

## MINUTES

### SENATE HIGHER EDUCATION COMMITTEE

Friday, May 20, 2011

7:30 AM

Capitol Extension, Room E1.016

\*\*\*\*\*

Pursuant to a notice posted in accordance with Senate Rule 11.10 and 11.18, a public hearing of the Senate Higher Education Committee was held on Friday, May 20, 2011, in the Capitol Extension, Room E1.016, at Austin, Texas.

\*\*\*\*\*

#### **MEMBERS PRESENT:**

Senator Judith Zaffirini, Chair  
Senator Brian Birdwell, Vice Chair  
Senator Robert Duncan  
Senator Joan Huffman  
Senator Kirk Watson  
Senator Jeff Wentworth  
Senator Royce West

#### **MEMBERS ABSENT:**

None

#### **OTHER LEGISLATIVE**

#### **MEMBERS PRESENT:**

Senator Eddie Lucio  
Senator José Rodríguez  
Senator Florence Shapiro

\*\*\*\*\*

The Chair called the meeting to order at 7:30 a.m. The following business was transacted:

The Chair laid out HB 452 by Representative Lucio and recognized the Senate sponsor, Senator Lucio, to explain the bill. HB 452 was left pending.

There being a quorum present, Senator Birdwell moved that the minutes of the May 18, 2011, hearing be approved. The motion was adopted by unanimous consent.

The Chair laid out HB 3461 by Representative Margo and recognized the Senate sponsor, Senator Rodríguez, to explain the bill. HB 3461 was left pending.

The Chair laid out HB 1053 by Representative Diane Patrick and recognized Senator Watson to explain the bill on behalf of the Senate sponsor, Senator Gallegos. HB 1053 was left pending.

The Chair laid out HB 1244 by Representative Castro and recognized the Senate sponsor, Senator West, to explain the bill. Senator West sent up committee amendment number one. The Chair recognized Senator West to explain the amendment. Senator West moved adoption of the amendment. The motion was adopted by unanimous consent. HB 1244, as amended, was left pending.

At 7:37 a.m. Senator Birdwell assumed the chair.

The Chair laid out HB 33 by Representative Branch and recognized the Senate sponsor, Senator Zaffirini, to explain the bill. HB 33 was left pending.

At 7:39 a.m. Senator Zaffirini re-assumed the chair.

The Chair laid out HB 736 by Representative Diane Patrick and recognized the Senate sponsor, Senator West, to explain the bill. Senator West sent up the committee substitute for HB 736. The Chair recognized Senator West to explain the difference between the committee substitute and the House bill as engrossed. Senator Duncan sent up committee amendment number one. The Chair recognized Senator Duncan to explain the amendment. Senator West moved that the amendment by Senator Duncan be adopted and rolled into a new committee substitute and that the new committee substitute be adopted. The motion was adopted by unanimous consent. HB 736 was left pending.

The Chair laid out anew HB 3461 by Representative Margo and recognized the Senate sponsor, Senator Rodríguez, to explain the bill. Senator Watson sent up the committee substitute for HB 3461. The Chair recognized Senator Rodríguez to explain the difference between the committee substitute and the House bill as engrossed. Senator Watson moved adoption of CSHB 3461. The motion was adopted by unanimous consent. CSHB 3461 was left pending.

The Chair laid out HB 2365 by Representative Eissler and recognized the Senate sponsor, Senator Shapiro, to explain the bill. HB 2365 was left pending.

At 7:58 a.m. Senator Birdwell assumed the chair.

The Chair laid out HB 2910 by Representative Branch and recognized the Senate sponsor, Senator Zaffirini, to explain the bill. Senator Zaffirini sent up the committee substitute for HB 2910. The Chair recognized Senator Zaffirini to explain the difference between the committee substitute and the House bill as engrossed. Senator Zaffirini moved adoption of CSHB 2910. The motion was adopted by unanimous consent. CSHB 2910 was left pending.

