

HOUSE JOURNAL

EIGHTY-SECOND LEGISLATURE, REGULAR SESSION

PROCEEDINGS

FIFTY-SIXTH DAY — THURSDAY, APRIL 14, 2011

The house met at 1:35 p.m. and was called to order by the speaker pro tempore.

The roll of the house was called and a quorum was announced present (Record 374).

Present — Mr. Speaker; Aliseda; Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Aycock; Beck; Berman; Bohac; Bonnen; Branch; Brown; Burkett; Burnam; Button; Cain; Callegari; Carter; Castro; Chisum; Christian; Coleman; Cook; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Driver; Dutton; Eiland; Eissler; Elkins; Farias; Farrar; Fletcher; Flynn; Frullo; Garza; Geren; Giddings; Gonzales, L.; Gonzales, V.; Gonzalez; Gooden; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Hernandez Luna; Hilderbran; Hochberg; Hopson; Howard, C.; Howard, D.; Huberty; Hughes; Hunter; Isaac; Jackson; Johnson; Keffer; King, P.; King, S.; King, T.; Kleinschmidt; Kuempel; Landtroop; Larson; Lavender; Legler; Lewis; Lozano; Lucio; Lyne; Madden; Mallory Caraway; Margo; Marquez; Martinez Fischer; Menendez; Miles; Miller, D.; Miller, S.; Morrison; Muñoz; Murphy; Naishtat; Nash; Oliveira; Orr; Otto; Parker; Patrick; Paxton; Peña; Perry; Phillips; Pickett; Pitts; Price; Quintanilla; Raymond; Reynolds; Riddle; Ritter; Rodriguez; Schwertner; Scott; Sheets; Sheffield; Shelton; Simpson; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Taylor, L.; Taylor, V.; Thompson; Torres; Truitt; Veasey; Villarreal; Vo; Walle; Weber; White; Woolley; Workman; Zedler; Zerwas.

Absent, Excused — Laubenberg.

Absent — Dukes; Gallego; Kolkhorst; Martinez; McClendon; Turner.

LEAVES OF ABSENCE GRANTED

On motion of Representative Thompson and by unanimous consent, all members who were granted leaves of absence on the previous legislative day were granted leaves for this legislative day.

RULES SUSPENDED

Representative Thompson moved to suspend all necessary rules to take up and consider at this time, on third reading and final passage, the bills on the local, consent, and resolutions calendar which were considered on the previous legislative day.

The motion prevailed.

MOTION FOR ONE RECORD VOTE

On motion of Representative Thompson and by unanimous consent, the house agreed to use the first record vote taken for all those bills on the local, consent, and resolutions calendar that require a record vote on third reading and final passage, with the understanding that a member may record an individual vote on any bill with the journal clerk.

(Kolkhorst now present)

LOCAL, CONSENT, AND RESOLUTIONS CALENDAR THIRD READING

The following bills which were considered on second reading on the previous legislative day on the local, consent, and resolutions calendar were laid before the house, read third time, and passed by the following record vote (members registering votes and the results of the vote are shown following bill number).

(Record 375): 142 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Aliseda; Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Aycock; Beck; Berman; Bohac; Bonnen; Branch; Brown; Burkett; Burnam; Button; Cain; Callegari; Carter; Castro; Chisum; Christian; Coleman; Cook; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dutton; Eiland; Eissler; Elkins; Farias; Farrar; Fletcher; Flynn; Frullo; Garza; Geren; Giddings; Gonzales, L.; Gonzales, V.; Gonzalez; Gooden; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Hernandez Luna; Hilderbran; Hochberg; Hopson; Howard, C.; Howard, D.; Huberty; Hughes; Hunter; Isaac; Jackson; Johnson; Keffer; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Landtroop; Larson; Lavender; Legler; Lewis; Lozano; Lucio; Lyne; Madden; Mallory Caraway; Margo; Marquez; Martinez Fischer; Menendez; Miles; Miller, D.; Miller, S.; Morrison; Muñoz; Murphy; Naishtat; Nash; Oliveira; Orr; Otto; Parker; Patrick; Paxton; Peña; Perry; Phillips; Pickett; Pitts; Price; Quintanilla; Raymond; Reynolds; Riddle; Ritter; Rodriguez; Schwertner; Scott; Sheets; Sheffield; Shelton; Simpson; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Taylor, L.; Taylor, V.; Thompson; Torres; Truitt; Veasey; Villarreal; Vo; Walle; Weber; White; Woolley(C); Workman; Zedler; Zerwas.

Present, not voting — Mr. Speaker.

Absent, Excused — Laubenberg.

Absent — Driver; Dukes; Gallego; Martinez; McClendon; Turner.

STATEMENTS OF VOTE

When Record No. 375 was taken, I was in the house but away from my desk. I would have voted yes.

Driver

When Record No. 375 was taken, I was in the house but away from my desk. I would have voted yes.

Dukes

When Record No. 375 was taken, I was in the house but away from my desk. I would have voted yes.

Gallego

When Record No. 375 was taken, I was in the house but away from my desk. I would have voted yes.

Martinez

When Record No. 375 was taken, I was in the house but away from my desk. I would have voted yes.

McClendon

(Turner now present)

HB 35 (Harper-Brown, Isaac, and Weber - no) (139 - 3 - 1)

HB 46 (Parker and Paxton - no) (140 - 2 - 1)

HB 119

HB 184

HB 360

HB 423 (White - no) (141 - 1 - 1)

HB 533

HB 564 (White - no) (141 - 1 - 1)

HB 596 (Cain and Frullo - no) (140 - 2 - 1)

SB 386

HB 725 (Harless and Phillips - no) (140 - 2 - 1)

HB 729 (Parker, Paxton, Schwertner, Shelton, and Zerwas - no) (137 - 5 - 1)

HB 790 (White - no) (141 - 1 - 1)

HB 902 (White - no) (141 - 1 - 1)

HB 908 (R. Anderson and Cain - no) (140 - 2 - 1)

SB 785

HB 930

SB 525 (White - no) (141 - 1 - 1)

HB 960

HB 962 (Isaac and Weber - no) (140 - 2 - 1)

HB 988

HB 1040 (Aycock and White - no) (140 - 2 - 1)

HB 1083

HB 1106 (Aycock - no) (141 - 1 - 1)

HB 1136

HB 1147

SB 567

HB 1242 (White - no) (141 - 1 - 1)

HB 1254 (White - no) (141 - 1 - 1)

HB 1263 (White - no) (141 - 1 - 1)

HB 1301

HB 1322 (White - no) (141 - 1 - 1)

HB 1330 (White - no) (141 - 1 - 1)

HB 1346 (White - no) (141 - 1 - 1)

HB 1379

HB 1400

HB 1413 (Parker, Paxton, Schwertner, Shelton, and Zerwas - no) (137-5-1)

HB 1426

SB 832

HB 1469

SB 727

HB 1525

HB 1527

HB 1550

HB 1568 (Schwertner, Shelton, and Zerwas - no) (139 - 3 - 1)

HB 1768 (Simpson - no) (141 - 1 - 1)

SB 684

HB 1814

HB 1829

HB 1832

HB 1901

HB 1944

HB 1955 (R. Anderson, Bohac, Harless, Harper-Brown, Hartnett, Legler, Paxton, Phillips, Shelton, Weber, White, and Zedler - no) (130 - 12 - 1)

HB 1990 (Parker, Paxton, Schwertner, Shelton, and Zerwas - no) (137-5-1)

HB 2015 (R. Anderson and Chisum - no) (140 - 2 - 1)

SB 890

HB 2266

HB 2296

HB 2340 (White - no) (141 - 1 - 1)

HB 2375

HB 2463

SB 983

HB 2670 (R. Anderson, Bohac, and White - no) (139 - 3 - 1)

HB 2716 (Legler - no) (141 - 1 - 1)

HB 2794

HB 2831 (White - no) (141 - 1 - 1)

HB 2971

HB 3000

HB 3333

The following resolutions which were laid out on the previous legislative day on the local, consent, and resolutions calendar were adopted by the above referenced vote (Record 375): 142 Yeas, 0 Nays, 1 Present, not voting (members registering votes and the results of the vote are shown following bill number).

HCR 63

HR 557

HR 735

STATEMENT BY REPRESENTATIVE CARTER

When the vote was taken on **HB 2015**, I failed to register my "no" vote upon adjournment, but I wish to register my opposition to this bill.

REGULAR ORDER OF BUSINESS SUSPENDED

On motion of Representative Anchia and by unanimous consent, the reading and referral of bills was postponed until just prior to adjournment.

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

Notice was given at this time that the speaker had signed bills and resolutions in the presence of the house (see the addendum to the daily journal, Signed by the Speaker, Senate List No. 15).

(Speaker in the chair)

LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence for the remainder of today for medical reasons:

Giddings on motion of Turner.

**EMERGENCY CALENDAR
SENATE BILLS
THIRD READING**

The following bills were laid before the house and read third time:

**SB 18 ON THIRD READING
(Geren, Oliveira, and Kleinschmidt - House Sponsors)**

SB 18, A bill to be entitled An Act relating to the use of eminent domain authority.

(Gallego and Martinez now present)

SB 18 was passed by (Record 376): 144 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Aliseda; Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Aycock; Beck; Berman; Bohac; Bonnen; Branch; Brown; Burkett; Burnam; Button; Cain; Callegari; Carter; Castro; Chisum; Christian; Coleman; Cook; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Driver; Dutton; Eiland; Eissler; Elkins; Farias; Farrar; Fletcher; Flynn; Frullo; Gallego; Garza; Geren; Gonzales, L.; Gonzales, V.; Gonzalez; Gooden; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Hernandez Luna; Hilderbran; Hochberg; Hopson; Howard, C.; Howard, D.; Huberty; Hughes; Hunter; Isaac; Jackson; Johnson; Keffer; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Landtroop; Larson; Lavender; Legler; Lewis; Lozano; Lucio; Lyne; Madden; Mallory Caraway; Margo; Marquez; Martinez; Martinez Fischer; Menendez; Miles; Miller, D.; Miller, S.; Morrison; Muñoz; Murphy; Naishtat; Nash; Oliveira; Orr; Otto; Parker; Patrick; Paxton; Peña; Perry; Phillips; Pitts; Price; Quintanilla; Raymond; Reynolds; Riddle; Ritter; Rodriguez; Schwertner; Scott; Sheets; Sheffield; Shelton; Simpson; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Taylor, L.; Taylor, V.; Thompson; Torres; Truitt; Turner; Veasey; Villarreal; Vo; Walle; Weber; White; Woolley; Workman; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Giddings; Laubenberg.

