent up Committee Amendment 16. Senator Birdwell was recognized to discuss Amendment 16 (environmental review process) to SB 1420, relating to the continuation and functions of the Texas Department of Transportation, on behalf of Senator Ogden. Amendment 16 was withdrawn.

Senator Birdwell sent up Committee Amendment 17. Senator Birdwell was recognized to discuss Amendment 17 (preference for Texas providers) to SB 1420, relating to the continuation and functions of the Texas Department of Transportation, on behalf of Senator Lucio. Amendment 17 was withdrawn.

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Senator Birdwell sent up Committee Amendment 18. Senator Birdwell was recognized to discuss Amendment 18 (comprehensive development agreements) to SB 1420, relating to the continuation and functions of the Texas Department of Transportation. Amendment 18 was withdrawn.

Senator Ellis moved that SB 1420 be left pending; without objection, it was so ordered.

The chair laid out SB 1058 and recognized the author, Senator Nichols, 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 Ellis moved that SB 1058 be left pending; without objection, it was so ordered.

The chair laid out SB 653 and recognized the author, Senator Whitmire, to explain the bill.

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

At 10:22 AM Senator Hegar assumed the chair.

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

Senator Whitmire sent up Committee Amendment 1. Senator Whitmire was recognized to discuss Amendment 1 (purpose of bill) to SB 653 on behalf of Senator Hinojosa. Amendment 1 was withdrawn.

Senator Whitmire sent up Committee Amendment 2. Senator Whitmire was recognized to discuss Amendment 2 (educational services) to SB 653 on behalf of Senator Hinojosa. Amendment 2 was withdrawn.

Senator Whitmire sent up Committee Amendment 3. Senator Whitmire was recognized to discuss Amendment 3 (human resource code- transition team make up and board) to SB 653 on behalf of Senator Hinojosa. Amendment 3 was withdrawn.

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Senator Whitmire sent up Committee Amendment 4. Senator Whitmire was recognized to discuss Amendment 4 (treatment standards) to SB 653 on behalf of Senator Hinojosa. Amendment 4 was withdrawn.

Senator Whitmire sent up Committee Amendment 5. Senator Whitmire was recognized to discuss Amendment 5 (funds allocation) to SB 653 on behalf of Senator Hinojosa. Amendment 5 was withdrawn.

Senator Whitmire sent up Committee Amendment 6. Senator Whitmire was recognized to discuss Amendment 6 (contracts) to SB 653 on behalf of Senator Hinojosa. Amendment 6 was withdrawn.

Senator Whitmire sent up Committee Amendment 7. Senator Whitmire was recognized to discuss Amendment 7 (post-adjudication facility) to SB 653 on behalf of Senator Hinojosa. Amendment 7 was withdrawn.

Senator Whitmire sent up Committee Amendment 8. Senator Whitmire was recognized to discuss Amendment 8 (performance based standards) to SB 653 on behalf of Senator Hinojosa. Amendment 8 was withdrawn.

Senator Hegar moved that SB 653 be left pending; without objection, it was so ordered.

The chair laid out SB 661 and recognized the author, Senator Nichols, to explain the bill.

Senator Birdwell 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.

At 11:38 AM Senator Ellis resumed the chair.

Senator Birdwell sent up Committee Amendment 1. Senator Birdwell was recognized to discuss Amendment 1 (PUC Authority) to SB 661. Amendment 1 was withdrawn.

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Senator Birdwell sent up Committee Amendment 2. Senator Birdwell was recognized to discuss Amendment 2 (priority power to certain medical facilities) to SB 661 on behalf of Senator Lucio. Amendment 2 was withdrawn.

Senator Birdwell sent up Committee Amendment 3. Senator Birdwell was recognized to discuss Amendment 3 (discounted rates for school and institutions of higher education) to SB 661 on behalf of Senator Lucio. Amendment 3 was withdrawn.

Senator Birdwell sent up Committee Amendment 4. Senator Birdwell was recognized to discuss Amendment 4 (definition of health center) to SB 661 on behalf of Senator Lucio. Amendment 4 was withdrawn.

