

## **MINUTES**

### **SENATE COMMITTEE ON EDUCATION**

Tuesday, April 23, 2013

8:30 AM

Capitol Extension, Room E1.028

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Pursuant to a notice posted in accordance with Senate Rule 11.10 and 11.18, a public hearing of the Senate Committee on Education was held on Tuesday, April 23, 2013, in the Capitol Extension, Room E1.028, at Austin, Texas.

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#### **MEMBERS PRESENT:**

Senator Dan Patrick, Chair  
Senator Eddie Lucio, Jr., Vice Chair  
Senator Donna Campbell  
Senator Robert Duncan  
Senator Ken Paxton  
Senator Kel Seliger  
Senator Larry Taylor  
Senator Leticia Van de Putte  
Senator Royce West

#### **MEMBERS ABSENT:**

None

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The chair called the meeting to order at 8:33 AM. The following business was transacted:

The chair laid out SB 1799 and recognized the author, Senator Watson, to explain the bill. Senator Lucio, Jr. sent up a committee substitute; the chair recognized Senator Watson to explain the difference between the committee substitute and the senate bill as filed.

At 8:35 AM the roll was called, and a quorum was present.

Senator Lucio, Jr. moved adoption of the minutes from the previous hearings held on April 4th, 9th, and 11th 2013; without objection, it was so ordered.

Senator Lucio, Jr. moved adoption of the committee substitute; without objection, it was so ordered. Senator Lucio, Jr. moved that SB 1799 do not pass but that CSSB 1799 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 9 ayes, 0 nays, 0 present not voting, and 0 absent. Senator Lucio, Jr. moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out SB 1725 and recognized the author, Senator Deuell, to explain the bill. Senator West sent up a committee substitute; the chair recognized Senator Deuell to explain the difference between the committee substitute and the senate bill as filed. Witnesses testifying and registering on the bill are shown on the attached list. The chair moved that the public testimony be closed; without objection, it was so ordered. Senator West moved adoption of the committee substitute; without objection, it was so ordered. Senator West moved that SB 1725 do not pass but that CSSB 1725 be reported back to the Senate with the recommendation that it do pass and be printed. The motion failed to receive a majority vote with a record vote of 3 ayes, 3 nays, 0 present not voting, and 3 absent.

The chair laid out SB 1384 and recognized the author, Senator Hancock, to explain the bill. There were no witnesses testifying and registering on the bill. Senator Campbell moved that SB 1384 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 9 ayes, 0 nays, 0 present not voting, and 0 absent. Senator Campbell moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out SB 1308 and recognized the author, Senator Davis, to explain the bill. Witnesses testifying and registering on the bill are shown on the attached list. The chair moved that the public testimony be closed; without objection, it was so ordered.

Senator Patrick moved that SB 1308 be left pending; without objection, it was so ordered.

The chair laid out SB 925 and recognized the author, Senator Lucio, to explain the bill. Senator Patrick moved that SB 925 and public testimony be left pending temporarily; without objection, it was so ordered.

The chair laid out SB 716 and recognized the author, Senator Lucio, to explain the bill. Senator Patrick moved that SB 716 and public testimony be left pending temporarily; without objection, it was so ordered.

As a matter of pending business, the chair opened public testimony on SB 925. Witnesses testifying and registering on the bill are shown on the attached list. The chair moved that the public testimony be closed; without objection, it was so ordered.

The chair moved that SB 925 be left pending; without objection, it was so ordered.

As a matter of pending business, the chair opened public testimony on SB 716. Witnesses testifying and registering on the bill are shown on the attached list. The chair moved that the public testimony be closed; without objection, it was so ordered.

The chair moved that SB 716 be left pending; without objection, it was so ordered.

At 10:33 AM Senator Lucio, Jr. assumed the chair.

The chair laid out SB 42 and recognized Senator Van de Putte, in the absence of the author, to explain the bill. Senator Van de Putte sent up a committee substitute; the chair recognized Senator Van de Putte to explain the difference between the committee substitute and the senate bill as filed. Senator Van de Putte moved adoption of the committee substitute; without objection, it was so ordered. Witnesses testifying and registering on the bill are shown on the attached list. The chair moved that the public testimony be closed; without objection, it was so ordered.

