PRESIDENT : Chair recognizes, Chair recognizes Senator West to close.

WEST : Members, what I'm sayin' to you is this. We have several statutes in the State of Texas that defines elderly. The question that you have to ask is whether or not you want to potentially disenfranchise elderly people. Again, the Health and Human Services Code defines elderly as 65. The Health and Human Services Code, at another section, defines it at 60. The Utility Code defines it at 60, the Government Code also has a definition, the Penal Code also has a definition of 65, and what we're doing is makin' it 70 for voting purposes. We're puttin' a more onerous standard for voting on the books for persons that are elderly at age 70, than we have in the Penal Code, where we say that a person is considered elderly if he's 65 or they're 65 years of age. I can't understand the differentiation of puttin' a more onerous burden on people that are 70 years old, that over 65 for voting purposes, than we would for purposes of being defined for vic--victim purposes on the Penal Code or Human Resource Code for receiving benefits at age 65. So I'd ask you to vote against tabling the amendment.

PRESIDENT : Members, the issue before us is a motion by Senator Fraser to table, opposed by Senator West. The Secretary will call roll.


PRESIDENT : (Gavel) There being 19 ayes and 11 nays, the motion to table prevails. The Floor lays out the following floor amendment, Floor Amendment Number 21 by Senator Davis. The Secretary will read the amendment.

SECRETARY : Floor Amendment Number 21 by Davis, which is being passed out right now. It is not in your packet. Amending Senate Bill 14 in Section 12 of the bill.

PRESIDENT : Let's wait just for a moment so it can be passed out. Or do you wish to go ahead and explain it?

DAVIS : No, (inaudible, overlapping conversation) --

PRESIDENT : The, the Chair, all right, I'll go head and--the Chair recognizes Senator Davis on Floor Amendment 21.

DAVIS : --thank you, Mr. President. This amendment would expand the photo IDs that would be deemed acceptable for purposes of identifying a voter at a voting precinct. It would expand the list to include a valid ID, which is a photo ID, that is issued by an agency or institution of the federal government, an agency, institution or political subdivision of Texas, or an institution of higher education of Texas. I move
adoption of Floor Amendment Number 21.

FRASER : (Inaudible, background conversation) Members, the, a--again, I just, just haven't seen this amendment. This really falls under the same category of the discussion I had with Senator Ellis, is that this puts a huge burden on the, the election administrator of identifying, you know, i--is this identification correct, and also, it doesn't clarify that if the, the ID would have a, the persons ad--address on this, and this, this would be--put an undue burden on the, the election official. I would now move to table Amendment 21.

PRESIDENT : The Chair recognizes Senator Davis to close.

DAVIS : Thank you, Mr. President. I would simply argue that the photo IDs that are issued by agency or institutions of our federal government of agencies, institutions or political subdivisions of Texas, or institutions of higher education in Texas, are trustworthy photo IDs and should be allowable for purposes of voting. I would respectfully ask a vote of no on the motion to table Floor Amendment Number 21.

PRESIDENT : Thank you, Senator Davis. The issue before us is the motion to table by Senator Fraser. Senator Davis opposes. The Secretary will, will call the roll.


PRESIDENT : (Gavel) (It's really not that) (inaudible, background conversation)--

SECRETARY : There being 19 ayes and 11 nays, the motion to table prevails. The following floor amendment, Floor Amendment Number 22 by Senator Lucio. The Secretary will read the amendment.

PRESIDENT : Floor Amendment Number 22 by Lucio, is Page 19 in the packet.

SECRETARY : The Chair recognizes Senator Lucio to explain Floor Amendment 22.

LUCIO : Thank you, Mr. President. Members, under Senate Bill 14, all forms of photo identification must be current. I certainly understand the rationale for that, but my concern is for those who happen to have birthdates that fall around election time and don't have a chance to update their license by voting day. It would be a shame to turn anyone away from their right to vote simply because they haven't had a chance to renew an ID or driver's license. Further, many seniors use expired drivers license as forms of ID but do not keep them current because they no longer drive. This amendment would do two things. Number one, allow a 60-
day window on expired IDs, and number two, allow senior citizens over the age of 65 the use of an expired ID indefinitely for the purpose of voting. Move adoption.

