

Amend Amendment No. 1 by McClendon to **CSHB 300** (on page 323 of the Amendment Packet) as follows:

(1) Strike page 2, line 2, through page 12, line 8 of the amendment.

(2) Add the following appropriately numbered items to the amendment and renumber subsequent items of the amendment accordingly:

(____) Strike SECTIONS 1.01 and 1.02 of Article 1 of the bill (page 1, line 9, through page 2, line 24) and substitute the following:

SECTION 1.01. Sections 201.051(a), (b), and (d), Transportation Code, are amended to read as follows:

(a) The Texas Transportation Commission consists of 15 [~~five~~] members, with 14 members elected from geographic districts and one member elected at large [~~appointed by the governor with the advice and consent of the senate~~].

(b) The legislature shall, at its first regular session after the publication of each United States decennial census, reapportion the geographic districts described in Subsection (a). The districts shall be substantially equal in population, according to the most recent United States decennial census. The legislature shall consider county lines, senatorial and representative districts, and commissioners precincts in the reapportionment process [~~members shall be appointed to reflect the diverse geographic regions and population groups of this state. One member must reside in a rural area~~].

(d) A [~~Except as provided by Subsection (e), a~~] person may not serve [~~is not eligible for appointment~~] as a member of the commission if the person or the person's spouse:

(1) is employed by or participates in the management of a business entity or other organization that is regulated by or receives funds from the department;

(2) directly or indirectly owns or controls more than 10 percent interest in a business entity or other organization that is regulated by or receives funds from the department;

(3) uses or receives a substantial amount of tangible goods, services, or funds from the department, other than

compensation or reimbursement authorized by law for commission membership, attendance, or expenses; or

(4) is registered, certified, or licensed by the department.

SECTION 1.02. Section 201.053(a), Transportation Code, is amended to read as follows:

(a) The member of the commission elected at large is ~~[governor periodically shall designate one commissioner as]~~ the chair of the commission, who shall serve as presiding officer of the commission.

(____) Add the following appropriately numbered SECTIONS to Article 1 of the bill and renumber subsequent SECTIONS of that article as appropriate:

SECTION 1.____. Section 201.052, Transportation Code, is amended to read as follows:

Sec. 201.052. TERMS. Members of the commission elected from geographic districts serve two-year ~~[staggered six-year]~~ terms, and the member elected at large serves a four-year term. The ~~[, with the]~~ terms of the ~~[either one or two]~~ members expire January ~~[expiring February]~~ 1 of an ~~[each]~~ odd-numbered year.

SECTION 1.____. Section 52.092(c), Election Code, is amended to read as follows:

(c) Statewide offices of the state government shall be listed in the following order:

- (1) governor;
- (2) lieutenant governor;
- (3) attorney general;
- (4) comptroller of public accounts;
- (5) commissioner of the General Land Office;
- (6) commissioner of agriculture;
- (7) transportation commission, chair;
- (8) transportation commissioner;
- (9) railroad commissioner;
- (10) ~~[(8)]~~ chief justice, supreme court;
- (11) ~~[(9)]~~ justice, supreme court;
- (12) ~~[(10)]~~ presiding judge, court of criminal appeals;

(13) [~~(11)~~] judge, court of criminal appeals.

SECTION 1.____. Sections 201.051(c) and (i), Transportation Code, are repealed.

SECTION 1.____. (a) The legislature shall first apportion the geographic districts described in Section 201.051(a), Transportation Code, as amended by this article, at the 82nd Legislature, Regular Session, 2011.

(b) The first members of the Texas Transportation Commission elected under the changes in law made by this article shall be elected at the general election held in November 2012 to serve for a term that begins January 1, 2013.

(c) Until the members of the Texas Transportation Commission elected under this article take office, the governor will continue to appoint members to the Texas Transportation Commission and those members shall, unless otherwise removed as provided by law, continue in office under the prior law that governed the composition of the Texas Transportation Commission, and that prior law is continued in effect for that purpose.