Absent — Dukes; McClendon; Pickett.

STATEMENTS OF VOTE

When Record No. 376 was taken, I was in the house but away from my desk. I would have voted yes.

Dukes

When Record No. 376 was taken, I was in the house but away from my desk. I would have voted yes.

McClendon

**GENERAL STATE CALENDAR
SENATE BILLS
THIRD READING**

The following bills were laid before the house and read third time:

**SB 737 ON THIRD READING
(Price - House Sponsor)**

SB 737, A bill to be entitled An Act relating to the management of groundwater production by groundwater conservation districts.

SB 737 was passed by (Record 377): 142 Yeas, 2 Nays, 1 Present, not voting.

Yeas — Aliseda; Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Aycock; Beck; Berman; Bohac; Bonnen; Branch; Brown; Burkett; Burnam; Button; Cain; Callegari; Carter; Castro; Chisum; Christian; Coleman; Cook; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Driver; Dutton; Eiland; Eissler; Elkins; Farias; Farrar; Fletcher; Flynn; Frullo; Gallego; Garza; Geren; Gonzales, L.; Gonzales, V.; Gonzalez; Gooden; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Hernandez Luna; Hilderbran; Hochberg; Hopson; Howard, C.; Howard, D.; Huberty; Hughes; Hunter; Isaac; Jackson; Johnson; Keffer; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Larson; Lavender; Legler; Lewis; Lozano; Lucio; Lyne; Madden; Mallory Caraway; Margo; Marquez; Martinez; Menendez; Miles; Miller, D.; Miller, S.; Morrison; Muñoz; Murphy; Naishtat; Nash; Oliveira; Orr; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pitts; Price; Quintanilla; Raymond; Reynolds; Riddle; Ritter; Rodriguez; Schwertner; Scott; Sheets; Sheffield; Shelton; Simpson; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Taylor, L.; Taylor, V.; Thompson; Torres; Truitt; Turner; Veasey; Villarreal; Vo; Walle; Weber; White; Woolley; Workman; Zedler; Zerwas.

Nays — Landroop; Perry.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Giddings; Laubenberg.

Absent — Dukes; Martinez Fischer; McClendon.

STATEMENTS OF VOTE

When Record No. 377 was taken, I was in the house but away from my desk. I would have voted yes.

Dukes

I was shown voting no on Record No. 377. I intended to vote yes.

Landroop

When Record No. 377 was taken, I was in the house but away from my desk. I would have voted yes.

Martinez Fischer

When Record No. 377 was taken, I was in the house but away from my desk. I would have voted yes.

McClendon

I was shown voting no on Record No. 377. I intended to vote yes.

Perry

**GENERAL STATE CALENDAR
SENATE BILLS
SECOND READING**

The following bills were laid before the house and read second time:

(Dukes now present)

**SB 309 ON SECOND READING
(Patrick - House Sponsor)**

SB 309, A bill to be entitled An Act relating to events to receive funding through a major events trust fund.

SB 309 was passed to third reading. (C. Anderson, Chisum, Simpson, and Weber recorded voting no.)

**GENERAL STATE CALENDAR
HOUSE BILLS
THIRD READING**

The following bills were laid before the house and read third time:

**HB 1020 ON THIRD READING
(by S. Miller, et al.)**

HB 1020, A bill to be entitled An Act relating to minimum liability insurance coverage amounts for persons convicted of offenses related to the operation of a motor vehicle while intoxicated.

HB 1020 was passed by (Record 378): 146 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Aliseda; Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Aycock; Beck; Berman; Bohac; Bonnen; Branch; Brown; Burkett; Burnam; Button; Cain; Callegari; Carter; Castro; Chisum; Christian; Coleman; Cook; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Driver; Dukes; Dutton; Eiland; Eissler; Elkins; Farias; Farrar; Fletcher; Flynn; Frullo; Gallego; Garza; Geren; Gonzales, L.; Gonzales, V.; Gonzalez; Gooden; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Hernandez Luna; Hilderbran; Hochberg; Hopson; Howard, C.; Howard, D.; Huberty; Hughes; Hunter; Isaac; Jackson; Johnson; Keffer; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel;

Landtroop; Larson; Lavender; Legler; Lewis; Lozano; Lucio; Lyne; Madden; Mallory Caraway; Margo; Marquez; Martinez; Martinez Fischer; Menendez; Miles; Miller, D.; Miller, S.; Morrison; Muñoz; Murphy; Naishtat; Nash; Oliveira; Orr; Otto; Parker; Patrick; Paxton; Peña; Perry; Phillips; Pickett; Pitts; Price; Quintanilla; Raymond; Reynolds; Riddle; Ritter; Rodriguez; Schwertner; Scott; Sheets; Sheffield; Shelton; Simpson; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Taylor, L.; Taylor, V.; Thompson; Torres; Truitt; Turner; Veasey; Villarreal; Vo; Walle; Weber; White; Woolley; Workman; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Giddings; Laubenberg.

Absent — McClendon.

STATEMENT OF VOTE

When Record No. 378 was taken, I was in the house but away from my desk. I would have voted yes.

McClendon

FIVE-DAY POSTING RULE SUSPENDED

Representative Oliveira moved to suspend the five-day posting rule to allow the Committee on Land and Resource Management to consider **HB 3847** at 2 p.m. or upon final adjournment Monday, April 18 in E2.012.

The motion prevailed.

Representative Deshotel moved to suspend the five-day posting rule to allow the Committee on Business and Industry to consider **HB 2254** at 8:30 a.m. Monday, April 18 in E2.016.

The motion prevailed.

HB 1953 ON THIRD READING (by Kuempel)

HB 1953, A bill to be entitled An Act relating to notice by sign of an alcoholic beverage permit or license application.

(McClendon now present)

HB 1953 was passed by (Record 379): 142 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Aliseda; Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Aycock; Beck; Berman; Bohac; Bonnen; Branch; Brown; Burkett; Burnam; Button; Cain; Callegari; Carter; Castro; Chisum; Christian; Coleman; Cook; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Driver; Dukes; Dutton; Eiland; Eissler; Elkins; Farias; Farrar; Fletcher; Flynn; Frullo; Gallego; Garza; Geren; Gonzales, L.; Gonzales, V.; Gooden; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Hernandez Luna; Hilderbran; Hochberg; Hopson; Howard, C.; Howard,

D.; Huberty; Hughes; Hunter; Isaac; Jackson; Johnson; Keffer; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Larson; Lavender; Legler; Lewis; Lozano; Lucio; Lyne; Madden; Margo; Marquez; Martinez; Martinez Fischer; McClendon; Menendez; Miles; Miller, D.; Miller, S.; Muñoz; Murphy; Naishtat; Nash; Oliveira; Orr; Otto; Parker; Patrick; Paxton; Peña; Perry; Phillips; Pickett; Pitts; Price; Quintanilla; Raymond; Reynolds; Riddle; Ritter; Rodriguez; Schwertner; Scott; Sheets; Sheffield; Shelton; Simpson; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Taylor, L.; Taylor, V.; Thompson; Torres; Truitt; Turner; Veasey; Villarreal; Vo; Walle; Weber; White; Woolley; Workman; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Giddings; Laubenberg.

Absent — Gonzalez; King, P.; Landtroop; Mallory Caraway; Morrison.

STATEMENTS OF VOTE

When Record No. 379 was taken, I was in the house but away from my desk. I would have voted yes.

Gonzalez

When Record No. 379 was taken, I was in the house but away from my desk. I would have voted yes.

P. King

When Record No. 379 was taken, I was in the house but away from my desk. I would have voted yes.

Landtroop

When Record No. 379 was taken, I was in the house but away from my desk. I would have voted yes.

Morrison

POSTPONED BUSINESS

The following bills were laid before the house as postponed business:

CSHB 10 ON SECOND READING

(by Branch, D. Howard, Hunter, Aycock, Villarreal, et al.)

CSHB 10, A bill to be entitled An Act relating to eligibility for a TEXAS grant and to administration of the TEXAS grant program.

CSHB 10 was read second time on April 6 and was postponed until 8 a.m. today.

Representative Branch moved to postpone consideration of **CSHB 10** until 9 a.m. Wednesday, April 20.

The motion prevailed.

HB 234 ON SECOND READING**(by Otto)**

HB 234, A bill to be entitled An Act relating to liability for interest on ad valorem taxes on improvements that escaped taxation in a previous year.

HB 234 was read second time on April 7 and was postponed until 10 a.m. today.

Representative Otto moved to postpone consideration of **HB 234** until 10 a.m. Thursday, April 21.

The motion prevailed.

HB 346 ON SECOND READING**(by Kleinschmidt)**

HB 346, A bill to be entitled An Act relating to the award of costs and attorney's fees in certain proceedings concerning mechanic's, contractor's, or materialman's liens.

HB 346 was read second time on April 4, postponed until April 11, and was again postponed until 10 a.m. today.

Representative Kleinschmidt moved to postpone consideration of **HB 346** until 10 a.m. Tuesday, April 19.

The motion prevailed.

MAJOR STATE CALENDAR**HOUSE BILLS****SECOND READING**

The following bills were laid before the house and read second time:

CSHB 1000 ON SECOND READING**(by Branch, Frullo, Coleman, Button, Bonnen, et al.)**

CSHB 1000, A bill to be entitled An Act relating to the distribution of money appropriated from the national research university fund and to one or more audits of certain general academic teaching institutions in connection with that distribution.