PRESIDENT: Thank you, Senator Lucia. The Chair recognizes Senator Fraser, the bill sponsor.

FRASER: Members, this amendment, if you’re reading it, the first three sections of this bill is the bill I’ve been referencing several times of, Senator Lucio, that, ther--the next amendment, if you look at Amendment Number 19 that’s behind it, is this same bill with the last two sections struck. The next amendment I do plan to accept. This particular amendment, because they’ve added Section 4 and Section 5, is not acceptable. Basically, what we’re saying is that anybody that’s over 65, as soon as they (sic) license expires, they could use that the rest of their life, even though the potential arc’s (sic), that their, the picture on the, the license would not identify them well at all. Also, anyone over 65, as you know, there, they still can vote by mail. So, I would, I’m intending to take the next amendment, this particular amendment I would now move to table Amendment Number 22.

PRESIDENT: The Chair recognizes Senator Lucio to close.

LUCIO: Mr. President, Members an--Governor Dewhurst appointed me to Chair a committee, an Interim Committee on Aging. I was privileged to, to Chair that Committee. And, I was happy, very pleased to, to work with Senator Huffman in that Committee, Elliott Naishtat, Representative Naishtat, and Representative King, along with some seniors. Now, we spent, some of us spent, all the interim, you know, quite frankly, studying issues in our state dealing with our aging population. We heard over and over about the difficulty of accessing services in our state by these seniors. I, you know, thi--this amendment really is, is for them and, and I certainly would appreciate it if you would vote with me in voting no on the motion to table. Thank you, Mr. President.

LUCIO: (Inaudible, background conversation)

PRESIDENT: Thank you, Members.

LUCIO: Thank you, Senator Lucio. The issue before us is the motion to table by Senator Fraser, opposed by Senator Lucio. The Secretary will--will call the roll.


SECRETARY: (Gavel)


PRESIDENT: There being 19 ayes and 11 nays, the motion to table prevails. (Gavel) The Chair lays out the following Floor Amendment Number 23 by Senator Lucio. The Secretary will read the
amendment.

SECRETARY: Floor Amendment Number 23 by Lucio. It's Page 20 in your packet.

PRESIDENT: The Chair recognizes Senator Lucio to explain Floor Amendment 23.

LUCIO: Thank you, Mr. President. It's similar to the amendment that I just explained so I won't go into it in detail. But, this amendment simply allows a 60-day window on expires(sic) IDs so that those citizens in our state that have a birthday close to election time may not be penalized and have the right to vote.

LUCIO: (Inaudible, background conversation) I think it's acceptable to the author, I heard him say that just moments ago.

PRESIDENT: The Chair recognizes Senator Fraser on Floor Amendment Number 23.

FRASER: Members, this is the amendment we've referenced several times. I think the argument is very valid that if someone, a driver's license expires, they didn't realize it before they're going to vote, that we would give 'em a 60-day window so that if the driver's license had been valid but had not expired earlier than 60 days before the presentation (sic) to be used, we think that is a, would be a, considered a--

LUCIO: Thank you, Senator.

FRASER: --valid license. It is acceptable to the author.

PRESIDENT: Members, the issue before us is the adoption of Floor Amendment Number 23 by Senator Lucio, which is supported by Senator Fraser. The Secretary will call the roll.


PRESIDENT: (Gavel) There being 30 ayes and no nays, Floor Amendment Number 23 is adopted. The, the Chair lays out the following, Floor Amendment Number 24 by Senator Hinojosa. The Secretary will read the amendment.

SECRETARY: Floor Amendment Number 24 by Hinojosa. Page 21 in your packet.

PRESIDENT: The Chair recognizes Senator Hinojosa to explain Floor Amendment 24.

