

HOUSE JOURNAL

EIGHTY-SECOND LEGISLATURE, REGULAR SESSION

SUPPLEMENT

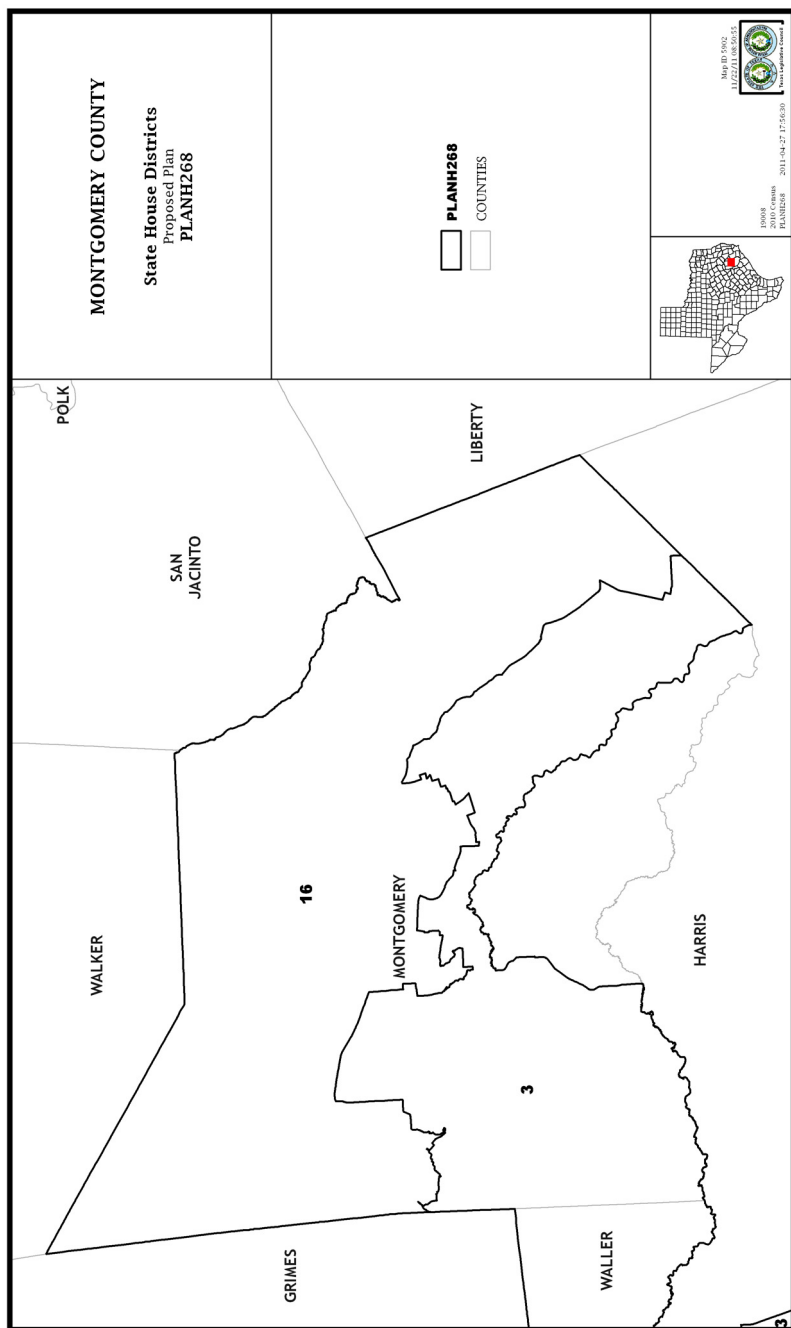
SIXTY-FOURTH DAY — THURSDAY APRIL 28, 2011

HB 150 - AMENDMENTS

The following are the proposed maps and reports associated with amendments offered on third reading of **HB 150**:

Amendment No. 1 by Creighton	S836
Amendment No. 2 by Raymond	S838
Amendment No. 3 by Raymond	S840
Amendment No. 4 by W. Smith, et al	S842
Amendment No. 5 by Allen	S844
HB 150 Debate - Third Reading	S846

[illegible]