Amendment No. 1

Representative Branch offered the following amendment to **CSHB 1000**:

Amend **CSHB 1000** (house committee printing) by striking page 1, line 24, through page 2, line 11, and substituting the following:

(c) Information submitted to the coordinating board by institutions for purposes of establishing eligibility under this subchapter and the coordinating board's certification or verification of that information under this section [subsection] are subject to a mandatory audit by the state auditor in accordance with Chapter 321, Government Code. The coordinating board may also request one or more audits by the state auditor as necessary or appropriate at any time after an eligible institution begins receiving distributions under this subchapter.

Each audit must be based on an examination of all or a representative sample of the restricted research funds awarded to the institution and the institution's expenditures of those funds, and must include, among other elements:

(1) verification of the amount of restricted research funds expended by the institution in the appropriate state fiscal year or years; and

(2) verification of compliance by the institution and the coordinating board with the standard methods of accounting and standard methods of reporting prescribed by the coordinating board under Subsection (a), including verification of:

(A) the institution's compliance with the coordinating board's standards and accounting methods for reporting expenditures of restricted research funds; and

(B) whether the institution's expenditures meet the coordinating board's definition of restricted research expenditures.

(d) From money appropriated from the fund, the comptroller shall reimburse the state auditor for the expenses of any audits conducted under Subsection (c).

Amendment No. 1 was adopted.

Amendment No. 2

Representative Madden offered the following amendment to **CSHB 1000**:

Amend **CSHB 1000** (house committee printing) as follows:

(1) On page 1, line 17, strike "even-numbered" and substitute "state fiscal ~~[even-numbered]~~".

(2) On page 1, line 20, between "certify to" and "the legislature", insert "the comptroller and".

(3) Add the following appropriately numbered SECTIONS to the bill and renumber existing SECTIONS of the bill accordingly:

SECTION _____. Section 62.145(a), Education Code, is amended to read as follows:

(a) A general academic teaching institution becomes ~~[is]~~ eligible to receive an initial ~~[a]~~ distribution of money appropriated under this subchapter for a state fiscal ~~[each]~~ year ~~[of a state fiscal biennium]~~ if:

(1) the institution is designated as an emerging research university under the coordinating board's accountability system;

(2) in each of the two state fiscal years preceding the state fiscal year ~~[biennium]~~ for which the appropriation is made ~~[biennium]~~, the institution expended at least \$45 million in restricted research funds; and

(3) the institution satisfies at least four of the following criteria:

(A) the value of the institution's endowment funds is at least \$400 million;

(B) the institution awarded at least 200 doctor of philosophy degrees during each of the two academic years preceding the state fiscal year for which the appropriation is made ~~[biennium]~~;

(C) the entering freshman class of the institution for each of those two academic years demonstrated high academic achievement, as determined according to standards prescribed by the coordinating board by rule, giving consideration to the future educational needs of the state as articulated in the coordinating board's "Closing the Gaps" report;

(D) the institution is designated as a member of the Association of Research Libraries or has a Phi Beta Kappa chapter or has received an equivalent recognition of research capabilities and scholarly attainment as determined according to standards prescribed by the coordinating board by rule;

(E) the faculty of the institution for each of those two academic years was of high quality, as determined according to coordinating board standards based on the professional achievement and recognition of the institution's faculty, including the election of faculty members to national academies; and

(F) the institution has demonstrated a commitment to high-quality graduate education, as determined according to standards prescribed by the coordinating board by rule, including the number of graduate-level programs at the institution, the institution's admission standards for graduate programs, and the level of institutional support for graduate students.

SECTION _____. For each fiscal year of the state fiscal biennium ending August 31, 2013, the maximum amount permitted by Section 20, Article VII, Texas Constitution, and by Section 62.148(b), Education Code, as added by this Act, is appropriated to the comptroller from the national research university fund for distribution to eligible institutions in accordance with and for the purposes described by Subchapter G, Chapter 62, Education Code.

Amendment No. 2 was adopted.

CSHB 1000, as amended, was passed to engrossment.

CSHB 600 ON SECOND READING
(by Solomons)

CSHB 600, A bill to be entitled An Act relating to the composition of the districts for the election of members of the State Board of Education.

Representative Solomons moved to postpone consideration of **CSHB 600** until 2:20 p.m. today.

The motion prevailed.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Hunter requested permission for the Committee on Calendars to meet while the house is in session, at 3 p.m. today, in 3W.15, to set a calendar.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Calendars, 3 p.m. today, 3W.15, for a formal meeting, to set a calendar.

HB 1861 ON SECOND READING**(by Anchia)**

HB 1861, A bill to be entitled An Act relating to the continuation and functions of the Commission on State Emergency Communications.

HB 1861 was passed to engrossment.

POSTPONED BUSINESS

The following bills were laid before the house as postponed business:

CSHB 600 ON SECOND READING**(by Solomons)**

CSHB 600, A bill to be entitled An Act relating to the composition of the districts for the election of members of the State Board of Education.

CSHB 600 was read second time earlier today and was postponed until this time.

CSHB 600 - DEBATE

REPRESENTATIVE SOLOMONS: We have **CSHB 600**, and it represents the proposed new districts for the State Board of Education. We actually have a little visual aid, if it would help ya'll. In order to meet the equal representation requirements to the U.S. Constitution, we need to apportion the 23 percent growth in the state among 15 districts, when 53 percent of the current districts are under the ideal, and their districts need to grow in size, or make some very strategic changes in the areas they represent. The committee substitute before you has a total deviation of 1.86 percent with a mean of .49 percent deviation. In order to meet the requirements of the Voting Rights Act, we cannot regress the five minority majority districts from being able to elect the candidate of their choice. All five of these districts need to add population. Of the five minority majority districts, all have remained above 70 percent black and Hispanic voting age population.

A retrogression analysis has been done on all the districts to meet the legal requirements for Section 2 of the Voting Rights Act. The districts are as compact as possible for the districts which have an ideal population greater than the population of states like Vermont, New Hampshire, Delaware, Rhode Island, North Dakota, South Dakota, or Montana. Of the two West Texas districts, District 15 has a net gain of only four counties, and District 1 only had a net gain of three counties. The districts actually are cohesive, and where possible, I enhanced the strength of the prevailing party of the candidate's choice of the district. The districts have maintained communities of interest, except where necessary, for one person, one vote apportionment, and the core of previous districts, counties, and cities are maintained as a whole. The districts reflect not only protected populations, but also communities with similar interests before the school board. I tried to make districts which represented rural, urban, and suburban counties, as well as counties which have common issues of fast growth, school districts, or similar cultural population. The current districts that you have been looking at split nine counties. Whereas, the current districts that they have

split nine counties; this bill that I'm laying before you today splits only six. I've started with a core of each district, and while some districts have seen some major changes, it was only because of pressures from the shifts of districts around them picking up population in attempts to keep these districts in cohesive communities of interest.

The committee substitute does not pair any incumbents. In addition to these constitutional and federal requirements and the traditional redistricting principals, I attempted to respond to the limited public testimony which we heard on March 15th. Board member Charlie Garza requested that we reduce the geographical size of his district so as to improve his ability to travel in his district and represent his constituents. Although I had tremendous sympathy for this appeal and did what I could, I wish I could've done more; but the numbers are what they are, and I was limited by the set number of districts. As I mentioned before in our committee, I will be submitting to the speaker's office a request that we review additional members to the SBOE as an interim charge or some sort of restructuring method. I believe that Mr. Garza made a compelling testimony that it is difficult for a member of this board, of the SBOE, to adequately represent a district larger than 30 states geographically. The other public testimony we heard was from board member Tom Ratliff, who requested that we keep as many school districts as a whole as possible. The current map has 273 school district splits, while the committee substitute has only 136, which was a reduction of 137. Now, I know that some members are interested in a variety of different issues involving the SBOE, but let me tell you right now, the ideal district for an SBOE district is 1,676,371. That's a lot of people, and quite frankly, I think we've done what we need to do. We have a legal map, and I think we've addressed all the issues, and I would actually move passage, except I think there's some amendments proposed.

Amendment No. 1

Representative Alonzo offered the following amendment to **CSHB 600**:
Plan No. E115

[Please refer to the supplement to today's journal for the proposed maps and reports associated with this amendment.]

REPRESENTATIVE ALONZO: Before I discuss my amendment, I want to thank Chairman Solomons for all his work. You know, this is probably one of the first times we've had a major discussion of the State Board of Education. Even though we are talking about redistricting, the discussion of the State Board of Education comes up. I know he's worked real hard with all the constraints he's had—as he mentioned, the districts are real big, I mean they are humongous. And even those of us that participated in some of the drawing, we find it stressful, but I think we still had opportunities. And therefore, I rise to offer this amendment, and members, I rise because, as I spoke at the committee in discussing the State Board of Education, in my opinion, we have to do everything we can to make sure the diverse opinions of the state, as it relates to the State Board of Education, are heard.

In my capacity as a redistricting member, I have looked for opportunities to create more districts in the state that give an opportunity for Hispanics to get elected, and that's going to be a continuous discussion that I will have with this house. And the reason for that, as it relates to the State Board of Education is, as you recall, about a couple of weeks ago there was a report put out by the Texas Education Agency that said over 53 percent of the kids in the schools are Hispanic, over 13 percent are African American, over 4 percent are Asian American, so now the state is very diverse and we believe, or I believe, that we should hear diverse opinion. In addition, we are all aware that in the last 10 years there was a big population shift, a big growth, and the result we are getting now—four congressional districts—in those numbers, the Hispanic population goes over 55 percent. So, what I will try to do in this amendment, first of all, from my perspective, it will correct retrogression in senate board districts—State Board of Education District 1 in the El Paso/West Texas region of the state.

CSHB 600 as proposed causes a 4.9 retrogression in the Hispanic voting age population, down to a 68.7 from 73.6 in the current district in 2010. SBOE did not elect the Hispanic candidate of choice for that region of that state. Additionally, this amendment cures the retrogression and restores VAP and SBOE 1 to 73 percent by doing three things. SBOE 1 and 15 swap members to 15—Ector County—three high-turnout counties that are not in the existing SBOE but were added to SBOE 1 that the committee planner removed. Briefly, I will also say that one of the things that we also do in this amendment is to create a new district, Latino district, in Harris County. Briefly, Mr. Walle, I'll say this. One of the things we've been doing in the state, and by having representatives in Houston, and Dallas, and around the state, is to let people know the diverse population and the growth of the Hispanic community. For example, there are more Hispanics in the Houston area than there are in the Valley, and that's why this is an opportunity to create that kind of a district. And also, there's more Hispanics in North Texas than there are in the Valley, and that's one of the areas we're looking at. Mr. Speaker, I yield for Mr. Walle.