HINOJOSA: Thank you, Mr. President and Members. This amendment is pretty simple, straightforward. It would allow the county commissioners court to authorize the county elections administrator, or county clerk, to issue a voter registration with a photo ID. With the technology we now, we have now days, it would be easy to do. And it would be permissive, not mandatory, and it would allow the counties to, on their own, to be able to merge a voter registration card with a photo.
PRESIDENT: The Chair recognizes Senator Fraser on Floor Amendment 24.

FRASER: Members, this is one we actually spent a lot of time looking at, tryin' to make sure we understood the, the potential impact. If a county decided to exercise this, all the burden of the expense would go on them, and so, it's highly unlikely that they would do this, or they would be seeing this as a, a, a, a nonfunded imp-or implied mandate. We think that the, the option that we have offered is a free card that comes from DPS, will be a superior option. And, I, I will now move to table Amendment Number 24.

PRESIDENT: The Chair recognizes Senator Hinojosa on Floor Amendment 24.

HINOJOSA: Yeah, Senator Fraser, I just do not understand why you, you all would not give the discretion to a county to be able to implement a voter registration system where they could take the picture of the voter. If the, if our objective is to make sure that we eliminate voter fraud, what is more secure than to allow a county to take a picture of the person who is being issued a voter registration card and be merged with a card itself. The technology's available, it's permissible, and the expense would be minimal. And I'm somewhat taken aback that, that you will not allow the discretion and those decisions be made by the local counties. At some point, we're gonna have to improve our system, where other countries are ahead of us, in that sense, that they have voter registration cards with the pictures on 'em and, certainly, we can do the same, where we're (sic) much, much more advance technology than they do.

PRESIDENT: Members, the issue before us is the, is a motion to table by Senator Fraser, opposed by the, by the author of the amendment, Senator Hinojosa. The Secretary will call the roll.


(Gavel)

SECRETARY: Seliger. Shapiro.

PRESIDENT: There being 19 ayes and 11 nays, the motion to table prevails. (Gavel) The Chair lays out the following floor amendment, Floor Amendment Number 25 by Senator Gallegos. The Secretary will read the amendment.

SECRETARY: Floor Amendment Number 25 by Gallegos.

SECRETARY: (Inaudible, background conversation) It's Page 22 in your packet.

SECRETARY: All right, this, this is a good one here, probably only cost about a hundred million dollars.

PRESIDENT: I'm gonna go 'head and recognize Senator Gallegos as this is being passed out. The Chair recognizes Senator

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Gallegos to explain Floor Amendment 25.

GALLEGOS: Thank you, Mr. Chairman. Mr. President, Members, this amendment, Members, requires at least one DPS office, if you've got, if everybody's got their map of Houston that's being passed out, that processes drivers license and personal ID cards be established for every 15 voting precincts in the area. Members, there's a, almost, there's over 900 precincts in Harris County, and almost 800 of those are inside the city. And, what this does, this would not close down any existing offices but, as you see, inside the 610 Loop, on the map that I have passed out, there, there, there's none. Zero DPS centers in that area. And, I, Members, mobility and personal transportation tend to be directly related to, really, personal wealth and citizens that ta--o--of, of Texas in my district are below that, and are less likely to have a vehicle, and are less likely to have a driver's license. And, studies have shown the minorities are most likely to be without transportation and as a result, this bill imposes additional economic burdens in the form of transportation costs on the class of Texans that is, tha--at the worst position to deal with such cost. Now, if this bill mandates every Texan to have a photo ID then we should at least have access, especially in Houston, and, I didn't pass out Dallas, but Dallas is almost similar. Dallas only has one, Senator West.

FRASER: (Yeah.)