The Chair laid out HB 2999 by Representative Lewis and recognized the Senate sponsor, Senator Zaffirini, to explain the bill. Senator Zaffirini sent up the committee substitute for HB 2999. The Chair recognized Senator Zaffirini to explain the difference between the committee substitute and the House bill as engrossed. Senator Zaffirini moved adoption of CSHB 2999. The motion was adopted by unanimous consent. CSHB 2999 was left pending.

The Chair laid out HB 3708 by Representative Hochberg and recognized the Senate sponsor, Senator Zaffirini, to explain the bill. HB 3708 was left pending.

The Chair laid out HCR 129 by Representative Diane Patrick and recognized the Senate sponsor, Senator Zaffirini, to explain the bill. HCR 129 was left pending.

At 8:09 a.m. Senator Zaffirini re-assumed the chair.

The Chair laid out anew HB 736 by Representative Diane Patrick, sponsored by Senator West, and opened public testimony. There being no witnesses registered for, against, or on the bill, the Chair closed public testimony. Senator West moved that HB 736 be reported to the Senate with the recommendation that it do not pass, but that the committee substitute adopted in lieu thereof do pass and be printed. There being 7 ayes and 0 nays, CSHB 736 was reported favorably. Senator West moved that CSHB 736 be recommended for the Local and Uncontested Calendar. The motion was adopted by unanimous consent.

The Chair laid out anew HB 1053 by Representative Diane Patrick, sponsored by Senator Gallegos, and opened public testimony. There being no witnesses registered for, against, or on the bill, the Chair closed public testimony. HB 1053 was left pending.

The Chair laid out anew HB 2365 by Representative Eissler, sponsored by Senator Shapiro, and opened public testimony. There being no witnesses registered for, against, or on the bill, the Chair closed public testimony. Senator Birdwell moved that HB 2365 be reported to the Senate with the recommendation that it do pass and be printed. There being 7 ayes and 0 nays, HB 2365 was reported favorably.

The Chair laid out anew HB 2999 by Representative Lewis, sponsored by Senator Zaffirini, and opened public testimony. There being no witnesses registered for, against, or on the bill, the Chair closed public testimony. Senator Wentworth moved that HB 2999 be reported to the Senate with the recommendation that it do not pass, but that the committee substitute adopted in lieu thereof do pass and be printed. There being 7 ayes and 0 nays, CSHB 2999 was reported

favorably. Senator Wentworth moved that CSHB 2999 be recommended for the Local and Uncontested Calendar. The motion was adopted by unanimous consent.

The Chair laid out anew HB 3708 by Representative Hochberg, sponsored by Senator Zaffirini, and opened public testimony. There being no witnesses registered for, against, or on the bill, the Chair closed public testimony. HB 3708 was left pending.

The Chair laid out anew HB 33 by Representative Branch, sponsored by Senator Zaffirini, and opened public testimony. Names of witnesses who testified and registered for, against, or on the bill are on the attached list. The Chair closed public testimony. Senator West moved that HB 33 be reported to the Senate with the recommendation that it do pass and be printed. There being 7 ayes and 0 nays, HB 33 was reported favorably. Senator West moved that HB 33 be recommended for the Local and Uncontested Calendar. The motion was adopted by unanimous consent.

The Chair laid out anew HB 452 by Representative Lucio III, sponsored by Senator Lucio, and opened public testimony. Names of witnesses who testified and registered for, against, or on the bill are on the attached list. The Chair closed public testimony. Senator Huffman moved that HB 452 be reported to the Senate with the recommendation that it do pass and be printed. There being 7 ayes and 0 nays, HB 452 was reported favorably. Senator Huffman moved that HB 452 be recommended for the Local and Uncontested Calendar. The motion was adopted by unanimous consent.

The Chair laid out anew HCR 129 by Representative Diane Patrick, sponsored by Senator Zaffirini, and opened public testimony. Names of witnesses who testified and registered for, against, or on the bill are on the attached list. The Chair closed public testimony. Senator Watson moved that HCR 129 be reported to the Senate with the recommendation that it do pass and be printed. There being 7 ayes and 0 nays, HCR 129 was reported favorably. Senator Watson moved that HCR 129 be recommended for the Local and Uncontested Calendar. The motion was adopted by unanimous consent.