REPRESENTATIVE WALLE: Representative Alonzo, thank you for your amendment because, as you mentioned earlier, you're aware that Harris County currently has 1.7 Latinos that reside within our county, and it's only fitting that we would have an opportunity to elect or influence a particular district, and elect that could be somebody, a candidate of our choice. Is that correct?

ALONZO: That is correct, Mr. Walle. And, I can tell you, it reminds me of a conversation that I had with Governor Bullock 18 years ago. He came to the Mexican American caucus and acknowledged that there are more Hispanics in Houston than there are in the Valley, and I commended him for acknowledging that. So our folks and everybody should not be put down, and at that time I also reminded him that there are more Hispanics in North Texas, and about 30 days later he said, "Thank you."

WALLE: And then in Harris County, with this amendment, you're creating this fourth Latino opportunity district. You know that we have four members of the Latino delegation we have that could benefit the voters in those districts—the

voters in those districts could benefit by electing somebody of their choice. Representative Farrar's district, Representative Alvarado's district, my district, Hernandez Luna, and Senator Gallegos' senate district, and Congressman Gene Green's congressional district; this would be beneficial to give an opportunity for those districts, those voters, to have somebody that they could influence in a particular year, in reference to that issue, influence that candidate, so that when they vote on controversial issues such as curriculum on history, and the textbook, and the contribution that Latinos have made to this state and to the country. I think your amendment does a great service to folks in our part of the state.

ALONZO: It does, and Mr. Walle, just so you'll recall, the State Board of Education is high priority. I mean, we are thinking about what to tell our kids now and in the future. And in fact, we had that discussion in the Higher Ed Committee last night, that I'm a member of. We discussed about how—can you imagine, Mr. Walle, they were trying to take Cesar Chavez from the curriculum, and we had a big discussion on that and it was finally, it was finally informed that the committee that they had to recommended it, the board eventually changed their mind as it relates to Cesar Chavez. Anything that affects our community, I think we should have a seat at the table, and what this amendment does is gives a seat at the table to the Hispanics of Harris County.

WALLE: Thank you for your amendment, and I think it's greatly needed, particularly because of the size of these districts, the population size of these districts, you could in that sense—what's currently being proposed retrogresses the Latino voting strength in the State of Texas, and particularly, again, as I mentioned before, in Harris County, where over 1.7 million folks have Spanish surnames.

ALONZO: Could you repeat that number again?

WALLE: 1.7 million.

(Harper-Brown in the chair)

REPRESENTATIVE D. HOWARD: Representative Alonzo, I'm looking at the part here that you have for Travis County in Central Texas. Those of us in Travis County are appreciative of your efforts to try to make us whole again. Do you know that Travis County was split in the last redistricting process?

ALONZO: Yes, ma'am. And what I, in looking around the state, I looked at what is the best thing not only for Hispanics, but what is the best thing for Texas. And one of things that's good for Texas, that I included in this amendment, was in the Central Texas community, what we do is unite Travis County. We felt, I felt that, and I do this knowing the importance it is for Travis County to stay whole, and in addition one of the things that resulted in this whole population change and growth of Texas—it came to mind and it stood out just like it did 10 years ago and 20 years for Houston and Dallas—that there's a big growth of the Hispanic community in the corridor between Austin and San Antonio.

D. HOWARD: I know that part of the effort here in the redistricting process is to put together communities of interest, is that not correct?

ALONZO: That is correct.

D. HOWARD: And also what you did accomplish, I believe, is made sure that we created the minority opportunity districts, we maintained deviation, avoided pairing incumbents—that sort of thing was included in your map, right?

ALONZO: Yes, ma'am.

D. HOWARD: Well the communities of interest is what I am particularly interested in asking you about though. Are there any other school districts—I know Chairman Solomons said that they reduced the number of split school districts—but are there any other school districts that you're aware of the size of Austin ISD that have been split?

ALONZO: Yes, in looking at that, in fact, Travis County split school districts unnecessarily—it even splits four UIL football districts. Of the 44 teams in the five 4A and 5A football districts that includes Travis County schools, 32 of those teams are located in the four counties in the proposed district plan in my amendment.

D. HOWARD: So are football teams considered communities of interest here in Texas?

ALONZO: We live and breathe football in Texas.

D. HOWARD: Let me bring up one other community of interest that I think is extremely important to us. We try to do things in a—we try to look at things in our state in a regional way because we know that there are so many issues that we're dealing with nowadays that require a regional approach. Here in Travis County, when we're trying to look at communities of interest, are you aware of the fact that we have a metropolitan statistical area here that the federal government, the Census Bureau recognizes?

ALONZO: Yes, ma'am.

D. HOWARD: And are you aware that it includes four of the five counties on your map?

ALONZO: Yes.

D. HOWARD: And so would that not mean that we are looking at what's a federally recognized community of interest through the MSA that you have put together on your map?

ALONZO: That's correct. What we're doing here is what the feds have recommended, and obviously, with your perspective representing Austin, Texas—that's what we're trying to do with this proposal.

D. HOWARD: So the map that's been laid out by Chairman Solomons divides Travis County and has put in other counties that are not part of our MSA, does that seem to be putting us together with a community of interest?

ALONZO: I think it's illogical, with the district being so big, that we couldn't accommodate Travis County. My proposal accommodates Travis County.

REPRESENTATIVE VEASEY: I appreciate your diligence in asking questions and taking a very close look at this SBOE map that we had before our Redistricting Committee, and the one district I was particularly concerned about was District 4. Are you familiar with that district?

ALONZO: Yes, I am. In fact, we took some amendments up. The amendment also deals with District 4, as well, out of Harris County.

VEASEY: It looks like this district includes part of the city of Houston and it crosses the county lines, including most of Ron Reynolds' district, which is the Fort Bend area. Some retrogression has taken place, which we know is illegal. Can you go into detail about that a little bit?

ALONZO: Yes, sir. In District 4, which is the district that you're talking about, the proposed plan on the floor reduces the African American population in District 4 by three percent, from 32.9 to 29.7, which is caused by removing all the African American community in the northeast Fort Bend counties in the existing district except for the incumbent. My amendment would increase the African American population to 34.4 percent by restoring the northeast Fort Bend community, an area that has experienced African American population growth.

VEASEY: Well, I appreciate you doing that. You had talked about how the state board was trying to change the curriculum and how it's important that, particularly Cesar Chavez and Thurgood Marshall, were two of the people that the majority of the board didn't think should be in the textbook and you talked very eloquently about how since most of the children are Latino and African American, that the board needed to more accurately reflect that. And I think that your fix does that, so I appreciate you, particularly looking at District 4 which is represented by an African American in the Fort Bend area.

ALONZO: Thank you, Mr. Veasey, and in fact it is critically important that our perspective be heard from a diverse community of Texas. And let me tell you, do you recall two weeks ago when we had the hearing with the State Board of Education? I asked the chairwoman of the State Board of Education that came to testify; I asked her what is the percentage of Hispanics in the schools and she mentioned 50 percent. Actually, it's 53 percent, so it's close. Then I asked her to tell me what the percentage of African Americans were, and she could not say. Well, we cannot be delegating, meeting, and making decisions unless we know who we are affecting, and I believe with this amendment we make a clear statement that we create a new Hispanic district and we correct the retrogression that is in the current plan.

REPRESENTATIVE HERNANDEZ LUNA: Representative Alonzo, I know a lot of work has been put into this map and I appreciate you bringing this amendment that will create a Latino opportunity district in Harris County that would overlap with my area. You mentioned earlier that 50 percent of the Texas public school students are Latino, but yet the current map only reflects 20 percent representation. Your map would change that, correct?

ALONZO: That's correct, and in fact not only would it change it, it would draw attention, like I tried to do for North Texas and point it to Houston and the goals that it has. We know that the Hispanic community is there by having state representatives just like yourself and Ms. Farrar and a couple other folks. By doing this map, we're saying Latinos should count. There's decisions being made at the State Board of Education level and we need to make sure that the voice of Houston is heard.

HERNANDEZ LUNA: Do you think it's important that, I mean having over 50 percent of public school students being Latino, that that should be reflected at the State Board of Education?

ALONZO: That's correct.

HERNANDEZ LUNA: And we learned a lot about that during the textbook debate earlier and I think that put a little more focus on these districts. Can you elaborate how important it is to have that representation at the table?

ALONZO: Well, any time we're making decisions like we do here in the house you can have an urban perspective, you can have a rural perspective. We have diverse frames of mind. What this does is place importance, at least what I tried to do as it relates in keeping Hispanic opportunity districts to have the Hispanic perspective heard. Some people will say we're all Texans. That is correct, we're all Texans, but we also must remember because of our experiences, our heritage, and it counts a lot.

HERNANDEZ LUNA: Well, thank you for bringing forward a map that provides for Latino opportunity district in our area.

REPRESENTATIVE ALVARADO: Representative Alonzo, do you feel that your amendment helps to give a better reflection of the SBOE members to the student population in Texas?

ALONZO: Yes, I do.

ALVARADO: Okay, and that's by creating this district in Houston, Harris County District 6, which by the way, does encompass my district, Representative Farrar, Walle, Hernandez Luna, and Hochberg, which all of us have majority Latino districts. I take it you took all of that into consideration?

ALONZO: I sure did, and I even tried to create a district in North Texas and I'm glad you asked me that because I also wanted to create that in North Texas, but because of the design, because of the small numbers; at least I'm thankful we were able to do it in Houston. Whatever we can do to make sure we move to the future. This is an opportunity to do that.

ALVARADO: And how important do you think it is to have a State Board of Education that reflects the student population? Does that spill over into decisions that are made on things like the content that goes into textbooks?

ALONZO: That is correct. One of the big things for me, Ms. Alvarado, is history, because I believe that if you know where you come from, you know where you're going. One of the things we need to make sure is that our children,

all children, have their history, their background, who they are, because once you feel you know who you are, you do more. And by doing this, having that perspective heard is very helpful.