GALLEGOS: Fort Worth, Senator Davis, d--d--has none inside, and in, and in, for the, for those from San Antonio, you only have two and those are at the edge of the outlying areas. So, I mean, this is, this is, I mean, seeing is believing and you see the map of Houston, Texas, here. There's no DPS centers inside 610. Those of you who, that have travelled to Houston, that know Houston, inside the 610 is huge. I just, I just pointed out there's almost 800 precincts in this area. And no DPS centers in this area. If we're gonna mandate to Texans that they must have a photo ID, then we, we deserve to, to pre--provide them with access, whether it be Houston, Dallas, Fort Worth, San Antonio, or anywhere. Senator Uresti's area, those area, we must provide them with access. And, at least on a bus route where they can at least pay a bus to get to that location. Not a single one in Houston, Texas, Members, is the map that I'm showing you in front of you. And for that I'm asking that, that my amendment, an--and I'm, I move on my amendment Mist--Mr. Chairman, Mr. President.

PRESIDENT: Thank you, Senator Gallegos. The Chair recognizes Senator Fraser on Floor Amendment 25.

FRASER: Senator, we, we appreciate your, your, your effort to move forward on this and we wanna make sure that ev--every person given the right to get an ID an--and, an--and vote, but I don't think Senate Bill 14 is the appropriate vehicle to debate DPS operations. I think it's probably likely to be with your suggestion. There's a, probably a large expense connected with it that would have to be looked at by the Finance Committee. And, based on that, I would move to table Amendment 25.
TEXAS SENATE STAFF SERVICES
JGH: rjm/336/FLSB14012611CD1SII/031912
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GALLEGOS : M--Senator Fraser, I just showed you
a map that there's, if you're saying, I mean, can I speak, mis--mis--would he
withdraw his motion while I can ask him a question?

PRESIDENT : What'd he say?

PRESIDENT : (Inaudible, background conversation)

PRESIDENT : Senator Fraser, the request by
Senator--

FRASER : Senator--

FRASER : --Gallegos.

FRASER : --if, if possible, I would prefer
leaving the, tabling the motion. You, you'll be able to, to close but I, I've been
standing up here a long time. If, if-

GALLEGOS : But you're au--you're the author of the

FRASER : --I--I will, I will remove my motion to
table to allow for a question, as long as it's a short question.

PRESIDENT : (Laughter)

PRESIDENT : Se--Senator Gallegos, you're
recognized to ask Senator Fraser a short question.

FRASER : If that is possible.

FRASER : (Laughter)

GALLEGOS : Senator Fraser, you're saying that
Senate Bill 14 will take care of all the photo, the free photo IDs inside the 610
Loop, is that what you're saying? I just want a yes or no.

FRASER : I, I don't, I don't think I said that.

GALLEGOS : Well, bu--I mean, you just said that--

FRASER : I--

GALLEGOS : --Senate Bill 14.

FRASER : --I said that we have, I'm sure that
everyone will be able to get an ID to be able to vote. And I said that the, the
concept you're talking about appears to have a large expense with it, and I
also said this is not the proper venue, this bill is not the proper venue to
debate the, the DPS budget. I think, probably, the Finance Committee would
be glad for you to bring this issue forward with them. And the, the, but thi--
this is not the venue to, to mandate, especially when we d--we haven't done a
study of the cost.

GALLEGOS : Senator Fraser, I disagree with you
there. This bill, this bill mandates that every, that all Texans have a photo
ID, have some form of photo ID, and get a free photo ID from a DPS center.
That's in this bill, not on the Finance bill. I mean, i--if we're gonna, if we're
gonna mandate in this bill, then this is the place and time to debate the
issue. You know, I mean, if we're gonna mandate to Texans that they will get
a free ID photo from a d--from a DPS center, then i--th--I mean this is the bill
that i--that is, is telling them that they're gonna do it. And, and since this
was declared an emergency, I don't think that I have to wait for, to, for Senate Finance to meet an--th--th--where the emergency is now and we're looking at the access for the mandate that we're gonna put on these Texans, and, especially, per the map that I'm showing you. You know, in, in Houston, Texas, there's none, there's zero, there's zero DPS centers in here. This is the place and the time, your bill, to debate this issue and, and you're telling me that Senate Bill 14 will suffice on access to my folks, or these other cities that don't have any DPS centers inside, inside the City of Houston, or Dallas, or Fort Worth, or San Antonio, that Senate Bill 14, you're, you're saying Senate Bill 14 will, will suffice on these Texans that live inside the 610 Loop in Houston, Texas, is that what you're saying?