Senator Lucio, Jr. moved that SB 42 be left pending; without objection, it was so ordered.

The chair laid out SB 43 and recognized Senator Van de Putte, in the absence of the author, to explain the bill. Witnesses testifying and registering on the bill are shown on the attached list. The chair moved that the public testimony be closed; without objection, it was so ordered.

Senator Lucio, Jr. moved that SB 43 be left pending; without objection, it was so ordered.

The chair laid out as a matter of pending business SB 317 and recognized Senator Van de Putte, in the absence of the author, to explain the bill. Senator Van de Putte sent up a committee substitute; the chair recognized Senator Van de Putte to explain the difference between the committee substitute and the senate bill as filed.

Senator Lucio, Jr. moved that SB 317 be left pending; without objection, it was so ordered.

There being no further business, at 10:55 AM Senator Lucio, Jr. moved that the Committee stand recessed subject to the call of the chair. Without objection, it was so ordered.

Pursuant to the suspension of Senate Rules 11.10 and 11.18 at 7:30 PM the committee reconvened at Senator Patrick's desk.

The clerk called the roll. There being a quorum present the following business was transacted:

The chair laid out as a matter of pending business SB 377 by Senator Lucio, Jr. Senator Lucio moved to reconsider the vote by which the substitute for SB 377 was adopted on Tuesday, April 16, 2013; without objection, it was so ordered. Senator Lucio moved to withdraw from consideration the substitute that was sent up on Tuesday, April 16, 2013; without objection, it was so ordered. Senator Lucio, Jr. sent up a new committee substitute; the chair recognized Senator Lucio, Jr. to explain the difference between the committee substitute and the senate bill as filed. Senator Lucio, Jr. moved adoption of the committee substitute; without objection, it was so ordered. Senator Lucio, Jr. moved that SB 377 do not pass but that CSSB 377 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 9 ayes, 0 nays, 0 present not voting, and 0 absent. Senator Lucio, Jr. moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out as a matter of pending business SB 925 by Senator Lucio, Jr. Senator Lucio, Jr. moved that SB 925 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 9 ayes, 0 nays, 0 present not voting, and 0 absent. Senator Lucio, Jr. moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out as a matter of pending business SB 1308 by Senator Davis. Senator Lucio, Jr. moved that SB 1308 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 9 ayes, 0 nays, 0 present not voting, and 0 absent. Senator Lucio, Jr. moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out as a matter of pending business SB 1725 by Senator Deuell. Senator Van de Putte, being on the prevailing side of the vote on SB 1725, moved to reconsider the vote by which SB1725 failed to be reported to the Senate; without objection, the motion was adopted and SB 1725 was again before the committee. Senator Van de Putte sent up a committee substitute; the chair recognized Senator Deuell to explain the difference between the committee substitute and the senate bill as filed. Senator Van de Putte sent up Committee Amendment 1 and moved adoption; without objection, the amendment was adopted. Senator Van de Putte requested unanimous consent to incorporate adopted amendment 1 into the proposed substitute to create a new committee substitute; without objection, it was so ordered. Senator Van de Putte moved adoption of the new committee substitute; without objection, it was so ordered. Senator Van de Putte moved that SB 1725 do not pass but that CSSB 1725 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 6 ayes, 3 nays, 0 present not voting, and 0 absent.

Senator Duncan requested unanimous consent to be shown voting aye on SB 1384 and SB 1799 ; there being no objection, it was so ordered.

Senator Paxton requested unanimous consent to be shown voting aye on SB 1384 and SB 1799 ; there being no objection, it was so ordered.

Senator Seliger requested unanimous consent to be shown voting aye on SB 1384 and SB 1799 ; there being no objection, it was so ordered.

There being no further business, at 7:41 PM Senator Patrick moved that the Committee stand recessed subject to the call of the chair. Without objection, it was so ordered.

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Senator Dan Patrick, Chair

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Holly Mabry McCoy, Clerk