

MINUTES

SENATE COMMITTEE ON COMMITTEE OF THE WHOLE SENATE

Monday, January 24, 2011

1:30 PM

Senate Chamber

Pursuant to Article XIII, Senate Rule 13.01, the Senate resolved into the Committee of the Whole at 4:16 p.m., Monday, January 24, 2011, in the Senate Chamber for a public hearing on SB 14.

Pursuant to Senate Rule 13.02, Senator Robert Duncan was named Chair of the Committee of the Whole Senate.

MEMBERS PRESENT:

Lt. Governor David Dewhurst
Senator Brian Birdwell
Senator John Carona
Senator Wendy Davis
Senator Bob Deuell
Senator David Dewhurst
Senator Robert Duncan
Senator Rodney Ellis
Senator Kevin Eltife
Senator Craig Estes
Senator Troy Fraser
Senator Mario Gallegos, Jr.
Senator Chris Harris
Senator Juan Hinojosa
Senator Joan Huffman
Senator Mike Jackson
Senator Eddie Lucio, Jr.
Senator Jane Nelson
Senator Robert Nichols
Senator Steve Ogden
Senator Dan Patrick

MEMBERS ABSENT:

Senator Glenn Hegar

Senate Committee on Committee of the Whole Senate

Minutes

Monday, January 24, 2011

Page 2

Senator Jose Rodriguez
Senator Kel Seliger
Senator Florence Shapiro
Senator Carlos Uresti
Senator Leticia Van de Putte
Senator Kirk Watson
Senator Jeff Wentworth
Senator Royce West
Senator John Whitmire
Senator Tommy Williams
Senator Judith Zaffirini

Pursuant to the passage of Senate Resolution 79, Senator Robert Duncan called the Committee of the Whole Senate to order at 4:16 p.m. There being a quorum present, the following business was transacted:

Senator Duncan outlined the procedures and process for the Committee of the Whole Senate.

The Chair laid out SB 14 by Senator Troy Fraser, relating to requirements to vote, including presenting proof of identification; providing criminal penalties.

The Chair asked Senator Fraser if a committee substitute would be laid out or considered for SB 14. Senator Fraser responded that there would be no committee substitute considered.

Senators Van de Putte raised a parliamentary inquiry about submitting amendments to SB 14. Senator Duncan announced that amendments would be accepted at any time, there would be no deadline for submitting committee amendments to SB 14. Senator Van de Putte asked if members of the public could begin registering at 7:30 a.m. on Tuesday, January 25, 2011. Senator Duncan responded that the public would be able to begin registering at 7:30 a.m. and announced that invited testimony would be limited to ten minutes per person while the time limits for public testimony would be three minutes per person, pending the adoption of the appropriate motion on Tuesday, January 25, 2011.

Senator Ellis was recognized for a question regarding invited testimony and requested that an equal amount of proponents and opponents offering invited testimony on SB 14 be allowed. Senator Duncan responded that he would consider the issue at the appropriate time.

Senator Uresti was recognized for a question regarding whether a list of invited persons would be provided to the members. Senator Duncan responded by announcing the names of the resources witnesses that would be available (David Maxwell, Office of the Attorney General's Office; Ann McGeehan, Secretary of State's Office; and Rebecca Davio, Department of Public Safety) and stated that invited persons would be recognized, as follows, one proponent and then one opponent.

Senator Gallegos was recognized for a question about whether or not Spanish speaking staff would be available to assist Spanish speaking members of the public. Senator Duncan responded that arrangements were being made to address his question. Senator Gallegos also asked about the procedures for submitting written testimony, especially, if members of the public cannot attend the hearing. Senator Duncan responded that written testimony can only be submitted and made part of the record up until the bill has been voted out of committee.

With no further questions, at 4:36 p.m., Senator Duncan moved that the Committee of the Whole stand at ease until 8 a.m. on Tuesday, January 25, 2011.

On Tuesday, January 25, 2011, Senator Duncan called the Committee on the Whole to order at 8:05 a.m. There being a quorum present, the following business was transacted:

Senator Duncan once again outlined the procedures and process of SB 14; namely, a ten minute time limit for persons providing invited testimony, the availability of resource witnesses to provide answers for members, and a time limit of three minutes for persons providing public testimony. Senator Duncan recognized the court reporters: Aloma Kennedy and Lorrie Schnoor.

Senator Van de Putte asked Senator Duncan about access to the Senate Chamber for individuals with disabilities. Senator Duncan responded that a wireless microphone and table would be made available to individuals with disabilities.

Senator Duncan recognized Senator Fraser to lay out and explain SB 14, relating to requirements to vote, including presenting proof of identification; providing criminal penalties.

Senator Huffman was recognized for a motion to enter exhibit #1 into the public record (invited and public testimony, exhibits and transcripts on SB 362 as considered by the Texas Senate in March, 2009). Without objection, the motion was adopted by unanimous consent. Senator Davis inquired whether exhibit #1 included the responses received after the March 2009 hearing.

Senate Committee on Committee of the Whole Senate

Minutes

Monday, January 24, 2011

Page 4

Senator Eltife assumed presiding duties at 8:58 a.m.

Senator Duncan resumed presiding duties at 9:05 a.m.

Senator Van de Putte moved to enter exhibit #2 into the record, (all actions contained in the Senate Journals of SB 362, 81st Legislature, 2009, including motions, remarks, written responses, exhibits, and any other materials directly related to SB 362). Without objection, the motion was adopted by unanimous consent.

Senator Fraser moved to enter exhibit #3 into the record, (letter from Hope Andrade, Texas Secretary of State, re: HAVA funds). Without objection, the motion was adopted by unanimous consent.

Senator Seliger moved that the Committee of the Whole rise and report progress at 10:43 a.m. Without objection, it was so ordered.

Senator Robert Duncan, Chair

Patsy Spaw, Secretary of the Senate