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2011: May 12

## MINUTES

### SENATE COMMITTEE ON STATE AFFAIRS

Thursday, May 12, 2011

9:00 AM

Senate Chamber

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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 State Affairs was held on Thursday, May 12, 2011, in the Senate Chamber.

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#### MEMBERS PRESENT:

Senator Robert Duncan, Chair  
Senator Bob Deuell, Vice Chair  
Senator Rodney Ellis  
Senator Troy Fraser  
Senator Joan Huffman  
Senator Mike Jackson  
Senator Eddie Lucio, Jr.  
Senator Leticia Van de Putte  
Senator Tommy Williams

#### MEMBERS ABSENT:

None

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Senator Ellis, the acting chair, called the meeting to order at 9:00 AM. The following business was transacted:

The chair laid out SB 1570 and recognized the author, Senator Estes, to explain the bill. Senator Ellis sent up a committee substitute; Senator Duncan moved adoption of the committee substitute. The chair recognized Senator Estes to explain the difference between the committee substitute and the senate bill as filed. The chair opened 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 Ellis moved that SB 1570 be left pending; without objection, it was so ordered.

The chair laid out HB 1678 and recognized Senator Van de Putte, in the absence of the Senate sponsor, to explain the bill. The chair opened public testimony. 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 Ellis moved that HB 1678 be left pending; without objection, it was so ordered.

Senator Van de Putte assumed the chair.

The chair laid out HB 2477 and recognized the Senate sponsor, Senator Ellis, to explain the bill. Senator Ellis sent up a committee substitute; the chair recognized Senator Ellis to explain the difference between the committee substitute and the senate bill as filed. Senator Duncan moved adoption of the committee substitute. The chair opened 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 Van de Putte moved that HB 2477 be left pending; without objection, it was so ordered.

The chair laid out HB 2973 and recognized the Senate sponsor, Senator Ellis, to explain the bill. Senator Ellis sent up a committee substitute; the chair recognized Senator Ellis to explain the difference between the committee substitute and the senate bill as filed. Senator Duncan moved adoption of the committee substitute; without objection, it was so ordered. The chair opened 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 Van de Putte moved that HB 2973 be left pending; without objection, it was so ordered.

The chair laid out HB 417 and recognized the Senate sponsor, Senator Ellis, to explain the bill. Senator Ellis sent up a committee substitute; the chair recognized Senator Ellis to explain the difference between the committee substitute and the senate bill as filed. Senator Duncan moved adoption of the committee substitute; without objection, it was so ordered. The chair opened 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 Van de Putte moved that HB 417 be left pending; without objection, it was so ordered.

The chair laid out SCR 14 and recognized the author, Senator Patrick, to explain the bill. The chair opened 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 Van de Putte moved that SCR 14 be left pending; without objection, it was so ordered.

The chair laid out HB 3033 and recognized Senator Ellis, in the absence of the Senate sponsor, to explain the bill. Senator Ellis sent up a committee substitute; the chair recognized Senator Ellis to explain the difference between the committee substitute and the senate bill as filed. Senator Duncan moved adoption of the committee substitute; without objection, it was so ordered. The chair opened 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 Van de Putte moved that HB 3033 be left pending; without objection, it was so ordered.

The chair laid out HB 1135 and recognized Senator Ellis, 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. Senator Van de Putte moved that HB 1135 be left pending; without objection, it was so ordered.

The chair laid out HB 3270 and recognized Senator Ellis, 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. Senator Van de Putte moved that HB 3270 be left pending; without objection, it was so ordered.

There being no further business, at 9:40 AM Senator Van de Putte moved that the Committee stand recessed until after adjournment of the Senate. Without objection, it was so ordered.

At 2:15 PM Senator Duncan reconvened the meeting.

The chair laid out HCR 18 and recognized the Senate sponsor, Senator Shapiro, 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 Duncan moved that HCR 18 be left pending; without objection, it was so ordered.

Senator Duncan moved that the committee stand at ease; without objection, it was so ordered.

AT 2:30 PM Senator Duncan reconvened the meeting.

The chair laid out as a matter of pending business HCR 18.

Senator Deuell moved that HCR 18 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, 2 nays, 0 present not voting, and 0 absent.

The chair laid out as a matter of pending business HB 417. Senator Ellis moved that HB 417 do not pass but that CSHB 417 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 nays, 0 present not voting, and 0 absent.

The chair laid out as a matter of pending business HB 1135. Senator Fraser moved that HB 1135 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 9 ayes, 0 nays, 0 present not voting, and 0 absent. Senator Fraser 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 1678. Senator Deuell moved that HB 1678 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 9 ayes, 0 nays, 0 present not voting, and 0 absent. Senator Fraser 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 2477. Senator Ellis moved that HB 2477 do not pass but that CSHB 2477 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 nays, 0 present not voting, and 0 absent. Senator Fraser 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 2973. Senator Ellis moved that HB 2973 do not pass but that CSHB 2973 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 nays, 0 present not voting, and 0 absent.

The chair laid out as a matter of pending business HB 3033. Senator Ellis moved that HB 3033 do not pass but that CSHB 3033 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 nays, 0 present not voting, and 0 absent. Senator Ellis 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 3270. Senator Deuell moved that HB 3270 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 9 ayes, 0 nays, 0 present not voting, and 0 absent.