FRASER . I think I've answered that question.

GALLEGOS . 'Kay.

FRASER . Mr. President, I will now move to table Amendment 25, please.

PRESIDENT The Chair recognizes Senator Gallegos to close.

GALLEGOS Thank you, Mr. President. Members, I think I've explained, you know, y'all see the map. I don't have to, seeing is believing and that's it. You know, there's (sic) no DPS centers inside the 610 Loop an--and those of you that live in Houston and sit on this Floor, know what I'm talking about. I ask to vote no on the motion to table.

PRESIDENT (Inaudible, background conversation)

PRESIDENT . The issue before us, Ladies and Gentlemen, is the motion to table by Senator Fraser, opposed by Senator Gallegos. The Secretary will call the roll.


PRESIDENT (Gavel) There being 19 ayes and 11 nays, the motion to table prevails. The Chair lays out the following floor amendment, Floor Amendment Number 26 by Senator Gallegos. The Secretary will read the amendment.

SECRETARY Floor Amendment Number 26 by Gallegos. Page 23 in your packet.

PRESIDENT The Chair recognizes Senator Gallegos to explain Floor Amendment 26.

GALLEGOS Thank you, Mr. President. Members, this, Member, this, this is a similar amendment, Members, that requires DPS, that a process (sic) drivers license and personal ID cards, as required by this bill--

GALLEGOS --a vo--th--that a per--that a place to
go and ac--a--th--access to, to a, a free photo ID would be within five miles of, of public transportation. And, i--it basically targets the elderly and, and, I believe, requiring DPS offices to be within five miles of public transportation is a fair, i--is fair and (leient) (sic), Senator Fraser, and i--it, th--just all this does is try to ensure that the ID requirement stipulated by Senator, by Senate Bill 14 are reasonable and obtainable by people with no means of transportation, and I move adoption, Mr. President.

PRESIDENT : Thank you, Senator Gallegos. The Chair recognizes Senator Fraser on Floor Amendment two--(inaudible, overlapping conversation)--

FRASER : Members, my, my response is the same as it was on the last amendment. I don't think this a proper, appropriate place to debate this, the DPS operations. We don't know the cost of this and I think this, this would not be the place to debate this issue. I would now move to table Amendment 26.

PRESIDENT : Chair recognizes Senator Gallegos to close--

CALLEGOS : Thank you, Mr. President. I'd, I, once again, Members, I mean, if we're gonna mandate, I mean, we gotta give these people an avenue of how to get to, to a DPS center. And I, I vote, I ask you to vote no on the motion to table.

PRESIDENT : Members, the issue before us is the motion to table by Senator Fraser, opposed by Senator Gallegos. The Secretary will call the roll.


PRESIDENT : (Gavel) There being 19 ayes and 11 nays, the motion to table prevails. (Gavel) The Chair lays out the following floor amendment, Floor Amendment Number 27 by Senator Lucio. The Secretary will, an--and Senator Ellis, the Secretary will read the amendment.

SECRETARY : Floor Amendment Number 27 by Lucio and Ellis. Page 24 in your packet.

PRESIDENT : Chair recognizes Senator Lucio to explain Floor Amendment 27.

LUCIO : Thank you, Mr. President. Members, this amendment requires the county clerk's office to give notice to women receiving a marriage certificate that voter identification requirements have changed, and therefore, a change in last name should remain consistent on photo IDs and voter registration information. The reason I have filed this amendment is simple. Research indicates that 11 percent of Americans surveyed by the Brennan Center for Justice do not have government-issued photo IDs such as driver's license, or state-issued nondriver photo ID. According to the US Census data, that amounts to greater than 21 million
citizens in our country. Additionally, election workers under this bill will be tasked with verifying identity, something very new to Texas election workers. Senator Fraser, how do you think an election worker, with, arguably, little training, will handle a situation in which a woman either recently married, or recently divorced, presents her photo ID at the poll, and her name now reads differently from what's listed on the ro-- of voter roll? That is something that we need to consider as we look at this amendment. I move adoption, Mr. President, at this time.