The Chair laid out anew HB 1244 as amended by Representative Castro, sponsored by Senator West, and opened public testimony. Names of witnesses who testified and registered for, against, or on the bill are on the attached list. The Chair closed public testimony. Senator West moved that HB 1244 as amended be reported to the Senate with the recommendation that it do pass and be printed. There being 7 ayes and 0 nays, HB 1244 as amended was reported favorably. Senator West moved that HB 1244 as amended be recommended for the Local and Uncontested Calendar. The motion was adopted by unanimous consent.

The Chair laid out anew CSHB 2910 by Representative Branch and opened public testimony. Names of witnesses who testified and registered for, against, or on the bill are on the attached list. The Chair closed public testimony. Senator West moved to reconsider the vote by which the committee substitute for HB 2910 was adopted. The motion was adopted by unanimous consent. Senator West sent up a committee amendment for CSHB 2910 and moved its adoption. The motion was adopted by unanimous consent. Senator West moved that the amendment be rolled into a new committee substitute and that the new committee substitute be adopted. The motion was adopted by unanimous consent. Senator West moved that HB 2910 be reported to the Senate with the recommendation that it do not pass, but that the committee substitute adopted in lieu thereof do pass and be printed. There being 7 ayes and 0 nays, the committee substitute for HB 2910 was reported favorably. Senator West moved that CSHB 2910 be recommended for the Local and Uncontested Calendar. The motion was adopted by unanimous consent.

At 8:33 a.m. Senator Birdwell assumed the chair.

The Chair laid out anew HB 992 by Representative Branch, sponsored by Senator Zaffirini. Senator Zaffirini sent up the committee substitute for HB 992. Names of witnesses who testified and registered for, against, or on the bill are on the attached list. The Chair recognized Senator Zaffirini to explain the difference between the committee substitute and the House bill as engrossed. Senator Zaffirini moved adoption of CSHB 992. The motion was adopted by unanimous consent. Senator Zaffirini moved that HB 992 be reported to the Senate with the recommendation that it do not pass, but that the committee substitute adopted in lieu thereof do pass and be printed. There being 7 ayes and 0 nays, the committee substitute for HB 992 was reported favorably. Senator Zaffirini moved that CSHB 992 be recommended for the Local and Uncontested Calendar. The motion was adopted by unanimous consent.

The Chair laid out anew HB 9 by Representative Branch, sponsored by Senator Zaffirini. Senator Zaffirini sent up the committee substitute for HB 9. The Chair recognized Senator Zaffirini to explain the difference between the committee substitute and the House as engrossed. The Chair opened public testimony anew. Names of witnesses who testified and registered for, against, or on the bill are on the attached list. The Chair closed public testimony. Senator Zaffirini moved adoption of CSHB 9. The motion was adopted by unanimous consent. Senator Zaffirini moved that HB 9 be reported to the Senate with the recommendation that it do not pass, but that the committee substitute adopted in lieu thereof do pass and be printed. There being 7 ayes and 0 nays, the committee substitute for HB 9 was reported favorably.

At 8:58 a.m. Senator Zaffirini re-assumed the chair.

**Senate Higher Education Committee**

Minutes

Friday, May 20, 2011

Page 6

The Chair laid out anew HB 1206 by Representative Guillen, sponsored by Senator Zaffirini. HB 1206 was left pending.

The Chair laid out anew HB 3461 by Representative Margo, sponsored by Senator Rodriguez, and opened public testimony. Names of witnesses who testified and registered for, against, or on the bill are on the attached list. The Chair closed public testimony. HB 3461 was left pending.

Having been present during the hearing, Senator Duncan requested unanimous consent to be shown voting aye on HB 9, HB 33, HB 452, HB 736, and HB 2365, HB 2999, and HB 3708. The motion was adopted by unanimous consent, and his votes were included in the total vote count.

There being no further business, at 9:32 a.m. Senator Birdwell moved that the Senate Higher Education Committee stand in recess, subject to the call of the Chair. The motion was adopted by unanimous consent.

Respectfully submitted,

Senator Judith Zaffirini, Chair

Gonzalo Serrano, Clerk