Senator Birdwell sent up Committee Amendment 5. Senator Birdwell was recognized to discuss Amendment 5 (customer entitlements) to SB 661 on behalf of Senator Lucio and Senator Davis. Amendment 5 was withdrawn.

Senator Birdwell sent up Committee Amendment 6. Senator Birdwell was recognized to discuss Amendment 6 (holds and restrictions) to SB 661 on behalf of Senator Lucio. Amendment 6 was withdrawn.

Senator Birdwell sent up Committee Amendment 7. Senator Birdwell was recognized to discuss Amendment 7 (online customer choice information) discounted rates for school and institutions of higher education) to SB 661 on behalf of Senator Lucio and Senator Davis. Amendment 7 was withdrawn.

Senator Birdwell sent up Committee Amendment 8. Senator Birdwell was recognized to discuss Amendment 8 (customer entitlements – standard offers) to SB 661 on behalf of Senator Lucio. Amendment 8 was withdrawn.

Senator Birdwell sent up Committee Amendment 9. Senator Birdwell was recognized to discuss Amendment 9 (essential organizations) to SB 661 on behalf of Senator Lucio. Amendment 9 was withdrawn.

Senator Birdwell sent up Committee Amendment 10. Senator Birdwell was recognized to discuss Amendment 10 (public interest information) to SB 661 on behalf of Senator Lucio. Amendment 10 was withdrawn.

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Senator Birdwell sent up Committee Amendment 11. Senator Birdwell was recognized to discuss Amendment 11 (policy and purpose) to SB 661 on behalf of Senator Lucio. Amendment 11 was withdrawn.

Senator Birdwell sent up Committee Amendment 12. Senator Birdwell was recognized to discuss Amendment 12 (re-numeration) to SB 661 on behalf of Senator Lucio. Amendment 12 was withdrawn.

Senator Birdwell sent up Committee Amendment 13. Senator Birdwell was recognized to discuss Amendment 13 (essential organization representatives) to SB 661 on behalf of Senator Lucio. Amendment 13 was withdrawn.

Senator Birdwell sent up Committee Amendment 14. Senator Birdwell was recognized to discuss Amendment 14 (rates and services) to SB 661 on behalf of Senator Lucio. Amendment 14 was withdrawn.

Senator Birdwell sent up Committee Amendment 15. Senator Birdwell was recognized to discuss Amendment 15 (mission statement approval) to SB 661 on behalf of Senator Ogden. Amendment 15 was withdrawn.

At 11:46 AM Senator Hegar assumed the chair.

Senator Ellis sent up Committee Amendment 16. Senator Ellis was recognized to discuss Amendment 16 (1500 megawatt goal) to SB 661 on behalf of Senator Watson. Amendment 16 was withdrawn.

Senator Ellis sent up Committee Amendment 17. Senator Ellis was recognized to discuss Amendment 17 (500 megawatt goal) to SB 661 on behalf of Senator Watson. Amendment 17 was withdrawn.

Senator Ellis sent up Committee Amendment 18. Senator Ellis was recognized to discuss Amendment 18 (energy efficiency goal) to SB 661. Amendment 18 was withdrawn.

At 11:48 AM Senator Ellis resumed the chair.

Senator Ellis moved that SB 661 be left pending; without objection, it was so ordered.

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The chair laid out SB 1072 and recognized Senator Hegar, 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 Birdwell sent up Committee Amendment 1. Senator Birdwell was recognized to discuss Amendment 1 (mineral rights) to SB 1072 on behalf of Senator Ogden. Amendment 1 was withdrawn.

Senator Ellis moved that SB 1072 be left pending; without objection, it was so ordered.

The chair laid out SB 652 and recognized the author, Senator Hegar, to explain the bill.

Witnesses 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 Hegar sent up Committee Amendment 1 (Windham school) to SB 652 and explained it on behalf of Senator Whitmire. Amendment 1 was withdrawn.