PRESIDENT : The Chair recognizes Senator Fraser on Floor Amendment 27.

FRASER : Thank you, Senator Lucia, for bringing this issue forward. Actually, there's a procedure that we go through that is already being done. When a person gets married, and it changes the name, the first thing they're gonna have to do is to get a new driver's license. When they go to change the driver's license, they would be asked if they wanted to update their voter registration materials. What you're asking is an unfunded mandate on the county clerk's office, and we've already got this covered in current procedures. I would move to table Amendment 27.

PRESIDENT : The Chair recognizes Senator Lucio on Floor Amendment 27.

LUCIO : Mr. President, Members, since this bill does not adequately fund training of election workers, or outline a procedure for election workers to follow, then I feel, at the very least, we should warn all newly married women before they change their names. And I would be remiss if I didn't include that I really do commend Senator Davis for all the positive work you've done on these women issues, on this issue. Members, I ask you to vote against the tabling motion at this time. Thank you.

PRESIDENT : Thank you, Senator Lucio. Members, the issue before us is the motion to table by Senator Fraser, opposed by Senator Lucio. The Secretary will call the roll.


SECRETARY : (Gavel)

PRESIDENT : Jackson.

PRESIDENT : There being 19 ayes and 11 nays, the motion to table prevails. (Gavel) The Chair lays out Floor Amendment Number 28 by Senator Ellis and Senator Lucio. The Secretary will read the amendment.


PRESIDENT : The Chair recognizes Senator Ellis on Floor Amendment 28.
ELLIS Mr. President, Members, if this is the one I, I think it is, this is the one for same-day registration at polling places. It would allow our constituents to register to vote at a polling place on election day. Currently, the process of voter registration can be confusing, inefficient, and unduly burdensome, preventing citizens from exercising one of their more fundamental rights, voting. As a result, Texas has one of the lowest percentage of voter turnout. In general elections we were 46th in the last cycle. If this body's gonna make the policy decision to require a photo identification at the voting booth, then it's an effort to move the dismal rankings a bit higher for us in a positive direction, in terms of people who do vote, by making it easier to get a photo identification, and also to register to vote on election day.

LUCIO Mr. President.

PRESIDENT Thank you, Senator Ellis. Senator Lucio, for what purpose do you rise?

LUCIO Will Senator Ellis yield for some questions?

PRESIDENT Senator Ellis yield?

ELLIS Yes. I will.

LUCIO Senator Ellis, I, I commend you for this amendment. I, all of us, I, I guess, worked on, on certain issues dealing with elections and all. And, I think this is one of the most important ones that I've dealt with over the years. But, Senator, I understand that 12 states, 12 states have some form of election day registration. I also understand those states have consistently boasted higher voter turnout than nonelection day registration states over, for over 25 years. Why do you think that is?

ELLIS I, I think, Senator, it's because it makes it easier for people to participate, particular (sic) when you're makin' a change like this. This bill, that is different from the bill you and I have filed over the years, 'cause it's a bit more restrictive. We're not saying let people vote, register to vote on every day during early voting, just on election day. And those states that, that do this, as an example, tell you how much higher they are. In '08, it was 15.6 percent of the voters in Minnesota who registered on election day to vote, 16.5 percent Wyoming, and 13.5 percent in Idaho, and I think 12 percent in Wisconsin registered on election day to vote. So, it does work.

LUCIO Well, my staff told me that in 2008, the top six turnout states, ranked by the percentage of eligible voters who voted were Minnesota, Wisconsin, New Hampshire, Maine, Colorado, and Iowa. All but Colorado allowed election day registration. Why do you think those states had the highest turnout?

