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2001/3/5

MINUTES

SENATE COMMITTEE ON STATE AFFAIRS

Monday, March 5, 2001
1:00 p.m. or upon adjournment
Senate Chamber

Pursuant to a notice posted in accordance with Senate Rule 11.18, a public hearing of the Senate Committee on State Affairs was held on Monday, March 5, 2001, in the Senate Chamber at Austin, Texas.

MEMBERS PRESENT:

Senator Florence Shapiro
Senator Carlos Truan
Senator Kenneth Armbrister
Senator John Carona
Senator Troy Fraser
Senator Mario Gallegos, Jr.
Senator Chris Harris
Senator Frank Madla
Senator Eliot Shapleigh

MEMBERS ABSENT:

None

The chair called the meeting to order at 3:20 p.m. The following business was transacted:

There was no action taken for the following bill(s): SB487

Senator Truan moved adoption of the minutes from the previous hearings held on February 26, 2001, and March 1, 2001; without objection, it was so ordered.

The chair laid out SB629 and recognized the author, Senator Staples, 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 Shapiro moved that SB629 be left pending to await a quorum; without objection, it was so ordered.

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The chair laid out SB648 and recognized the author, Senator Lucio, Jr., 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 Shapiro moved that SB648 be left pending to await a quorum; without objection, it was so ordered.

The chair laid out SB298 and recognized the author, Senator Madla, to explain the bill.

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

At 4:05 p.m. Senator Harris assumed the chair.

At 4:12 p.m. Senator Carona assumed the chair.

Senator Carona moved that SB298 be left pending to await a quorum; without objection, it was so ordered.

The chair laid out SB614 and recognized the author, Senator Van de Putte, 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 SB614 be left pending to await a quorum; without objection, it was so ordered.

The chair laid out SB235 and recognized the author, Senator Harris, to explain the bill.

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

At 4:39 p.m. Senator Shapiro resumed the chair.

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

At 4:51 p.m. Senator Fraser assumed the chair.

At 4:58 p.m. Senator Shapiro resumed the chair.

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

Senator Shapiro moved that CSSB235 be left pending; without objection, it was so ordered.

At 5:27 p.m. roll was called and a quorum was present.

Upon arrival of a quorum, Senator Truan moved that SB629 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 9 ayes, 0 nay, 0 present not voting, and 0 absent. Senator Truan moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

Senator Harris moved that SB492, which was left pending previously, be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 9 ayes, 0 nay, 0 present not voting, and 0 absent. Senator Harris moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

Senator Truan moved that SB586, which was left pending previously, be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 9 ayes, 0 nay, 0 present not voting, and 0 absent.

Upon arrival of a quorum, Senator Harris moved that SB614 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 9 ayes, 0 nay, 0 present not voting, and 0 absent. Senator Harris moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

Upon arrival of a quorum, Senator Armbrister moved that SB648 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 9 ayes, 0 nay, 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.

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Upon arrival of a quorum, Senator Madla moved that SB298 do not pass but that CSSB298 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 9 ayes, 0 nay, 0 present not voting, and 0 absent.

The chair laid out SB391 and recognized the author, 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 Armbrister sent up Committee Amendment 1 and moved adoption; without objection, the amendment was adopted. Senator Armbrister sent up Committee Amendment 2 and moved adoption; without objection, the amendment was adopted. Senator Armbrister sent up Committee Amendment 3 and moved adoption; without objection, the amendment was adopted. Senator Shapleigh sent up Committee Amendment 4 and moved adoption; without objection, the amendment was adopted.

Senator Armbrister moved that SB391, 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 6 ayes, 2 nays, 0 present not voting, and 1 absent.

The chair laid out SB390 and recognized the author, Senator Wentworth, to explain the bill.

Senator Shapleigh sent up a committee substitute; the chair recognized Senator Wentworth to explain the difference between the committee substitute and the bill as filed. Senator Shapleigh 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 Truan moved that SB390 do not pass but that CSSB390 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, 1 nay, 0 present not voting, and 2 absent.