Senator Birdwell sent up Committee Amendment 2 (task force date) to SB 652 and explained it on behalf of Senator Lucio. Amendment 2 was withdrawn.

Senator Ellis moved that SB 652 be left pending; without objection, it was so ordered.

There being no further business, at 12:33 PM Senator Ellis moved that the Committee stand recessed until after adjournment of the Senate. Without objection, it was so ordered.

At 5:50 PM Senator Ellis reconvened the meeting.

Upon arrival of a quorum, the chair laid out SB 652. Senator Hegar sent up Committee Amendment 1, which was previously explained and moved adoption; without objection, the amendment was adopted.

Senator Hegar requested unanimous consent to incorporate the amendment into a committee substitute; without objection, it was so ordered. Senator Hegar then moved that the committee

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substitute be adopted; without objection, it was so ordered. Senator Hegar moved that SB 652 do not pass but that CSSB 652 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 6 ayes, 0 nays, 0 present not voting, and 1 absent.

The chair laid out CSSB 653. Senator Whitmire moved that SB 653 do not pass but that CSSB 653 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 6 ayes, 0 nays, 0 present not voting, and 1 absent.

The chair laid out SB 661. Senator Hegar sent up a committee substitute as previously explained. Senator Hegar moved adoption of the committee substitute; without objection, it was so ordered. Senator Hegar moved that SB 661 do not pass but that CSSB 661 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 6 ayes, 0 nays, 0 present not voting, and 1 absent.

The chair laid out pending business SB 662. Senator Hegar sent up a committee substitute as previously explained by the author. Senator Hegar moved adoption of the committee substitute; without objection, it was so ordered.

Senator Hegar moved that SB 662 do not pass but that CSSB 662 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 6 ayes, 0 nays, 0 present not voting, and 1 absent.

At 5:55 PM Senator Hegar assumed the chair. The chair laid out pending business SB 663.

Senator Ellis sent up Committee Amendment 1 and explained the amendment. Amendment 1 was withdrawn.

At 5:56 PM Senator Ellis resumed the chair.

Senator Hegar moved that SB 663 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, 0 nays, 0 present not voting, and 1 absent.

The chair laid out SB 1058.

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Senator Hegar moved that SB 1058 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, 0 nays, 0 present not voting, and 1 absent.

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

The chair laid out SB 1420.

Senator Hegar sent up Committee Amendment 19 (commission) to SB 1420 and moved adoption; without objection, the amendment was adopted.

Senator Birdwell sent up Committee Amendment 2, which was previously explained and moved adoption; without objection, the amendment was adopted.

Senator Birdwell sent up Committee Amendment 3, which was previously explained and moved adoption; without objection, the amendment was adopted.

Senator Birdwell sent up Committee Amendment 4, which was previously explained and moved adoption; without objection, the amendment was adopted.

Senator Birdwell sent up Committee Amendment 5, which was previously explained and moved adoption; without objection, the amendment was adopted.

Senator Birdwell sent up Committee Amendment 6, which was previously explained and moved adoption; without objection, the amendment was adopted.

Senator Birdwell sent up Committee Amendment 7, which was previously explained and moved adoption; without objection, the amendment was adopted.

Senator Birdwell sent up Committee Amendment 8, which was previously explained and moved adoption; without objection, the amendment was adopted.

Senator Birdwell sent up Committee Amendment 9, which was previously explained and moved adoption; without objection, the amendment was adopted.

Senator Birdwell sent up Committee Amendment 10, which was previously explained and moved adoption; without objection, the amendment was adopted.

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Senator Hegar requested unanimous consent to incorporate the amendments into a committee substitute; without objection, it was so ordered. Senator Hegar then moved that the committee substitute be adopted; without objection, it was so ordered. Senator Hegar moved that SB 1420 do not pass but that CSSB 1420 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 6 ayes, 0 nays, 0 present not voting, and 1 absent.

There being no further business, at 6:06 PM Senator Ellis moved that the Committee stand recessed subject to the call of the chair. Without objection, it was so ordered.

Senator Rodney Ellis, Chair

Jessica Schleifer, Clerk