

**MINUTES**

**SENATE COMMITTEE ON EDUCATION**

Tuesday, March 26, 2013

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, March 26, 2013, in the Capitol Extension, Room E1.028, at Austin, Texas.

\*\*\*\*\*

**MEMBERS PRESENT:**

Senator Dan Patrick, Chair  
Senator Eddie Lucio, Jr., Vice Chair  
Senator Donna Campbell  
Senator Robert Duncan  
Senator Ken Paxton  
Senator Kel Seliger  
Senator Larry Taylor  
Senator Leticia Van de Putte  
Senator Royce West

**MEMBERS ABSENT:**

None

\*\*\*\*\*

The chair called the meeting to order at 8:32 AM. The following business was transacted:

Other Senators attending: Senator Wendy Davis.

The chair laid out SB 1109 and recognized the author, Senator Deuell, to explain the bill. Witnesses testifying and registering on the bill are shown on the attached list.

At 8:40 AM the roll was called, and a quorum was present.

The chair moved that the public testimony be closed; without objection, it was so ordered. Senator Eddie Lucio, Jr. moved that SB 1109 be reported favorably 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 Eddie Lucio, Jr. moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out SB 542 and recognized the author, Senator Watson, to explain the bill. Senator Eddie Lucio, 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. 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 Dan Patrick moved that SB 542 be left pending; without objection, it was so ordered.

The chair laid out SB 119 and recognized the author, Senator Rodríguez, to explain the bill. Senator Kel Seliger sent up a committee substitute; the chair recognized Senator Rodríguez to explain the difference between the committee substitute and the senate bill as filed.

The chair laid out SB 122 and recognized the author, Senator Rodríguez, to explain the bill.

The chair laid out SB 123 and recognized the author, Senator Rodríguez, to explain the bill.

The chair laid out SB 124 and recognized the author, Senator Rodríguez, to explain the bill.

Witnesses testifying and registering on SB 119, SB 122, SB 123, and SB 124 are shown on the attached list. The chair moved that the public testimony be left pending; without objection, it was so ordered.

Senator Dan Patrick moved that SB 119, SB 122, SB 123, and SB 124 be left pending; without objection, it was so ordered.

The chair laid out SB 816 and recognized the author, Senator Hegar, to explain the bill. The chair moved that public testimony be left pending temporarily; without objection, it was so ordered.

The chair laid out SB 1115 and recognized the author, Senator Whitmire, to explain the bill. Senator Donna Campbell sent up a committee substitute; the chair recognized Senator Whitmire to explain the difference between the committee substitute and the senate bill as filed.

Senator Donna Campbell sent up Committee Amendment 1 to the proposed committee substitute to SB 1115; the chair recognized Senator Whitmire to explain 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.

Senator Dan Patrick moved that SB 1115 be left pending; without objection, it was so ordered.

As a matter of pending business, the chair opened public testimony on SB 816. 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 Dan Patrick moved that SB 816 be left pending; without objection, it was so ordered.

The chair laid out SB 1142 and recognized the author, Senator Duncan, to explain the bill. Senator Robert Duncan sent up a committee substitute; the chair recognized Senator Robert Duncan to explain the difference between the committee substitute and the senate bill as filed. Senator Robert Duncan 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 Robert Duncan moved that SB 1142 do not pass but that CSSB 1142 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 Robert Duncan moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

There being no further business, at 10:56 AM Senator Dan Patrick moved that the Committee stand recessed until 15 minutes after the adjournment of the Senate; without objection, it was so ordered.

Senator Patrick reconvened the meeting at 12:50 PM.

The chair laid out SB 929 and recognized the author, Senator Paxton, to explain the bill. Senator Ken Paxton sent up a committee substitute; the chair recognized Senator Ken Paxton 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.

At 1:22 PM Senator Eddie Lucio, Jr. assumed the chair.

The chair moved that the public testimony be closed; without objection, it was so ordered.

At 1:46 PM Senator Dan Patrick resumed the chair.

Senator Dan Patrick moved that SB 929 be left pending; without objection, it was so ordered.

The chair laid out SB 1365 and recognized Senator Kel Seliger, in the absence of the author, to explain the bill. Senator Kel Seliger sent up a committee substitute; the chair recognized Senator Kel Seliger 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 Dan Patrick moved that SB 1365 be left pending; without objection, it was so ordered.

At 1:52 PM Senator Kel Seliger assumed the chair.

The chair laid out SB 1404 and recognized the author, Senator Patrick, 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 Kel Seliger moved that SB 1404 be left pending; without objection, it was so ordered.

At 1:56 PM Senator Dan Patrick resumed the chair.

The chair laid out SB 1263 and recognized the author, Senator Taylor, to explain the bill. Senator Larry Taylor sent up a committee substitute; the chair recognized Senator Larry Taylor 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 Dan Patrick moved that SB 1263 be left pending; without objection, it was so ordered.

At 2:54 PM Senator Patrick moved that the Committee stand recessed temporarily; without objection, it was so ordered.

At 3:07 PM Senator Patrick reconvened the meeting.

At 3:07 PM Senator Robert Duncan assumed the chair.