SOLOMONS: I appreciate Mr. Alonzo's efforts on this, however, if you really look at the amendment, it focuses on Harris County, but also pairs some other folks, including three sets of republicans, and it pits a republican against a democrat. Members, this map breaks up District 4, a coalition majority minority democratic district, and District 6, an Anglo majority republican district, to consolidate with Hispanics in an attempt to create an open Hispanic seat in Harris County. The effect is Mr. Alonzo pairs two republican incumbents in the district which runs from Harris County all the way the McClellan County and he moves the African American incumbent and pairs him with a republican in what appears to be a coalition district to the east of Harris County. Now, Representative Alonzo is also attempting to create an additional Hispanic seat in Harris County, but he is potentially creating a violation of Section 2 of the Voting Rights Act by diluting the voting strength of the Hispanic population.

In **CSHB 600**, District 4 has a black voting age population of 30.4 percent and a Spanish surname voting registration of 28.0 percent for a coalition district of 58.4 percent. Representative Alonzo also seeks to break up this district to create a new District 4 with 33.9 percent black voting age population and a 14.4 percent Spanish surname voting registration for a coalition of only 48.3 percent, which is a dilution of their voting strength. He does this to create a new Hispanic District 6, but that district has a black voting age population of 13.2 percent and a Spanish surname of 30.9 percent for a coalition of 44.1 percent. That's what we think it does, and neither of these districts can be considered a performing majority minority district. For this reason alone, members, I believe this map could open the door for a Section 2 challenge for the map and therefore, I'm going to move to table Mr. Alonzo's amendment.

VEASEY: I wanted to ask you a couple of questions. I know you were concerned about the Section 2, about the retrogression that Representative Alonzo spoke of earlier in District 4. Does that not disturb you at all? Because wouldn't that open the map up also to a legal challenge if there was retrogression, which in District 4 there would be a retrogression of about three percent in African American voting strength.

SOLOMONS: Well, I think as we have it drawn now, I know this won't be the answer you want to hear, what we did now was that we maintained what we think is a legal map as to the Voting Rights Act. I think what Mr. Alonzo is doing, well intended as it may be, I'm not saying it is an absolute, outright violation of the Voting Rights Act, but I am saying that it does have some problems with the Voting Rights Act in our opinion. It opens the door for a challenge in how he's trying to reconsolidate and reconfigure those two district, and by doing so I don't think he's really accomplishing what he's trying to do and I do think it opens the door for the Voting Rights Act. That's really why I'm going to oppose it, quite

frankly. We're concerned it pairs three pairs of republican members and it takes a republican member against a black democrat, Ms. Allen, and I don't think it's necessary to do that at this point, so I, that's why I'm going to move to oppose it.

VEASEY: What about communities of interest? That is a legitimate area that we look at in redistricting, wouldn't you agree?

SOLOMONS: Absolutely.

VEASEY: What about the points that Representative Howard of Travis made earlier in regards to the communities of interest in Travis County? I thought that was a very compelling question that she asked, in particular about the 34 teams in Travis County and their UIL alignment, keeping those communities of interest together.

SOLOMONS: The map as a whole tried to do that where we could. I understand where Ms. Howard is coming from, and some of the Travis County folks are somewhat concerned at this point. I think we did what we needed to do in connection with communities of interest and if someone wants to talk about that they can, but I think we've done what we need to do on that.

VEASEY: Why were those communities of interest—

SOLOMONS:—because of the numbers. It's actually the numbers, the reconfigurations more than anything else. To come up with an ideal district with those kinds of sizes was really difficult to do, and we tried to, as I mentioned earlier, we tried to consolidate, not to break up counties where necessary and we also tried to reduce the number of breakups in school districts. I don't think we could avoid what we did in Travis County with the districts as they're configured currently and trying to move them into this new, current map.

Representative Solomons moved to table Amendment No. 1.

ALONZO: Let me start by saying as I said at the hearing, what we're going to do here on the floor of the house is what's fair. But in redistricting, we look at two issues. We look at what's fair and what's legal. What's going to be fair is what we decide on this floor. The other part of what we have to do is what's legal. You heard Chairman Solomons say that he thinks that this might be a violation of the Voting Rights Act. He thinks. Well, that is one opinion, and my opinion is that I think that the plan that you see here before you to my left is against the Voting Rights Act. But not only do I think that it's a violation, but what I did is offer an opportunity to fix what I think is wrong. What I did is in the West Texas area was make a couple of recommendations and offer to fix it, number one. Number two, I offered to create a new Hispanic district in Harris County. Third, aside from that was have the discussion about pairing. I know it's uncomfortable to pair. We just went through that kind of exercise yesterday and a couple of our members were paired, but what I tried to do with this amendment is consider what's fair and legal, with all due respect to the pairings. Lastly, what we've done in this amendment clearly, clearly, what we're trying to say to Travis County is we're trying to create an opportunity for you to have hope. If you look at the map, Travis County is split. In my proposal, I bring the county back together,

make it a better community for its interests. You heard Ms. Howard, that's a concern coming from the folks of Travis County, so I tried to do several things in this amendment. With that, members, I ask you to vote no on the motion to table.

REPRESENTATIVE VILLARREAL: I want to thank you, Mr. Alonzo, for bringing this map. I did not think it was possible, originally, that an additional Latino district could be drawn and you have found a way to do that. I think that's important given the rapid growth of the Latino community, particularly in the school age population. I want to ask you a simple question on this district. Did you have to go out of your way to figure out how to draw that?

ALONZO: A little bit.

VILLARREAL: It seems to me that given the size of the Latino population in Harris, you couldn't help but draw that district.

ALONZO: That is correct.

VILLARREAL: It might have taken some study and looking at precincts and blocks but does it actually perform well? You cited some statistics. It's 57 percent Latino with a Latino voting age population of 52.3.

ALONZO: That's correct.

VILLARREAL: And finally, the African American district that's currently represented by SBOE member Allen.

ALONZO: That's right.

VILLARREAL: Is that paired? I heard that it was but it doesn't appear to be paired.

ALONZO: From my research, it's not. Members, I ask you again to vote no on the motion to table. Let's vote for the future, let's vote for the change, there's a big change already occurring. I think this amendment reflects that change. Reflect that opportunity for all voices to be heard. Please vote no on the motion to table.

LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence for the remainder of today because of important business in the district:

Pickett on motion of Menendez.

CSHB 600 - (consideration continued)

The motion to table Amendment No. 1 prevailed by (Record 380): 98 Yeas, 45 Nays, 4 Present, not voting.

Yeas — Aliseda; Anderson, C.; Anderson, R.; Aycock; Beck; Berman; Bohac; Bonnen; Branch; Brown; Burkett; Button; Cain; Callegari; Carter; Chisum; Christian; Cook; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, S.; Driver; Eissler; Elkins; Fletcher; Flynn; Frullo; Garza; Geren; Gonzales, L.; Gooden; Hamilton; Hancock; Hardcastle; Harless; Hartnett; Hilderbran; Hopson; Howard, C.; Huberty; Hughes; Hunter; Isaac; Jackson;

Keffer; King, P.; King, S.; Kleinschmidt; Kolkhorst; Kuempel; Landtroop; Larson; Lavender; Legler; Lewis; Lyne; Madden; Margo; Miller, D.; Miller, S.; Morrison; Murphy; Nash; Orr; Otto; Parker; Patrick; Paxton; Peña; Perry; Phillips; Pitts; Price; Riddle; Ritter; Schwertner; Scott; Sheets; Sheffield; Shelton; Simpson; Smith, T.; Smith, W.; Smithee; Solomons; Taylor, L.; Taylor, V.; Thompson; Torres; Truitt; Weber; White; Woolley; Zedler; Zerwas.

Nays — Alonzo; Alvarado; Anchia; Burnam; Castro; Coleman; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Farias; Farrar; Gallego; Gonzales, V.; Gonzalez; Guillen; Gutierrez; Hernandez Luna; Hochberg; Howard, D.; Johnson; King, T.; Lozano; Lucio; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McClendon; Menendez; Miles; Muñoz; Naishtat; Oliveira; Quintanilla; Raymond; Reynolds; Rodriguez; Turner; Veasey; Villarreal; Vo; Walle; Workman.

Present, not voting — Mr. Speaker; Allen; Harper-Brown(C); Strama.

Absent, Excused — Giddings; Laubenberg; Pickett.

STATEMENT OF VOTE

I was shown voting yes on Record No. 380. I intended to vote no.

Thompson

Amendment No. 2

Representative Martinez Fischer offered the following amendment to **CSHB 600**:

Plan No. E113

[Please refer to the supplement to today's journal for the proposed maps and reports associated with this amendment.]

REPRESENTATIVE MARTINEZ FISCHER: I have an amendment to the amendment that I want to lay out first before I lay out my amendment.

Amendment No. 3

Representative Martinez Fischer offered the following amendment to Amendment No. 2:

Plan No. E116

[Please refer to the supplement to today's journal for the proposed maps and reports associated with this amendment.]

MARTINEZ FISCHER: Members, this is an amendment to the amendment that evens out deviations in the map I prefiled. It also unpairs two current SBOE members. The pairings were made inadvertently to meet the prefilings deadline. Changes are technical. The amendment to the amendment is acceptable to me as the author of the amendment.

Amendment No. 3 was adopted.

MARTINEZ FISCHER: This is an amendment—I think you heard some of the similar arguments—I believe there is a map that the sergeants office just put out if anybody wants to look at it. But, not to belabor the point, I want to thank Chairman Solomons for doing what I know is very hard work. I think when we draw individual districts, it takes a lot of time. When you're from a big county, it takes even more time to try to find consensus and common ground amongst a delegation. So, to do it statewide, I understand it's a challenge. This amendment was also done under a challenge because you only have a certain number of days to respond and react to a map that's produced by the Redistricting Committee and so, this amendment is a reaction to the map to **CSHB 600**. Let me just lay out a few of the data points that motivated me to file this map. We all know that in this last decade, 89 percent of all growth this state realized was minority growth. Oh, and of that 89 percent, 65 percent alone was Latino growth. Today, the combined minority voting age population in this state is 45 percent. As it relates to our children and our public school system, 50 percent of our school children in the public school system are Latino; 68 percent of school children in Texas are minorities. The map that is currently before us—State Board of Education only accounts for 20 percent of the SBOE districts, all over, 50 percent Hispanic surname registration and only 20 percent of those districts are over 50 percent Hispanic voting age population.