Texas House Districts Proposed Plan 2011

Legend: PLAN 2011

Scale: 0 to 100 miles

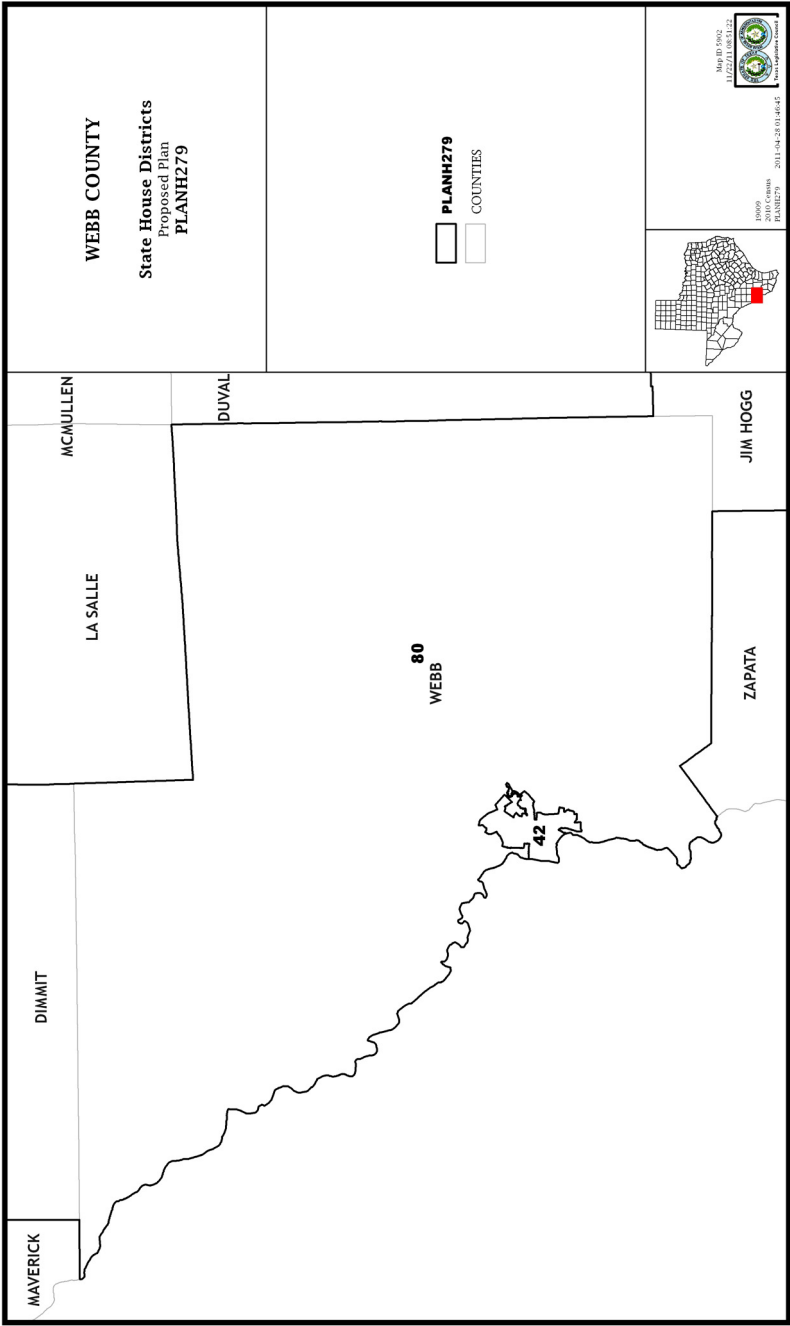
Counties: 254

Districts: 31

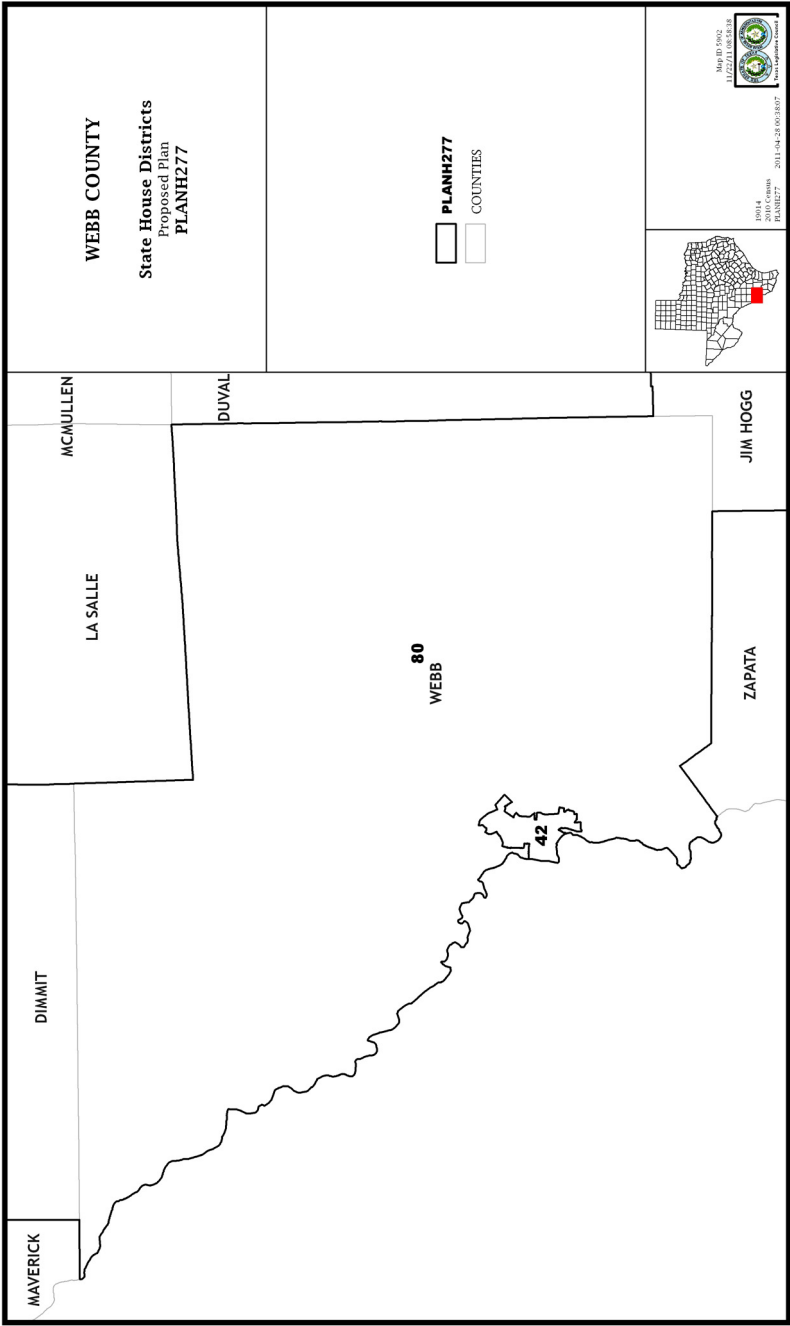
Map ID: 2011-04-25 10:46:45

Map Date: 1/25/11 10:17:25

Map Author: Texas Legislature



[illegible]



**State House Districts
Proposed Plan
PLANH281**

Map ID: S962
1/27/11 05:51:24
Map by Esri/DeLorme

Map of Texas showing State House Districts (S962) and County boundaries. The map includes a legend for PLANH281 and a scale bar.