The chair laid out as a matter of pending business SB 2 and recognized the author, Senator Patrick, to explain the bill. Senator Patrick moved to withdraw from consideration Amendment 2; without objection, it was so ordered. Senator Dan Patrick sent up Committee Amendment 3 and explained the amendment. Senator Patrick sent up an amendment to amendment 3, and was recognized to explain the amendment to amendment 3. Senator Patrick moved the adoption of the amendment to amendment 3; without objection, it was so ordered. Senator Dan Patrick moved adoption of Amendment 3 as amended; the motion carried with a record vote of 5 ayes, 0 nays, 2 present not voting, and 2 absent. Senator Dan Patrick sent up Committee Amendment 4 and moved adoption; without objection, the amendment was adopted. Senator Dan Patrick sent up Committee Amendment 5 and moved adoption; without objection, the amendment was adopted.

At 3:17 PM Senator Eddie Lucio, Jr. assumed the chair.

Senator Robert Duncan sent up Committee Amendment 6 and moved adoption; the motion carried with a record vote of 8 ayes, 0 nays, 1 present not voting, and 0 absent.

At 3:26 PM Senator Robert Duncan assumed the chair.

Senator Eddie Lucio, Jr. sent up Committee Amendment 7 and moved adoption; without objection, the amendment was adopted.

Senator Dan Patrick requested unanimous consent to incorporate adopted amendments 3 as amended, 4, 5, 6, and 7 into the proposed substitute to SB 2 to create a new substitute; without objection, it was so ordered. Senator Dan Patrick then moved that the committee substitute be adopted; without objection, it was so ordered. Senator Dan Patrick moved that SB 2 do not pass but that CSSB 2 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, 2 present not voting, and 0 absent.

At 3:32 PM Senator Dan Patrick resumed the chair.

The chair laid out as a matter of pending business SB 1538. Senator Leticia Van de Putte moved adoption of the committee substitute that was previously sent up on Thursday, March 21, 2013; without objection, it was so ordered. Senator Leticia Van de Putte moved that SB 1538 do not pass but that CSSB 1538 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 Leticia Van de Putte moved that the bill be recommended for placement on the

Local & Uncontested Calendar; without objection, it was so ordered. Senator Van de Putte moved to reconsider the vote by which CSSB 1538 was recommended for the local and uncontested calendar; without objection, it was so ordered.

The chair laid out as a matter of pending business SB 119. Senator Eddie Lucio, Jr. moved adoption of the committee substitute; without objection, it was so ordered. Senator Eddie Lucio, Jr. moved that SB 119 do not pass but that CSSB 119 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 Eddie Lucio, Jr. moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out as a matter of pending business SB 122. Senator Robert Duncan moved that SB 122 be reported favorably 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.

The chair laid out as a matter of pending business SB 123. Senator Kel Seliger moved that SB 123 be reported favorably 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.

The chair laid out as a matter of pending business SB 124. Senator Donna Campbell moved that SB 124 be reported favorably 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.

The chair laid out as a matter of pending business SB 1115. Senator Dan Patrick moved adoption of Committee Amendment 1; without objection, it was so ordered. Senator Larry Taylor requested unanimous consent to incorporate the adopted amendment into the proposed committee substitute to create a new committee substitute; without objection, it was so ordered. Senator Larry Taylor then moved that the new committee substitute be adopted; without objection, it was so ordered. Senator Larry Taylor moved that SB 1115 do not pass but that CSSB 1115 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 Larry Taylor moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out as a matter of pending business SB 1263 and recognized the author, Senator Taylor, to explain the bill. Senator Dan Patrick moved that SB 1263 be left pending; without objection, it was so ordered.

The chair laid out as a matter of pending business SB 1365. Senator Robert Duncan moved adoption of the committee substitute sent up previously; without objection, it was so ordered. Senator Robert Duncan moved that SB 1365 do not pass but that CSSB 1365 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.

At 4:01 PM Senator Royce West assumed the chair.

The chair laid out as a matter of pending business SB 1404. Senator Ken Paxton moved that SB 1404 be reported favorably 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 Dan Patrick moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

At 4:02 PM Senator Dan Patrick resumed the chair.

Senator Paxton requested unanimous consent to be shown voting aye on SB 1109, and SB 1142; there being no objection, it was so ordered.

Senator Seliger requested unanimous consent to be shown voting aye on SB 1142; there being no objection, it was so ordered.

Senator Taylor requested unanimous consent to be shown voting aye on SB 1109, and SB 1142; there being no objection, it was so ordered.

Senator Van de Putte requested unanimous consent to be shown voting aye on SB 1109, and SB 1142; there being no objection, it was so ordered.

Senator West requested unanimous consent to be shown voting aye on SB 1142; there being no objection, it was so ordered.

There was no action taken for the following bill(s): SB 1141.

**Senate Committee on Education**

Minutes

Tuesday, March 26, 2013

Page 8

There being no further business, at 4:03 PM Senator Dan Patrick moved that the Committee stand recessed subject to the call of the chair. Without objection, it was so ordered.

---

Senator Dan Patrick, Chair

---

Holly Mabry McCoy, Clerk