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

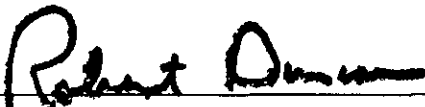
Senator Deuell assumed the chair.

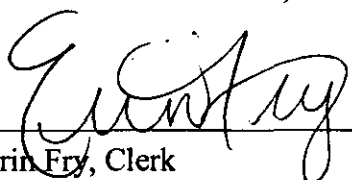
The chair laid out as a matter of pending business SB 1430 and recognized the author, Senator Duncan, to explain the bill. Senator Duncan then laid out the companion HB 1772 in lieu of SB 1430. Senator Duncan moved that HB 1772 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 9 ayes, 0 nays, 0 present not voting, and 0 absent. Senator Duncan 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 360. Senator Duncan sent up a committee substitute; the chair recognized Senator Duncan to explain the difference between the committee substitute and the senate bill as filed. Senator Duncan moved adoption of the committee substitute; without objection, it was so ordered. Senator Duncan moved that HB 360 do not pass but that CSHB 360 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 nays, 0 present not voting, and 0 absent. Senator Duncan moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair referred SJR 34 to a subcommittee Gaming for further consideration. The chair appointed Senator Bob Deuell as chair of the subcommittee and Senators Fraser, Huffman, Jackson, and Lucio, Jr. as members of the subcommittee.

There being no further business, at 2:55 PM Senator Duncan moved that the Committee stand recessed subject to the call of the chair. Without objection, it was so ordered.

  
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Senator Robert Duncan, Chair

  
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Erin Fry, Clerk

WITNESS LIST

State Affairs

May 12, 2011 9:00 AM

HB 417

ON:

Conradt, Chris (Comptroller of Public Accounts), Austin, TX  
Gonzalez, Lita (Comptroller of Public Accounts), Austin, TX  
Higgins, Leonard (Comptroller of Public Accounts), Austin, TX

HB 1135

FOR:

Wallace, Skipper (Texas Republican County Chairs Association), Lampasas, TX

ON:

Winn, Elizabeth Hanshaw (Office of the Secretary of State), Austin, TX

Registering, but not testifying:

For:

Haltom, Sondra (Texas Democratic Party), Austin, TX

HB 1678

Registering, but not testifying:

For:

Forbes, Nanette (Texas Association of Counties), Austin, TX  
Griffin, Travis (Republican Party of Texas), Austin, TX  
Vasquez, Michael (Texas Conference of Urban Counties), Austin, TX  
Wallace, Skipper (Texas Republican County Chairs Association), Lampasas, TX

On:

McGeehan, Ann (Office of Secretary of State), Austin, TX

HB 2477

FOR:

Hammerlein, George (Harris County Clerk), Houston, TX

Registering, but not testifying:

For:

Dahill, John (Texas Conference of Urban Counties), Austin, TX  
Mendez, Mark (Tarrant County), Fort Worth, TX  
Pardue, Craig (Dallas County), Dallas, TX  
Privett, Anita (League of Women Voters of Texas), Austin, TX  
Santana, Sonia (ACLU - TX), Austin, TX

On:

McGeehan, Ann (Office of Secretary of State), Austin, TX

HB 2973

Registering, but not testifying:

For:

Colyandro, John (TCCRI), Austin, TX  
Prather, Laura (TDNA, TPA, FOIFT, BBB of Central Texas), Austin, TX  
Schneider, Michael (Texas Assoc. of Broadcasters), Austin, TX  
Whalen, Ken (Texas Daily Newspaper Association/ Tx Press Ass), Austin, TX

WITNESS LIST

State Affairs

May 12, 2011 9:00 AM

HB 3033

FOR:

Crawford, Lee (City of Austin), Austin, TX

Edmonds, Stephen (City of Austin Employees retirement System), Austin, TX

Registering, but not testifying:

For:

Knodel, Jeff Deputy Chief Financial Officer (City of Austin), Austin, TX

Ott, Mark City Manager (City of Austin), Austin, TX

Ross, Sr., Anthony B. (City of Austin Employee Retirement System), Pflugerville, TX

HB 3270

Registering, but not testifying:

For:

Haltom, Sondra (Texas Democratic Party), Austin, TX

Wallace, Skipper (Texas Republican County Chairs Association), Lampasas, TX

On:

Winn, Elizabeth Hanshaw (Office of the Secretary of State), Austin, TX

HCR 18

FOR:

Colyandro, John (TCCRI), Austin, TX

Loyola, Mario (also providing written testimony) (Texas Public Policy Foundation),  
Austin, TX

Registering, but not testifying:

For:

Carter, David Col. USAF (Retired) (Self), Temple, TX

SB 1570

FOR:

Patterson, Michael (Patterson Equity Partners, LLC), Arlington, TX

ON:

Finley, Trace (General Land Office), Austin, TX

Registering, but not testifying:

For:

Cox, Jarod (Patterson Equity Partners), Arlington, TX

Propes, Jay (Patterson Equity Partners), Austin, TX

Wynn, Monty (Texas Municipal League), Austin, TX

Against:

Rickers, Emily (Texas Low Income Housing Information Service), McAllen, TX

SCR 14

FOR:

Carter, David Col. USAF (Retired) (Self), Temple, TX