Legend: PLANH281 COUNTIES

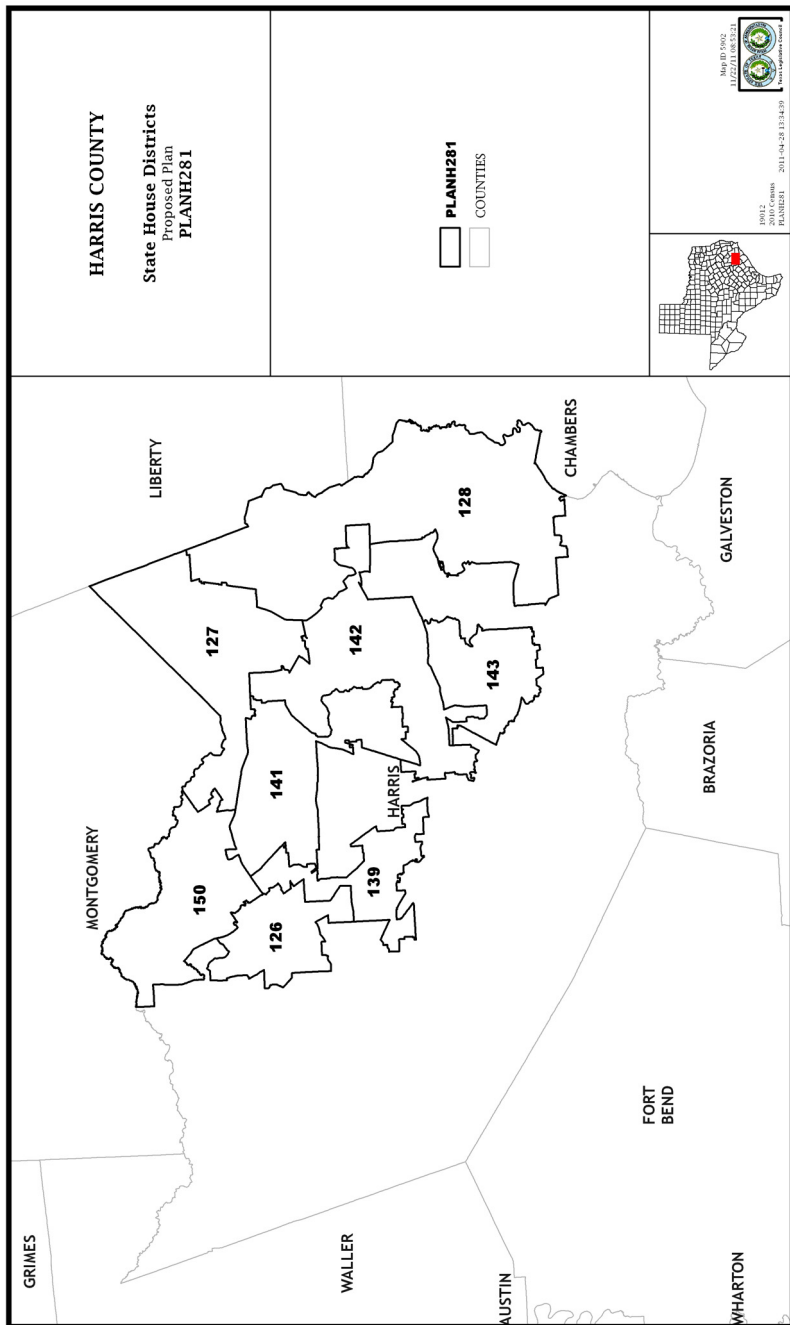
Scale: 0 10 20 30 40 50 Miles

Map ID: S962
1/27/11 05:51:24
Map by Esri/DeLorme

Map of Texas showing State House Districts (S962) and County boundaries. The map includes a legend for PLANH281 and a scale bar.