CSHB 600 is a status quo map, it represents the status quo of 10 years ago. Meaning, that 10 years ago the SBOE had three districts, over 50 percent Hispanic surname voting age population, they had three districts that were Hispanic voting age population of 50 percent or more, and they had five districts that were African American, Hispanic voting population of 50 percent or more. That's exactly what we have today, despite the undeniable, undisputable, uncontestable fact that 90 percent of all growth in our state was minority growth. That, I believe, is retrogressive. That, I believe, is a question of fact. For somebody who will challenge this, to determine whether we did our best work when we drew our map, I submit to you the amendment that I offered suggests that we could do it in another way. And in so doing we can increase Latino representation in the State Board of Education in Houston. We can modify State Board of Education District 1 so that we make it clear that that district is truly a minority opportunity district, for the minority candidate will be the choice for the minority community. I think there is statistical data that will support that that is not what occurred in the last election. There is statistical data that will support that minorities did not have the opportunity to elect the candidate of their choice.

So this is what this amendment does. It increases SBOE districts with over 50 percent Hispanic voting age population to four, the current plan keeps it at three. And the number of SBOE districts with over 50 percent minority voting age population will increase to six and the current plan under **CSHB 600** maintains that number at five. And, although this amendment does not reach complete equality of representation, this amendment does recognize the importance of minority population increases in Texas. Maintaining the current level of majority Hispanic districts and majority VAP districts would be retrogression of the Hispanic and African American voting strains, because it

would fail to recognize the dramatic growth in the minority community and the Hispanic community in particular. I will not belabor all the arguments that were presented under the Alonzo amendment because I believe they are similar, but this is what this is. I would ask members who are contemplating their vote on this to be consistent.

Yesterday afternoon, many of us received a first draft of what the house districts will look like. I went home to be with my kids and my wife last night, so I didn't get to participate in the communication that took place yesterday evening. But this morning when I came here, most of my conversations were about how many people were upset about their maps or upset at how there were changes that occurred that impact their minority status, that impact their geographic status, that impact their communities of interest. And I will say to those members, if you feel that the house maps don't reflect your wills or desires, you should be consistent with the State Board of Ed map because it's the very same argument. We're talking about 90 percent minority growth over the state in the last decade and a status quo map will not satisfy the Voting Rights Act in any form, whether it be DOJ or D.C. Circuit Court.

WALLE: Representative Martinez Fischer, do you think that the current map under **CSHB 600** violates the Voting Rights Act?

MARTINEZ FISCHER: In my opinion, I believe it does. That's for another forum for another day, but I believe we have 90 percent minority increase—89 percent minority increase in this state in the last decade, which is the very sole reason why Texas stands to gain so much in congressional reapportionment. You can't accept those data points for the sake of taking four congressional seats and then ignore the very same data points when it comes to the State Board of Education map. It doesn't pass the common sense test.

WALLE: Do you believe that these SBOE districts could be too large? Because they are so large you dilute minority influence in a particular district? Because what you want to do is, at least have influence, elect someone of their choice—let alone if they are not Latino or African American.

MARTINEZ FISCHER: If you look at the map I have on the floor here, you will see that the newly drawn District 6 in Houston is one of the most compact districts of all the State Board of Education maps. It can be done. And let me submit to you this—you have to give Chairman Solomons credit for doing this job that I'm sure he didn't volunteer for—and I'm not saying that I am wed to this map, but if you want to protect the current status quo of minority opportunity seats, you can do that. If you want to add the additional Hispanic seat, you can do that. And you can draw the rest of the maps any way you want. Whether you want to pair people or not pair people—we're not tied to the philosophy of the entire map. We have to draw an entire map, but I believe there is room for consensus and compromise that does two things—that respects the goals and opportunities that Chairman Solomons is trying to advance, but at the same time staying true to the principles of one person, one vote and both Section 5 and Section 2 of the Voting Rights Act, and that's the part that I believe I try to bring with this amendment. And if we can somehow marry those two concepts, we can

certainly have a map that makes a lot of people happier—and perhaps could be a map that more people could support—and frankly, could be a map that may not have as much scrutiny as the current **CSHB 600**, or certainly get once this is out of this chamber.

WALLE: Are you aware that there is over a million, pushing 2 million, Spanish surname folks that reside in Harris County?

MARTINEZ FISCHER: I do.

WALLE: And for us, it's important to have somebody that we can at least have an influence on electing somebody that we can confide in, that we can come to when we are talking about curriculum. As I mentioned in my questions to Representative Alonzo, when you are talking about curriculum, and taking Cesar Chavez out of curriculums and taking folks of that nature that really had a significant impact in the Latino community and in particular, to our history. As far as Latinos back then, mostly Mexican Americans, influence in this state and how important those folks are.

MARTINEZ FISCHER: That is very important. I think that we all are the reflections of the policies that we represent. And when you have individuals and communities of interest that have concerns and they want to address those concerns, when it comes to the state house, they can just go down the block, but when it comes to the State Board of Ed, they are going to need a couple of tanks of gas or a bus ticket, because sometimes it is just impossible to get to your SBOE member when you have districts as large as the ones proposed in **CSHB 600**.

REPRESENTATIVE OTTO: Representative Martinez Fischer, in looking at the map, I have a question. Because looking at my home county of Liberty County, you have basically diced it up into three different SBOE districts. And where most of the population is, in the southern part of the county, it looks like it's split in half. So, my question is, as you were drawing your map, did you not consider the communities of interest of a county?

MARTINEZ FISCHER: No, you know, in fact I did. Let me tell you my first over-arching principle was—I asked the drafters to look at maximizing minority opportunities. Now before I comment further, I just want to make sure that the map that you and I are talking about—

SOLOMONS: Just briefly, let me just point out a few things for the record, anyway. In part, this is about—this is an important issue. These districts are really, really large. It's really hard to cluster minorities neatly in a 1.6—well, 1,676,371 for an ideal district. It's kind of hard to neatly cluster minorities in a district like that. Just so you know how much the Hispanic population has grown in this state, it's grown 41.8 percent. While that's the second largest demographic in the State of Texas, that's not the fastest growing demographic in the state. In fact, three ethnic groups actually grew at a rate faster than Hispanics. Asians grew at 71 percent. Native Hawaiians grew at 50 percent—I would have thought they'd like, you know, be in Hawaii, but native Hawaiians at 50 percent. And American Indians grew at 44 percent. So when you talk about percentages, the

numbers may not be as bad for they grew quicker, they grew faster than the Hispanic population did in that context. The other thing I'd like to point out is that, while all of the districts are well above 70 percent majority minority in population, and a decrease in voting age population did not change the majority minority population's continued ability to elect the candidate of their choice in a regression analysis. As I said before, minorities in this state apparently with these census figures do not cluster neatly in groups of 1.6 million and above.

Now as to Martinez Fischer's plan, as well-meaning as it is, it breaks up District 4, a majority minority democratic district, and District 6, an Anglo majority republican district, to consolidate Hispanics in an attempt to create an open Hispanic seat in Harris County. But the effect of it is, it pairs, still, three sets of republicans. And, quite frankly, in a district that runs from Harris County all the way to College Station, he is attempting to create an additional Hispanic seat, as I said, in Harris County, but he's potentially creating a violation—and that is potential, I'm not saying he is, but potentially—creating a violation of Section 2 of the Voting Rights Act by diluting the voting strength of the Hispanic population in a district we already have drawn on the map. And I believe that what he is doing is opening the door for a Section 2 violation, even though he is attempting to do this, it's well-meaning, I think there is some ramifications from it and I'm going to move and ask you all to table his amendment.

Representative Solomons moved to table Amendment No. 2, as amended.

(Speaker in the chair)

MARTINEZ FISCHER: I will tell you this. One thing that Chairman Solomons said that I agree with, and that's it is a well-meaning map. So, I think that the notion that this amendment creates a potential Section 2 violation assumes that the bill before us isn't already a Section 2 violation or a Section 5 violation. Every single minority opportunity district in this amendment is a performing district. While it may—if there is some slight retrogression in District 4, it still performs extremely well. It still elects the minority candidate of the community's choice. It doesn't have the retrogressive effect that Chairman Solomons is seeking to suggest. Here's the question—maps should reflect the demographics. You know the demographics, I just stated what they are. And I submitted to the chairman, we can redraw this map any way he wants, so long as we take into account the current minority opportunities that exist in this map, and take it into account the potential for new minority opportunity districts in Harris County. Short of that, he can draw these lines however he wants—save and except the opportunity for minorities to elect a candidate of their choice.

That's what this amendment demonstrates, the potential that it can be done. It doesn't say that this is the only way it could be done, but to suggest that **CSHB 600** is our best work and takes all of the demographic attributes into account is simply wrong. So I ask you, if you truly care about maps that reflect our population, not just in our own house maps, not just in our congressional maps, if you truly care about that, you will care about the composition of the State Board of Education, albeit it is slightly more challenging because there are less districts, but we can do better than this. The Voting Rights Act will dictate

that we do better than this. And Burt will not have the last word, nor will I. But I do believe in examining the true amendments. The amendments to the bill—you will find that this amendment holds true to the concept of one person, one vote. I ask you to vote no on the motion to table.

The motion to table Amendment No. 2, as amended, prevailed by (Record 381): 100 Yeas, 43 Nays, 2 Present, not voting.

