

MINUTES

SENATE COMMITTEE ON EDUCATION

Tuesday, April 12, 2011

8:30 AM

Capitol Extension, Room E1.028

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 12, 2011, in the Capitol Extension, Room E1.028, at Austin, Texas.

MEMBERS PRESENT:

Senator Florence Shapiro, Chair
Senator Dan Patrick, Vice Chair
Senator John Carona
Senator Wendy Davis
Senator Mario Gallegos, Jr.
Senator Kel Seliger
Senator Leticia Van de Putte
Senator Royce West

MEMBERS ABSENT:

Senator Steve Ogden

The chair called the meeting to order at 8:36 AM. There being a quorum present, the following business was transacted:

The chair laid out SB 149 and recognized the author, Senator West, 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 Davis moved that SB 149 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 8 ayes, 0 nays, 0 present not voting, and 1 absent. Senator Davis moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out SB 1619 and recognized the author, Senator Duncan, to explain the bill. Senator Seliger sent up a committee substitute; the chair recognized Senator Duncan 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 Shapiro moved that SB 1619 be left pending; without objection, it was so ordered.

The chair laid out SB 1113 and recognized the author, Senator Wentworth, to explain the bill. Senator Seliger sent up a committee substitute; the chair recognized Senator Wentworth 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 Shapiro moved that SB 1113 be left pending; without objection, it was so ordered.

The chair laid out SB 1543 and recognized the author, Senator Wentworth, to explain the bill.

At 9:00 AM Senator Patrick assumed the chair.

Senator Patrick sent up a committee substitute; the chair recognized Senator Wentworth 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. The chair moved to re-open public testimony on SB 1543. The chair moved to close public testimony on SB 1543; without objection, it was so ordered.

Senator Patrick moved that SB 1543 be left pending; without objection, it was so ordered.

The chair laid out SB 866 and recognized the author, Senator Deuell, to explain the bill. Senator Patrick 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 Patrick moved that SB 866 be left pending; without objection, it was so ordered.

The chair laid out SB 4 and recognized the author, Senator Shapiro, to explain the bill. Senator Shapiro sent up a committee substitute; the chair recognized Senator Shapiro to explain the difference between the committee substitute and the senate bill as filed. Invited witnesses

testifying and registering on the bill are shown on the attached list. Senator Shapiro moved adoption of the committee substitute; without objection, it was so ordered.

Senator Patrick moved that SB 4 be left pending; without objection, it was so ordered.

At 10:01 PM Senator Shapiro assumed the chair.

The chair laid out SB 536 and recognized the author, Senator Davis, to explain the bill. Senator Davis sent up a committee substitute; the chair recognized Senator Davis to explain the difference between the committee substitute and the senate bill as filed. Senator Davis 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 Davis moved that SB 536 do not pass but that CSSB 536 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 7 ayes, 0 nays, 0 present not voting, and 2 absent. Senator Van de Putte moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out SB 1872 and recognized the author, Senator Van de Putte, 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 sent up Committee Amendment 1 to the proposed substitute.

At 10:20 AM Senator Gallegos, Jr. assumed the chair.

Senator Van de Putte moved adoption of Committee Amendment 1; without objection, the amendment was adopted.

At 10:21 AM Senator Shapiro resumed the chair.

Senator Van de Putte sent up Committee Amendment 2 and moved adoption; without objection, the amendment was adopted.

Senator Van de Putte sent up Committee Amendment 3 and moved adoption; without objection, the amendment was adopted.

Senator Van de Putte requested unanimous consent to incorporate the amendments into the proposed substitute to create a new committee substitute; without objection, it was so ordered.

Senator Shapiro moved that SB 1872 be left pending temporarily; without objection, it was so ordered.

At 10:24 AM Senator Patrick assumed the chair.

As a matter of pending business, the chair laid out SB 4. Senator Shapiro moved that SB 4 do not pass but that CSSB 4 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, 2 nays, 0 present not voting, and 1 absent.

At 10:30 AM Senator Shapiro resumed the chair.

As a matter of pending business, the chair opened public testimony on SB 1872. 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 Shapiro moved that SB 1872 be left pending; without objection, it was so ordered.

The chair laid out SB 1328 and recognized the author, Senator Watson, to explain the bill. Senator Gallegos, 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. Senator Gallegos, Jr. 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 Shapiro moved that SB 1328 be left pending; without objection, it was so ordered.

At 10:56 AM, Senator Shapiro moved that the committee stand recessed until after the adjournment of the Senate; without objection, it was so ordered.

Pursuant to the suspension of Senate Rules 11.10 and 11.18 at 12:06 PM the committee reconvened at Senator Shapiro's desk.

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

As a matter of pending business, the chair laid out SB 866. Senator West moved adoption of the committee substitute previously sent up; without objection, it was so ordered. Senator West

moved that SB 866 do not pass but that CSSB 866 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 8 ayes, 0 nays, 0 present not voting, and 1 absent.

As a matter of pending business, the chair laid out SB 1113. Senator Shapiro moved that SB 1113 be left pending temporarily; without objection, it was so ordered.

As a matter of pending business, the chair laid out SB 1619. Senator Seliger moved adoption of the committee substitute previously sent up; without objection, it was so ordered. Senator Seliger moved that SB 1619 do not pass but that CSSB 1619 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 8 ayes, 0 nays, 0 present not voting, and 1 absent. Senator Seliger moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

Senator Carona requested unanimous consent to be shown voting aye on SB 866; without objection, it was so ordered.

As a matter of pending business, the chair laid out SB 1113. Senator West moved adoption of the committee substitute previously sent up; without objection, it was so ordered. Senator West moved that SB 1113 do not pass but that CSSB 1113 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 8 ayes, 0 nays, 0 present not voting, and 1 absent. Senator West moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

As a matter of pending business the chair laid out SB 1543. Senator Shapiro moved that SB 1543 be left pending; without objection, it was so ordered.

Senator Carona requested unanimous consent to be shown voting aye on SB 4, SB 149, and SB 536; there being no objection, it was so ordered.

Senators Gallegos, Jr. and Van de Putte requested unanimous consent to be shown voting aye on SB 149; there being no objection, it was so ordered.

Senator West requested unanimous consent to be shown voting aye on SB 536, and nay on SB 4; there being no objection, it was so ordered.

There was no action taken for the following bill(s): SB 3.

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There being no further business, at 12:16 PM Senator Shapiro moved that the Committee stand recessed subject to the call of the chair. Without objection, it was so ordered.

Senator Florence Shapiro, Chair

Holly Mabry, Clerk