Legend: PLANH281 COUNTIES

Scale: 0 10 20 30 40 50 Miles

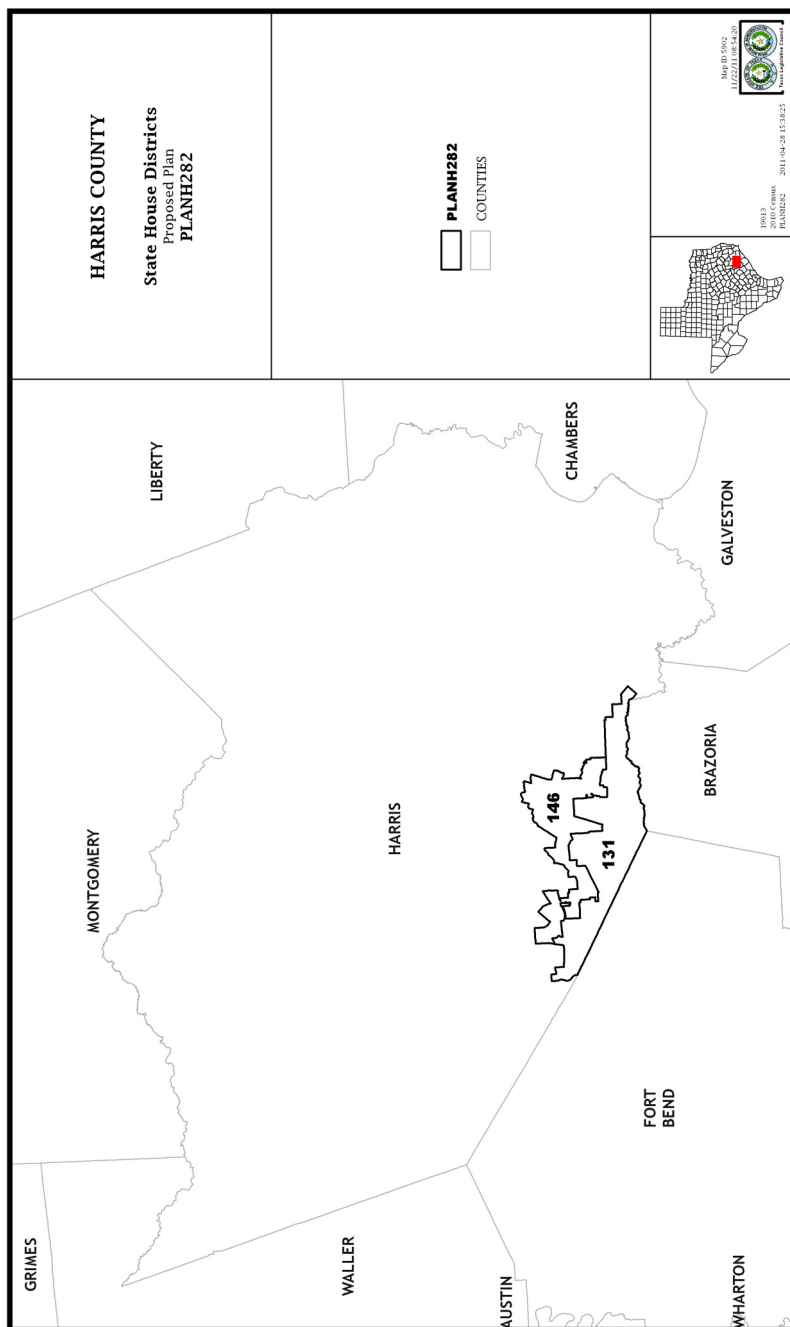


State House Districts Proposed Plan PLANH282

COUNTIES

0 100 Miles

Map ID 5962
1/22/11 05:52:50
Texas Legislature Online



HB 150 DEBATE - THIRD READING

REPRESENTATIVE SOLOMONS: Members, this is, as I said before, the redistricting bill that we had so many hours of debate yesterday. I think there's two, three agreed-to amendments that help make the bill better, and they'll be acceptable to the author, I believe.

[Amendment No. 1 by Creighton was laid before the house.]

REPRESENTATIVE CREIGHTON: Representative Eissler and I have agreed upon a change to a precinct in my district, and it's acceptable to the author.

[Amendment No. 1 was adopted.]

[Amendment No. 2 by Raymond was laid before the house.]

REPRESENTATIVE RAYMOND: This is a technical amendment that Representative King and I—when the committee approved the map, they took the Laredo Energy Arena, which is like the Erwin Center, and inadvertently put it into District 80, which is Tracy King's district. So Mr. King generously agreed that it should be in the Laredo district. It has no people, and it is acceptable to Mr. Solomons. Move passage.

[Amendment No. 2 was adopted.]

[Amendment No. 3 by Raymond was laid before the house.]

RAYMOND: Again, this is the same thing. When the committee approved the proposed map, they took the Casa Blanca State Park, which is a state park in Laredo, and inadvertently put it into the proposed District 80. Mr. King has generously agreed that the Casa Blanca State Park should stay in the Laredo district, and so we transferred the lake, the park, and eight people back into the Laredo district. It is acceptable to Mr. King and also to Chairman Solomons. Move adoption.

[Amendment No. 3 was adopted.]

[Amendment No. 4 by W. Smith was laid before the house.]

REPRESENTATIVE W. SMITH: This is an amendment in Harris County that only affects Harris County, affects Districts 126, 127, 128, 139, 141, 142, 143, and 150. It's acceptable to the author and it's an agreed-upon amendment to the Harris County map, and I think it's agreeable to the author.

[Amendment No. 4 was adopted.]

REPRESENTATIVE GIDDINGS: Parliamentary inquiry.

SPEAKER STRAUS: State your inquiry.

GIDDINGS: Would this be a good time to get any changes in terms of an amendment that I needed for my district? It seems to be wholesale amendment time.

SPEAKER: Thank you for your question. Representative Veasey, for what purpose?

REPRESENTATIVE VEASEY: Parliamentary inquiry.

SPEAKER: State your inquiry.

VEASEY: While we are at intermission here, would the gentleman from Denton County be willing to answer a question about the other redistricting bills that we'll have to take up?

SPEAKER: Chair recognizes Representative Solomons.

SOLOMONS: Yes, I do, sure.