Yeas — Aliseda; Allen; Anderson, C.; Anderson, R.; Aycock; Beck; Berman; Bohac; Bonnen; Branch; Brown; Burkett; Button; Cain; Callegari; Carter; Chisum; Christian; Cook; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, S.; Driver; Eissler; Elkins; Fletcher; Flynn; Frullo; Garza; Geren; Gonzales, L.; Gooden; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Hilderbran; Hopson; Howard, C.; Howard, D.; Huberty; Hughes; Hunter; Isaac; Jackson; Keffer; King, P.; King, S.; Kleinschmidt; Kolkhorst; Kuempel; Landtroop; Larson; Lavender; Legler; Lewis; Lyne; Madden; Margo; Miller, D.; Morrison; Murphy; Nash; Orr; Otto; Parker; Patrick; Paxton; Peña; Perry; Phillips; Pitts; Price; Riddle; Ritter; Schwertner; Scott; Sheets; Sheffield; Shelton; Simpson; Smith, T.; Smith, W.; Smithee; Solomons; Taylor, L.; Taylor, V.; Torres; Truitt; Weber; White; Woolley; Workman; Zedler; Zerwas.

Nays — Alonzo; Alvarado; Anchia; Burnam; Castro; Coleman; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Farias; Farrar; Gallego; Gonzales, V.; Gonzalez; Guillen; Gutierrez; Hernandez Luna; Hochberg; Johnson; King, T.; Lozano; Lucio; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McClendon; Menendez; Miles; Muñoz; Naishtat; Oliveira; Quintanilla; Raymond; Reynolds; Thompson; Turner; Veasey; Villarreal; Vo; Walle.

Present, not voting — Mr. Speaker(C); Strama.

Absent, Excused — Giddings; Laubenberg; Pickett.

Absent — Miller, S.; Rodriguez.

REMARKS ORDERED PRINTED

Representative Veasey moved to print all remarks on **CSHB 600**.

The motion prevailed.

REPRESENTATIVE L. TAYLOR: A number of us have been made aware here in the last hour or today, basically, of a number of issues that some SBOE members are having. We're getting some e-mails in our district, are you aware of that?

SOLOMONS: Yes, I am.

L. TAYLOR: And if this bill passes today, it goes to the senate, and once it goes to the senate, there's still some opportunity there to work on the map if there's some changes that need to be made. The SBOE members could still have some input at that time?

SOLOMONS: This is just like any other bill. We'll hopefully—if the house passes the bill today, it'll go to third reading, then it'll go to the senate, and the senate will have an opportunity to take that up and anybody interested, with continued interest in this, can talk to the senators, and whatever happens with the bill happens with the bill.

L. TAYLOR: And some members are being encouraged to vote no on this bill. What happens if this bill fails today?

SOLOMONS: If this bill fails to pass the Texas House, there is not a senate bill, companion bill, and so what would happen is you would have an issue on the SBOE redistricting that goes straight to the federal courthouse.

L. TAYLOR: We don't have another shot at it? It goes to court?

SOLOMONS: It goes to the courthouse.

VEASEY: Representative Solomons, I just wanted to clarify earlier and I will just ask you to take a second look at—I know this is probably not going to change your mind before the end of the debate—to take a second close look at the Harris County district—or the Fort Bend district. I did not believe the district paired Representative Allen with another incumbent.

SOLOMONS: The first one did. Mr. Martinez Fischer's amendment did not do that, but it still paired other republicans, other incumbents.

VEASEY: Okay.

SOLOMONS: Members, thank you very much for your patience. I'm going to move passage of this bill.

CSHB 600 was passed to engrossment by (Record 382): 99 Yeas, 45 Nays, 3 Present, not voting.

Yeas — Aliseda; Allen; Anderson, C.; Anderson, R.; Aycock; Beck; Berman; Bohac; Bonnen; Branch; Brown; Burkett; Button; Cain; Callegari; Carter; Chisum; Christian; Cook; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, S.; Driver; Eissler; Elkins; Fletcher; Flynn; Frullo; Garza; Geren; Gonzales, L.; Gooden; Guillen; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Hilderbran; Hopson; Howard, C.; Huberty; Hughes; Hunter; Isaac; Jackson; Keffer; King, P.; King, S.; Kleinschmidt; Kolkhorst; Kuempel; Landtroop; Larson; Lavender; Legler; Lewis; Lyne; Madden; Margo; Miller, D.; Miller, S.; Morrison; Murphy; Nash; Orr; Otto; Parker; Patrick; Paxton; Peña; Perry; Phillips; Pitts; Price; Riddle; Schwertner; Scott; Sheets; Sheffield; Shelton; Simpson; Smith, T.; Smith, W.; Smithee; Solomons; Taylor, L.; Taylor, V.; Thompson; Torres; Weber; White; Woolley; Workman; Zedler; Zerwas.

Nays — Alonzo; Alvarado; Anchia; Burnam; Castro; Coleman; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Farias; Farrar; Gallego; Gonzales, V.; Gonzalez; Gutierrez; Hamilton; Hernandez Luna; Hochberg; Howard, D.; Johnson; King, T.; Lozano; Lucio; Mallory Caraway; Marquez; Martinez;

Martinez Fischer; McClendon; Menendez; Miles; Muñoz; Naishtat; Oliveira; Quintanilla; Raymond; Reynolds; Rodriguez; Truitt; Turner; Veasey; Villarreal; Vo; Walle.

Present, not voting — Mr. Speaker(C); Ritter; Strama.

Absent, Excused — Giddings; Laubenberg; Pickett.

STATEMENTS OF VOTE

I was shown voting yes on Record No. 382. I intended to vote present, not voting.

Allen

I was shown voting yes on Record No. 382. I intended to vote no.

Carter

I was shown voting present, not voting on Record No. 382. I intended to vote yes.

Ritter

I was shown voting yes on Record No. 382. I intended to vote no.

T. Smith

HB 150 - REMARKS

REPRESENTATIVE TURNER: Chairman Solomons, in terms of the timeline, I know the committee will be meeting Friday and Sunday, but in terms of the timeline, where members can offer amendments to your committee to be considered in the committee process, what is that timeline?

REPRESENTATIVE SOLOMONS: I would probably say very much sooner than later. As far as I can tell, I don't have an exact time that I am going to say we are going to bring this bill up for a vote at a particular time on Monday or even Tuesday, but I can assure you what my intent is—to get as much input as I can get in a short period of time, see what we can do to check on legalities for members wanting to flip precincts, or counties, or whatever they want to do. If they can get agreements, those would be the best to try to deal with that, and we're going to try to process that as quickly as possible. I don't want to do something too quickly, but I don't want to wait, either. So, it's hard for me to give you an exact time. I wish I could just say a certain time, that's when we're going to bring it up, but I don't know that yet. But it is much sooner than later.

TURNER: This is the reason why I asked the question—I have looked at several maps that the republicans have drawn, even as it relates to Harris County. I have looked at maps that democrats have drawn. But the map that I saw, for example, of my district, did not look like any of those maps. There were significant sections that were different, and it came out yesterday. So what I am asking is basic fairness, to give people like myself an opportunity to respond to what I saw yesterday. I mean in terms of input, if I'm looking at republican maps for Harris County and democratic maps for Harris County, and I think that those are all okay, and then I look at the map the committee submitted yesterday and it's

different than the maps that were presented before, then I think in all fairness that we should have due time to respond adequately to the change that came out yesterday.

SOLOMONS: Well, that's why we're having this discussion today, so that every member knows that if you have adjustments you want to make, my suggestion is try to get as many committee things as you can done. I'll listen to the members, but I do feel like we need to have the committee consider something within a reasonable length of time. Your definition and my definition may be slightly varied, but I want you to have the opportunity to talk to your colleagues in Harris County and the members around you, see what can be adjusted, see what everybody agrees to. I mean, I'm not preventing you from doing that. But I would ask you to basically do it—or any other member on the house floor—if you have issues, try to get them resolved as soon as you can to get it to us.

TURNER: The only thing that I ask—for example, if the committee is voting on the maps on Monday, I would like to know it's Monday. If it's going to be on Tuesday or Wednesday of next week, I would like to know it's going to be Tuesday or Wednesday next week.

SOLOMONS: I don't know that.

TURNER: And that's what I'm saying. I would hate for us to come back on Monday, and there's an announcement made that there's a committee going to be voting out these maps on Monday afternoon or on Tuesday. So what I'm asking is to at least give us 48 hours of notice to when the committee is going to be voting on the maps so that we will have time.

SOLOMONS: Let me just say this, today is Thursday. For the members alone, now this includes possible testimony from the public who may come in, and we look at it and go "oh my goodness, we need to adjust something" from the public. But at the end of the day, it's Thursday now. It is 3:33 in the afternoon today, on Thursday. It was out yesterday evening. I know everybody was having some time to absorb it last night and this morning, but it's Thursday today. Even if the bill kicks out, even if the bill is brought up for a vote on Monday, it wouldn't be Monday morning. It would be Monday later in the day. But it still—the rest of today, the day, this evening, Friday, Saturday, Sunday, Monday. We're probably looking at whatever we need to do. You know as well as I know, my committee staff has worked very hard. We'll try to do whatever we can. That's assuming it even does it Monday. I don't know that. I'd be happy to tell this body what time or what day for sure, but even if it's Tuesday—that's an extra day. I don't know the exact time, but if you're asking me today for 48 hours, 72 hours, today is Thursday. You have the rest of the day today, you have Friday, Saturday, and Sunday to work with your neighbors, make any adjustments. If we need to help you, we will help you. My staff is around, we'll be around, we can basically try to help you any way we can, to the members of this body. But that's at least Friday, Saturday, and Sunday, plus the rest of the day today and tonight and some part of the day Monday. Then if it goes Tuesday, that's even more.

I'm not locked into a particular time, but I am locked into the fact that I think we have to move forward and not postpone consideration of a map because then it has to go. From our committee, it has to be checked again for whatever's done. It goes to Calendars. Calendars has to take possession of it. It has to be scheduled by Calendars. We have time frames running, we have days moving on, we have the Easter break, we have a variety of things going on, and we are sort of locked into our time frame here in the house for our entire calendar.

TURNER: Do you anticipate this bill to be on the floor before Easter?

SOLOMONS: I don't know that. Perhaps, but it could be after. I don't know if you're asking me today. I might have a better idea on Monday, but I don't really know today. It depends on what we have going on for me to be able to make a more concerted statement to the house of when I think it's going to be there or when we're going to do it. But at the end of the day, Mr. Hunter might be the one to be asking this, as well. Because whatever the committee does, as you know, it has to go to Calendars.