The chair laid out SR286 and recognized the author, Senator Wentworth, to explain the bill.

No public testimony was taken.

Senator Armbrister moved that SR286 be reported favorably to the Senate with the recommendation that it do pass and be printed. Motion to report failed.

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The chair laid out SB187 and recognized the author, Senator Shapleigh, to explain the bill.

Senator Shapleigh sent up a committee substitute; the chair recognized Senator Shapleigh to explain the difference between the committee substitute and the bill as filed. Senator Shapleigh 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 Shapiro moved that SB187 be left pending; without objection, it was so ordered.

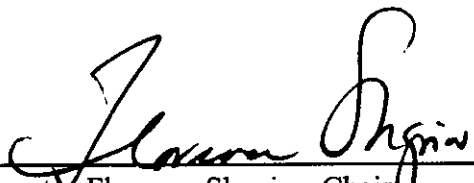
The chair laid out SB247 and recognized the author, Senator Shapleigh, to explain the bill.

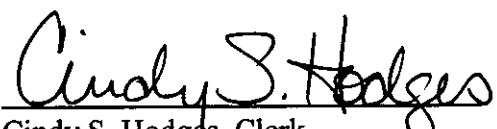
Senator Shapleigh sent up a committee substitute; the chair recognized Senator Shapleigh to explain the difference between the committee substitute and the bill as filed. Senator Shapleigh moved adoption of the committee substitute; without objection, it was so ordered.

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 Shapiro moved that SB247 be left pending; without objection, it was so ordered.

There being no further business, at 7:59 p.m. Senator Shapiro moved that the Committee stand recessed subject to the call of the chair. Without objection, it was so ordered.


Senator Florence Shapiro, Chair


Cindy S. Hodges, Clerk

WITNESS LIST

State Affairs
March 5, 2001 - 1:00 PM or upon adjournment

SB 187

FOR: Miglicco, Gary (KPMG), Austin, TX

ON: Brandt, C.J. (Self), Austin, TX
Purcell, Carolyn (Department of Information Resources), Austin, TX

Registering, but not testifying:

FOR: Albrecht, Jason A. (EMC), Austin, TX
Carter, Janis (Ezgov, & Sun), Austin, TX
Crocker, Jr., William R. (EMC), Austin, TX
Gaither, John (Sun Microsystems), Austin, TX
Grace, Cary (City of Houston), Houston, TX
Harrell, Ken (IBM Corporation), Austin, TX
Hieber, Michael (Cisco Systems), Austin, TX
Kamm, Bob (Travis County Commissioners' Court), Austin, TX
Lee, Randy M. (Stewart Title Guaranty Company), Austin, TX
Logan, Douglas J. (Compaq Computer Corporation), Austin, TX
Martin, Jeff (Oracle), Austin, TX
Medina, Maury (Veritas Software), Austin, TX
Morelock, Mariann (Strategic Partnerships, Inc.), Austin, TX
Rogers, William (KPMG Consulting), Austin, TX
Weaver, Andrew (MicroAssist, Inc.), Austin, TX
Winzeler, Scott (FileNET Corporation), Austin, TX
Wolf, Michael (Vignette Public Sector & Higher Education), Austin, TX
Wuest, Richard (Epic Edge), Austin, TX

ON: Barrett, Phil (Department of Information Resources), Austin, TX
Coleman, Rob (Comptroller of Public Accounts), Austin, TX

SB 235

FOR: Holifield, Tim (Montgomery County Constable-Precinct 3), The Woodlands, TX
Kaemmerer, Ken (Dallas Zoo), Dallas, TX
Trimble, Robert "Skip" (Self/Texas Humane Legislation Network), Dallas, TX
Villafana, Richard (Self), San Antonio, TX