VEASEY: Representative Solomons, there was an article in one of the newspapers that stated that Congressman Smith had delivered a map, a congressional map, to you and to the house; and I was wondering when were you planning on unveiling that particular map or when do you think that the house or the committee will take that up?

SOLOMONS: I have no idea yet. I actually haven't read the article and haven't seen the map.

VEASEY: Okay. So you have not seen the map?

SOLOMONS: I have spent the last week, in particular, in fact, longer than that, just dealing with 150 districts. When I finish this on third reading and get through some legislation that I'm working on today, and go through today, and then when I'm fresher tomorrow, I'll start paying attention to what's going on with congressional redistricting.

VEASEY: Okay. I just know that—now that, since this is pretty much passed—

SOLOMONS: And just so that you know, and the so the house knows, and so the public knows, I have no intention—because there's some rumor floating around, apparently, that I'm somehow magically dropping a map out for public view tomorrow. That is not my intention. I haven't even looked at a congressional map yet. And the earliest that anyone would be able to do anything, including me and my staff, would probably be next week at the earliest.

VEASEY: That's what I was asking. I just wanted to make sure we weren't caught flat-footed.

REPRESENTATIVE ANCHIA: Earlier, Mr. Solomons, you said you were not feeling very fresh? You said tomorrow you may be feeling fresher, are you not feeling fresh right now?

SOLOMONS: I will be feeling a little bit less tired, yes, I hope so.

ANCHIA: Using the word fresh, I was just wondering if you had some problems that maybe somebody could help you with.

SOLOMONS: With freshness?

ANCHIA: Yeah.

SOLOMONS: No, actually, I'm pretty fresh other than in that context. Thank you. I appreciate that.

ANCHIA: Very good.

GIDDINGS: Chairman Solomons, last night you recall that I mentioned President George W. Bush signing this extension into law in July of 2006?

SOLOMONS: Yes, ma'am.

GIDDINGS: And a member asked me why I thought he might not have been as supportive initially. You recall that conversation, yes?

SOLOMONS: Yes, ma'am.

GIDDINGS: And I just wanted to clear up that I was really very complimentary to the president, because I think if President Bush had not gotten out front on this measure to begin with it would've been a lot more difficult to pass, because it was something of a partisan issue at that time. And do you mind if I just read a little bit from his press release at the White House on the date of that signing?

SOLOMONS: No, ma'am. I know you were intending to be complimentary to President Bush.

GIDDINGS: Well, thank you very much. It says, "Today the president signed into law the Fanny Lou Hamer, Rosa Parks and Coretta Scott King Voting Rights Act Reauthorization and Amendment Act of 2006. The Voting Rights Act of 1965 was designed to restore the birthright of every American, the right to choose our leaders, and it has been vital to guaranteeing the right to vote for generations of Americans and has helped millions of our citizens enjoy the full promise of freedom.

[Amendment No. 5 by Allen was laid before the house.]

REPRESENTATIVE ALLEN: Mr, Chairman and members, this is Amendment 13. It is a technical amendment to keep the—my office in my district. It only changes my district, which is 131, and Representative Miles' District 146, and it's acceptable to Mr. Miles and to the author.

[Amendment No. 5 was adopted.]

SOLOMONS: I'm ready to close, but I think Ms. Davis has a couple of questions.

REPRESENTATIVE Y. DAVIS: Thank you, Chairman Solomons, I appreciate your yielding. I wanted to go back and revisit some discussion we had last night as it relates to the Texas Legislative Black Caucus Plan 202.

SOLOMONS: Yes, ma'am.

Y. DAVIS: You indicated that one of the primary reasons that you thought it violated the county line rule—because of splitting of county lines—it posed a problem. We projected it as a map that created additional districts, minority districts, in the State of Texas. And you said it was problem because of the county line being split, and until adjudication had been done, it would be hard to see if it was constitutional; is that right? Do you remember that conversation?

SOLOMONS: Well, on Plan 202, I mentioned—I wanted to basically respond to you by saying that the amendment was problematic because it splits counties unnecessarily in violation of the Texas Constitution. Specifically, it's splitting

Nueces County four ways and Cameron County three ways. It also unnecessarily splits Upshur County, Wilson County, Goliad County, and Victoria County. Finally, it splits up Henderson and Hill Counties, and while you have to split one of those counties, you don't need to split both. So as a result, those splits, we believe, will all violate the Texas Constitution. Because the committee map complies with the Texas Constitution and, we believe, the Voting Rights Act. Any map that violates that Texas Constitution is not a legal map, in our opinion. And so that's why I moved to table the amendment, primarily.