TURNER: Now I ask that you consider not voting on it in committee prior to Tuesday.

SOLOMONS: I'll take that under consideration.

**GENERAL STATE CALENDAR
HOUSE BILLS
SECOND READING**

The following bills were laid before the house and read second time:

**CSHB 33 ON SECOND READING
(by Branch, Patrick, Vo, Castro, Hancock, et al.)**

CSHB 33, A bill to be entitled An Act relating to measures to increase the affordability of textbooks used for courses at public or private institutions of higher education.

CSHB 33 was passed to engrossment.

**CSHB 115 ON SECOND READING
(by McClendon and Gallego)**

CSHB 115, A bill to be entitled An Act relating to the creation of a commission to investigate convictions after exoneration and to prevent wrongful convictions.

Representative McClendon moved to postpone consideration of **CSHB 115** until 10 a.m. Tuesday, April 19.

The motion prevailed.

REMARKS ORDERED PRINTED

Representative Turner moved to print remarks between Representative Solomons and Representative Turner on **HB 150**.

The motion prevailed.

CSHB 253 ON SECOND READING
(by Hilderbran)

CSHB 253, A bill to be entitled An Act relating to the protection of children by ensuring reports of abuse or neglect, protecting children from abuse and neglect, ensuring that births are reported, and prosecuting the offense of bigamy; providing criminal penalties.

Amendment No. 1

Representatives Hughes and V. Taylor offered the following amendment to **CSHB 253**:

Amend **CSHB 253** as follows:

- (1) On page 4, strike lines 19-27.
- (2) On page 5, strike lines 1-5.
- (3) On page 6, strike lines 2-26.
- (4) Renumber the sections of the bill appropriately.

Amendment No. 1 was adopted.

CSHB 253, as amended, was passed to engrossment. (White recorded voting no.)

HB 521 ON SECOND READING
(by Elkins)

HB 521, A bill to be entitled An Act relating to the applicability of certain laws governing corporations to limited liability companies.

Representative Elkins moved to postpone consideration of **HB 521** until 10 a.m. Tuesday, April 19.

The motion prevailed.

HB 588 ON SECOND READING
(by Guillen)

HB 588, A bill to be entitled An Act relating to the advance payment of surcharges under the Driver Responsibility Program.

Amendment No. 1

Representative Walle offered the following amendment to **HB 588**:

Amend **HB 588** by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 708.157(b), Transportation Code, is amended to read as follows:

(b) The department by rule shall ~~may~~ offer a holder of a driver's license on which a surcharge has been assessed an incentive for compliance with the law and efforts at rehabilitation, including a reduction of a surcharge or a decrease in the length of an installment plan.

Amendment No. 1 was adopted.

HB 588, as amended, was passed to engrossment.

CSHB 743 ON SECOND READING**(by Sheffield, L. Gonzales, Murphy, Legler, and Aliseda)**

CSHB 743, A bill to be entitled An Act relating to requiring public institutions of higher education to notify the federal Student and Exchange Visitor Information System (SEVIS) regarding the withdrawal or nonattendance of certain foreign students.

Representative Sheffield moved to postpone consideration of **CSHB 743** until 9 a.m. Tuesday, April 19.

The motion prevailed.

HB 975 ON SECOND READING**(by Dutton)**

HB 975, A bill to be entitled An Act relating to eligibility to serve on the appraisal review board of an appraisal district.

HB 975 was passed to engrossment. (White recorded voting no.)

SB 458 ON SECOND READING**(Woolley - House Sponsor)**

SB 458, A bill to be entitled An Act relating to initial claims under the unemployment compensation system.

SB 458 was considered in lieu of **HB 1050**.

SB 458 was passed to third reading.

HB 1050 - LAID ON THE TABLE SUBJECT TO CALL

Representative Woolley moved to lay **HB 1050** on the table subject to call.

The motion prevailed.

CSHB 1075 ON SECOND READING**(by R. Anderson, Truitt, et al.)**

CSHB 1075, A bill to be entitled An Act relating to an alert for a missing person with an intellectual developmental disability.

Amendment No. 1

Representative R. Anderson offered the following amendment to **CSHB 1075**:

Amend **CSHB 1075** (house committee printing) as follows:

- (1) On page 1, line 3, strike "developmental".
- (2) On page 1, line 9, strike "DEVELOPMENTAL".
- (3) On page 1, line 16, strike "developmental".
- (4) On page 1, line 17, strike "developmental".
- (5) On page 2, line 2, strike "developmental".
- (6) On page 2, line 12, strike "DEVELOPMENTAL".
- (7) On page 2, line 17, strike "developmental".
- (8) On page 3, line 22, strike "developmental".
- (9) On page 3, line 27, strike "developmental".

- (10) On page 4, line 3, strike "developmental".
 (11) On page 5, line 3, strike "developmental".
 (12) On page 5, line 14, strike "developmental".

Amendment No. 1 was adopted.

CSHB 1075, as amended, was passed to engrossment.

CSHB 2257 ON SECOND READING
(by Phillips)

CSHB 2257, A bill to be entitled An Act relating to the procurement and use of an emergency notification system by public service providers.

Amendment No. 1

Representative Phillips offered the following amendment to **CSHB 2257**:

Amend **CSHB 2257** (house committee printing) as follows:

- (1) On page 3, line 2, strike "and".
 (2) On page 3, line 4, strike the period and substitute "; and".
 (3) On page 3, between lines 4 and 5, insert the following:
 (8) reads or receives alerts from a commercial mobile alert system established by the Federal Communications Commission or complies with standards adopted for a commercial mobile alert system by the Federal Communications Commission.

Amendment No. 1 was adopted.

CSHB 2257, as amended, was passed to engrossment.

COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

Defense and Veterans' Affairs, upon final adjournment today, Desk 49, for a formal meeting, to consider pending business.

Natural Resources, upon final adjournment today, 1W.14, for a formal meeting, to consider **SB 341**, **SB 630**, **SB 656**, **SB 692**, **SB 900**, **SB 914**, **SB 1097**, and pending business.

Criminal Jurisprudence, upon final adjournment today, 3W.9, for a formal meeting, to consider pending business.

Business and Industry, 8:30 a.m. Monday, April 18, E2.016, for a public hearing, to consider **HB 2254** and posted items.

PROVIDING FOR ADJOURNMENT

Representative Callegari moved that, at the conclusion of the reading of bills and resolutions on first reading and referral to committees, the house adjourn until 9 a.m. tomorrow in memory of Jim Box of Houston.

The motion prevailed.

**BILLS AND JOINT RESOLUTIONS ON FIRST READING
AND REFERRAL TO COMMITTEES**

Bills and joint resolutions were at this time laid before the house, read first time, and referred to committees. (See the addendum to the daily journal, Referred to Committees, List No. 2.)

(S. King in the chair)

ADJOURNMENT

In accordance with a previous motion, the house, at 4:22 p.m., adjourned until 9 a.m. tomorrow.

ADDENDUM

REFERRED TO COMMITTEES

The following bills and joint resolutions were today laid before the house, read first time, and referred to committees, and the following resolutions were today laid before the house and referred to committees. If indicated, the chair today corrected the referral of the following measures:

List No. 2

HB 3852 (By Pitts), Relating to the creation of the Midlothian Municipal Management District No. 2; providing authority to impose a tax, levy an assessment, and issue bonds.

To Natural Resources.

HB 3853 (By Geren), Relating to a limitation of authority of a gas or electric corporation in the acquisition of land designated as a reservoir.

To Natural Resources.

SB 6 to Public Education.

SB 20 to Energy Resources.

SB 201 to Ways and Means.

SB 285 to Homeland Security and Public Safety.

SB 293 to Public Health.

SB 449 to Ways and Means.

SB 501 to Human Services.

SB 597 to Ways and Means.

SB 652 to State Affairs.

SB 663 to Public Health.

SB 688 to Criminal Jurisprudence.

SB 693 to Natural Resources.

SB 746 to Public Education.
SB 758 to Ways and Means.
SB 776 to Ways and Means.
SB 904 to Elections.
SB 932 to Culture, Recreation, and Tourism.
SB 937 to State Affairs.
SB 978 to Border and Intergovernmental Affairs.
SB 980 to State Affairs.
SB 1019 to County Affairs.
SB 1153 to State Affairs.
SB 1195 to Judiciary and Civil Jurisprudence.
SB 1301 to Public Health.
SB 1341 to Ways and Means.
SB 1416 to Criminal Jurisprudence.
SB 1490 to Judiciary and Civil Jurisprudence.
SB 1625 to Natural Resources.
SB 1630 to Licensing and Administrative Procedures.
SB 1846 to Judiciary and Civil Jurisprudence.
SJR 16 to Ways and Means.

SIGNED BY THE SPEAKER

The following bills and resolutions were today signed in the presence of the house by the speaker:

Senate List No. 15

SB 312, SB 716

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

April 13

Business and Industry - **HB 3487**

County Affairs - **HB 858, HB 969, HB 1144, HB 2315, HB 3152, HB 3788, HB 3811**

Criminal Jurisprudence - **HB 696, HB 1070, HB 1113, HB 1666**

Economic and Small Business Development - **HB 2579, SB 563, SB 638**

Energy Resources - **HB 2087**

Homeland Security and Public Safety - **HB 348, HB 2937, HB 3823**

Human Services - **HB 1615, HB 2170**

Insurance - **HB 438, HB 1951, HB 2277**

Judiciary and Civil Jurisprudence - **HB 1559, HB 2899, HB 2936, HB 2976**

Licensing and Administrative Procedures - **SB 890**

Natural Resources - **SB 684**

Pensions, Investments, and Financial Services - **HB 1766**

Public Education - **HB 1610, HB 3018**

State Affairs - **HB 76, HB 528, HB 625, HB 1078, HB 2133, HB 2605, HB 3137**

Transportation - **HB 557, HB 887, HB 1795, HB 2325, HB 2469, HB 2575, HB 2806, HB 2960**

Ways and Means - **HB 241, HB 255, HB 257, HB 1088, HB 1435, HB 2600**