AGAINST: Glass, Karon (Self/Sunrise Exotics), Dripping Springs, TX
Gonzalez, Jr., Sigifredo (Self/Zapata County), Zapata, TX
Henebry, William (Self), Richardson, TX

Kleven, David (Animal Edutainment, Inc.), Aubrey, TX
Knollenberg, Brad (Exotic Animal Owners), Buffalo, TX

ON: Dobat, Robert (Summit Global Partners), Dallas, TX

Registering, but not testifying:

FOR: Alfaro, Marcia (Humane Society (SPCA) of Austin), Austin, TX
Bates, Christy (Houston Society/SPCA of Austin), Austin, TX
Copeland, Chris (Texas Veterinary Medical Association), Austin, TX
Ferrier, Katie (Texas Humane Legislative Network), Austin, TX
French, Robert (SPCA of Texas/Texas Animal Control Association),
Dallas, TX
Holloway, Cile (Texas Humane Legislation Network), Austin, TX
Igo, Shanna (Texas Municipal League), Austin, TX
Lilley, Jeri (THLN), Dallas, TX
Llorach, Ana (Humane Society SPCA of Austin), Austin, TX
McCarty, Michele (THLN/HS/SPCA of Austin), Austin, TX
Mears, Stephanie (Humane Society/SPCA of Austin), Austin, TX
Medicus, Karen (Humane Society of Austin), Austin, TX
Nordyke, Patricia M. (THLH), Austin, TX

AGAINST: Kirk, Chris (Sheriffs' Association of Texas), Bryan, TX

ON: Mahlow, Jane (Texas Department of Health), Austin, TX

SB 247

FOR: McGill, Christopher S. (CLEAT/El Paso MPOA), El Paso, TX

Registering, but not testifying:

FOR: Wilkison, Charley (Combined Law Enforcement Associations of Texas),
Austin, TX

SB 298

FOR: Drusina, Edward (City of El Paso), El Paso, TX
Smith, Nancy (NIA), Los Angeles, CA
Waddy, Victoria J. (H.B. Zachry Company), San Antonio, TX

AGAINST: Pitcock, Doug (AGC of Texas/Texas Good Roads Association), Austin, TX

ON: Behrens, Michael (TxDOT), Austin, TX
Russell, Phillip (Texas Turnpike Authority Division), Austin, TX

Registering, but not testifying:

FOR: Burnett, William (J.P. Abrams, L.P.), Austin, TX
Churhl, Duane (Granite Construction Company), Austin, TX

McCarley, James (Dallas Regional Mobility Coalition), Dallas, TX
Smith, Terral (El Paso Chamber of Commerce), Austin, TX
Velasquez, Sally (Hispanic Contractors Association of Texas), Austin, TX
Watson, Mayor Kirk (City of Austin), Austin, TX

SB 390

AGAINST: Garner Cash, Wanda (Texas Daily Newspaper Association/Texas Press Association), Baytown, TX

ON: Kiplin, Kim (Texas Lottery Commission), Austin, TX

Registering, but not testifying:

ON: Clowe Jr., E. Tom (Texas Lottery Commission), Austin, TX

SB 391

FOR: VanderDrift, Bob (Intelligent Vehicle Systems, Inc.), Dallas, TX

ON: Smith, Ricky D. (Texas Department of Public Safety), Austin, TX

SB 614

FOR: Crawford, Terry (Candlelighters Childhood Cancer Foundation), Austin, TX
Gray, James (American Cancer Society), Austin, TX
Stark, Charlsa (Patients Assistance League), Austin, TX

Registering, but not testifying:

ON: Jacobs, Mickey L. (Texas Cancer Council), Austin, TX
Linzey, David (TxDOT), Austin, TX

SB 629

ON: Boyd, Jeffrey S. (Office of Attorney General), Austin, TX

SB 648

ON: De La Rosa, Gus (Automobile Theft Prevention Authority, TxDOT), Austin, TX