REP. DARBY: Once again, I'd like to thank the members of the House Select Committee on Redistricting for their hard work and attention to this matter. We had a quorum of members for five hearings—two in Austin over a Friday and Saturday, and one each in San Antonio, Dallas, and Houston. At each hearing, and to the members of the house, I made my door open and invited members and interested groups to sit down with me. I was pleased to visit with the Texas NAACP to hear their concerns. These meetings and hearings provided myself and the committee numerous opportunities to hear public testimony on all maps under the committee's consideration. In the end, the committee found that the court-ordered interim maps to be legally sufficient to meet our legislative duties to enact maps that comply with the constitutions of the United States and Texas under the Voting Rights Act.

Members, the floor substitute for SB 2 reflects—members, the Plan 172 is the court-ordered interim map used for the 2012 election cycle of state senators. The court-ordered plan retained 27 of the 31 districts as they passed in the state. Members, I'd like to postpone SB 2 until the end of the calendar.

[Rep. Darby moved to postpone consideration of SB 2 until the end of the calendar, and the motion prevailed.]

SB 3 DEBATE - SECOND READING

DARBY: The floor substitute for SB 3 reflects the census geography of Plan H309, the court-ordered interim map used for the 2012 election cycle to elect the members of this house. This plan was ordered by the three-judge panel from United States District Court for the Western District of Texas in the Davis and Perez lawsuits. I lay out this substitute to ensure that if this body considers and adopts amendments that the members are able to see the changes made to their district boundaries and, ultimately, the enrolling clerk is able to make the necessary changes to the bill. The D.C. court denied preclearance to the state house plan because it concluded that the originally passed plan eliminated four ability districts. The interim plan restores those four ability districts while configuring 122 of the 150 districts in the identical manner as they did in the 82nd Legislature. This interim plan also garnered support from plaintiffs and defendants alike, including the Texas Latino Redistricting Task Force and many others. The State of Texas worked together on a compromise plan that was largely adopted by the court.

Members, there are a few amendments filed on this substitute. Since I believe the district court drew a map that complied with the constitution and the Voting Rights Act, I will be evaluating these amendments on a couple of criteria: that it does not create a harm or a risk to further litigation by violating the constitution's "one person, one vote" principle regarding population deviation;
GIDDINGS: I think we believe we have some pretty good lawyers on staff over there. I would've thought that we would've had competent attorneys.

[Amendment No. 7 was adopted.]

[Amendment No. 8 by Burnam to Amendment No. 1 was laid before the house.]

REPRESENTATIVE BURNAM: The original amendment has the intent of returning the neighborhood to District 90 that has always been in District 90 since the federal court created it back in 1978. The amendment to the amendment corrects some numbers a little bit. It has an impact on Craig Goldman's district, but the precinct that is added into my district has no population; it's just a connector precinct. It has an impact on Chairman Geren's district, but basically what it does is take the African American and Hispanic population out of Representative Geren's district and puts some of my Anglo population into his district. I believe it's acceptable to the author.

DARBY: Members, Representative Burnam has revised his amendment and it now keeps this district a Hispanic district—brings the numbers back over 50 percent. That was the objection. I believe Representative Geren is in favor of this amendment also, so with that I would move to accept this amendment.

[Amendment No. 8 was adopted.]

[Amendment No. 9 by Miles and S. Davis to Amendment No. 1 was laid before the house.]

REPRESENTATIVE MILES: In previous plans, the historical community of Meyerland in Houston, Texas was kept together in the same house district. Before 2011, the community was in District 146. This interim map splits the historical community between District 146 and 134, represented by Representative Sarah Davis. During the redistricting hearing in Houston last week, you had four witnesses from the community express the desire to move back into District 146. This amendment moves four precincts affected by the split from District 134 back into District 146; five full precincts and one partial precinct is moved from District 146 to District 134. The African American population of District 146 is reduced by .4 percent, from 44.4 percent to 44 percent. I move adoption.

DARBY: Members, I'm going to move to table this amendment. Number one, it doesn't have agreement with all the affected representatives.

[Amendment No. 9 was tabled by Record No. 7.]

[Amendment No. 10 by Martinez Fischer to Amendment No. 1 was laid before the house.]

MARTINEZ FISCHER: Members, this is the amendment that I initially laid out, that Representative Darby asked for some time to take a look at. It essentially lays out some legislative findings, different from the previous amendment that was tabled, but it really talks about any judicial or empirical fact that we know from either a court proceeding, from the United States Census; it specifically acknowledges demographic growth of the state, minority growth, particularly in Dallas County, Harris County, Fort Bend County, Bell County, Midland County, and Ector Counties. It also lays facts that amount to be the benchmark number of seats as they pertain to minority seats today. The growth is not reflected in the additional seats, and it also has facts related to the interim map that is a representation of the 2011 legislative enacted plan, where 122 of the 150 districts