

## MINUTES

### SENATE COMMITTEE ON EDUCATION

Tuesday, April 19, 2011

9:00 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 19, 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 Steve Ogden  
Senator Kel Seliger  
Senator Leticia Van de Putte  
Senator Royce West

#### **MEMBERS ABSENT:**

None

\*\*\*\*\*

The chair called the meeting to order at 9:04 AM. The following business was transacted:

At 9:05 AM Senator Seliger assumed the chair.

As a matter of pending business, the chair laid out SB 738 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.

Senator Seliger moved that SB 738 be left pending; without objection, it was so ordered.

As a matter of pending business, the chair laid out SB 1483 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.

Senator Seliger moved that SB 1483 be left pending; without objection, it was so ordered.

As a matter of pending business, the chair laid out SB 1543 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.

At 9:15 AM Senator Shapiro resumed the chair.

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

The chair laid out SB 1871 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 sent up Committee Amendment 1 and explained the amendment. 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. Upon arrival of a quorum, Senator Davis moved adoption of Committee Amendment 1; without objection, the amendment was adopted. Senator Davis moved adoption of the committee substitute; without objection, it was so ordered. Senator Davis requested unanimous consent to incorporate the amendment into the committee substitute; without objection, it was so ordered.

Senator Shapiro moved that SB 1871 be left pending; without objection, it was so ordered.

At 10:37 AM the roll was called, and a quorum was present.

As a matter of pending business, the chair laid out SB 35. 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 Shapiro moved to withdraw from consideration the substitute for SB 35 that was sent up on a previous date; without objection, it was so ordered. Senator Van de Putte moved adoption of the new committee substitute; without objection, it was so ordered. Senator Gallegos, Jr. moved that SB 35 do not pass but that CSSB 35 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 Van de Putte 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 346. Senator Gallegos, Jr. sent up a committee substitute; the chair recognized Senator Gallegos, Jr. 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. Senator Seliger moved that SB 346 do not pass but that CSSB 346 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, 1 nays, 0 present not voting, and 1 absent.

At 10:46 AM Senator Gallegos, Jr. assumed the chair.

As a matter of pending business, the chair laid out SB 1328. Senator Van de Putte moved that SB 1328 do not pass but that CSSB 1328 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.

The chair laid out SB 1533 and recognized Senator Davis, 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 Gallegos, Jr. moved that SB 1533 be left pending; without objection, it was so ordered.

The chair laid out SB 736 and recognized Senator Davis, 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 Gallegos, Jr. moved that SB 736 be left pending; without objection, it was so ordered.

There being no further business, at 11:07 AM Senator Gallegos, 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 2:26 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 736. Senator Davis moved that SB 736 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 Carona 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 1533. Senator Carona moved that SB 1533 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 Carona 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 to withdraw from consideration the substitute for SB 1543 that was sent up on a previous date; without objection, it was so ordered. Senator Carona moved adoption of the new committee substitute; without objection, it was so ordered. Senator Carona moved that SB 1543 do not pass but that CSSB 1543 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, 1 nay, 1 present not voting, and 1 absent.

At 2:32 PM Senator Seliger assumed the chair.

As a matter of pending business, the chair laid out SB 738. Senator Carona moved to withdraw from consideration amendments 1 and 2 for SB 738 that were sent up on a previous date; without objection, it was so ordered. Senator Carona moved adoption of the new committee substitute; without objection, it was so ordered. Senator Carona moved that SB 738 do not pass but that CSSB 738 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 Carona 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 1483. Senator Carona moved to withdraw from consideration the substitute for SB 1483 that was sent up on a previous date; without objection, it was so ordered. Senator Carona moved adoption of the new committee substitute; without objection, it was so ordered. Senator Carona moved that SB 1483 do not pass but that CSSB 1483 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 5 ayes, 4 nays, 0 present not voting, and 0 absent.

At 2:37 PM Senator Shapiro resumed the chair.

Senator Patrick requested unanimous consent to be shown voting aye on SB 35, SB 736, SB 738, SB 1328, and SB 1533; there being no objection, it was so ordered.

Senator Patrick requested unanimous consent to be shown voting nay on SB 346, and SB 1543; there being no objection, it was so ordered.

Senator Shapiro requested unanimous consent to be shown voting aye on SB 1328; there being no objection, it was so ordered.

Senator West requested unanimous consent to be shown voting aye on SB 35, SB 346, and SB 1328; there being no objection, it was so ordered.

There being no further business, at 2:37 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