Y. DAVIS: I understood that was the basis of your saying that you were moving to table. So I wanted to come back to that, because we found a case where the Supreme Court has ruled on the issue, in *Bartlett v. Strickland*, where it basically says the court held that a district had to be of a 50 percent voting age population to overcome the state constitutional ban. And, therefore, you could do it if, in fact, you were over the 50 percent level. And those counties like Cameron County, Willacy, and Hidalgo, and Cameron actually exceeded the 50 percent guideline, which allows you then to be able to split those. And we wanted to make sure that was on the record, that based on this court case, that you are able to use splitting of counties. And I just didn't want to leave that as though we had not considered that, as it relates to our map, because we exceeded the 50 percent threshold that you have to exceed in order to split county lines.

SOLOMONS: And now that you found that case law, and we didn't know that case law, that's fine. But, at the end of the day, we spoke, and it's in the record now, and we'll resolve that later, I assume.

Y. DAVIS: Okay. And I just wanted to make sure because you represented that that was the primary reason that —

SOLOMONS: One of the—the amendment, the primary reason the amendment was problematic, because of that issue. Yes, ma'am.

REPRESENTATIVE CAIN: I rise in opposition to **HB 150**. I approached redistricting with a heartfelt desire to create a fair and legal map that protects incumbents, that preserves core districts and communities of interest. The chairman and the committee no doubt did a lot of hard work to draw this map. I first saw my map when the full map was published. I was paired with my good friend and conservative colleague, Dan Flynn, and my first reaction was, at least there will be a conservative in my district; but when I looked harder at the map, I grew very concerned for Texas.

It's a monumental event for legislators to be able to draw districts, but with that honor comes a high level of discomfort. As legislators responsible for these decisions, we have to tell some of our roommates, and our committee mates, and our desk mates, and our friends, "You may not be coming back to this house." That process is hard. This map made that harder and unnecessarily painful. There were too many unnecessary pairings, and of those who weren't paired, there were over a dozen districts, democrats and republicans alike, that were so eviscerated that incumbents were running virtually in a new district. There were

too many unnecessary open seats. There were concerns over fractured core districts and breaking up communities of interest. The map was riddled with problems.

So, I and several others went to work on another map to correct some of those problems. We encouraged members to participate. We have tried to accommodate every request. We published the Nixon map and then as the final Cain map. I'd like to believe that the presence of our map was a catalyst for some of the good amendments that were accepted yesterday. The Solomons map got better in Houston, West Texas, and in other areas. East Texas representatives tried to compromise and fix East Texas, and you heard last night why we could not get that done. East Texas representatives had virtually no input into the districts that were drawn in East Texas. It's no wonder that six of the 10 republicans that voted against this bill were from Northeast Texas. So East Texas is left with almost every core district being deconstructed. My district alone was divided into four districts. Another district, relatively compact, was stretched over hundreds of miles. Communities of interest were fractured. This map simply does not represent the views of the voters of Northeast Texas, and members, in my humble opinion, this map does not in the end represent the interests of all Texans.

So I ask you, if you voted last night against **HB 150**, I ask you to vote against it again. And if you voted for it because of timidity, or intimidation, or any other wrong reason, I ask you to reconsider your vote and vote against it. And if you voted for it because you had a reasonably good district, I ask you to reconsider your vote. I ask you to remember why you came to the house in the first place—to do the right thing, to do the honorable thing by the people of Texas. I ask you to think about what is in the best interest of Texans who we represent. We can do better for Texans. There can be a better map, much better. Please vote no with me on **HB 150**.

RAYMOND: I move to reconsider the vote by which—the vote by which Plan H277 was adopted. Members, this is simply withdrawing the second amendment that I did a little while ago, it was an extraneous amendment that we did not need after all. Thank you.

[Amendment No. 3 was withdrawn.]

SOLOMONS: Thank you, Mr. Speaker, members. I want to thank all the members once again, and the all the regions who actually did participate and actually produced their versions of where they wanted things and for their region. We actually did reach out, my staff and I did reach out quite a bit, to all regions. Not everyone in redistricting is happy, by any means. I found that this is a very difficult job, and I appreciate again all your courtesy, and I move passage.

[**HB 150**, as amended, was passed by Record Vote No. 596.]