ELLIS Well, of course, in part, because of the convenience and, and also, with young people in particular, some folks don't, just don't focus until the last week of an election. They've been bombarded
with so much, but in that last week, if they (sic) interested and decide they wanna participate, and it's too late to register, then they can go and register to vote on election day.

LUCIO: Well, I heard that Texas was 46th in voter turnout during the last presidential election. Would this amendment help fix that, and, shouldn't one of our goals, as elected officials, be to help increase the turnout of eligible Texans at the voting booths?

ELLIS: Senator, absolutely it would help increase the turnout, particularly with this new burdensome requirement that you have to have a photo ID. You know, a big part of this argument about a photo ID for us doesn't make sense, because we don't have a nation, a national ID. And, a lotta folks on the left and the right, for different reasons, would oppose a national ID card. But if we had that, you know, we were talkin' to some parliamentarians from other country (sic), another country the other day, well, most places, most democracies around the world, you gotta have a national photo ID. We don't have one. But, by putting this change in place there are a lot of people who (sic) gonna show up to go and vote the way they have voted in the past, at least the thousands that Senator Fraser made reference to yesterday, who vote with their voter registration card and don't have a photo ID. So, by making this change, in particular, there's a lotta folks gonna get caught in that trap and will not know that the law changed. So, this would help, absolutely.

LUCIO: Senator, I, I live to see the day that we, as American citizens, in this wonderful country of ours, can show up, whether it's early voting or election day, and just have the proof that we are American citizens and have the ability to vote. I think that is not only an incredible right but a responsibility we have as citizens of our country. And I, I just would hope that we could catch up to some of these other countries around the world where that's the case unfortunate--

ELLIS: --We--Well, Senator, thank you for your leadership over the years. Let me tell you my prediction is, under this more restrictive language, if Senator Fraser's bill does pass, more restrictive than Indiana, the state that he patterned it after, we're gonna go from bein' 46th to 49th or 50th, in terms of our turnout, because a lotta people are going to be turned away.

LUCIO: --God forbid--

ELLIS: Thank you.

LUCIO: --that.

ELLIS: I move adoption.

(Pause)

ELLIS: Would you say, yes?

PRESIDENT: The Chair recognizes Senator Fraser on Floor Amendment 28.

FRASER: Members, I think all of you recognize this as the procedure a--for same-day res--registration. Senate Bill 14 is not
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27

the proper forum for a debate on this issue. I would now move to table Amendment 28.

PRESIDENT : The Chair recognizes Senator Ellis--

ELLIS : I'll ask--

PRESIDENT : --to close.

ELLIS : --respectfully vote against Senator Fraser's motion.

PRESIDENT : The issue before us is, a motion to table by Senator Fraser, opposed by Senator Ellis. The Secretary will call the roll.


PRESIDENT : (Gavel) Members, there being 20 ayes and, and 10 nays, the motion to table prevails. (Gavel) The Chair lays out the following floor amendment, Floor Amendment Number 29 by Senator Gallegos. The Secretary will read the amendment.

SECRETARY : Floor Amendment Number 29 by Gallegos.

PRESIDENT : The Chair recognizes Senator Gallegos to explain Floor Amendment 29.

SECRETARY : Page 27 in your packet.

(Pause)

PRESIDENT : (Inaudible, background conversation)

GALLEGOS : Um--Senator--

PRESIDENT : --Gallegos, just one moment. Senator Zaffirini, are you wishing to speak, no, that's not, that's a computer light.

PRESIDENT : (Inaudible, background conversation)

PRESIDENT : (All right)--

PRESIDENT : (Inaudible, background conversation)

PRESIDENT : --right, we misunderstood. We saw a red light, but it's your computer light. Excuse me, Senator Gallegos. You're, you're recognized to explain Floor Amendment 29.

GALLEGOS : --thank you, Mr. President. Members, this amendment, yesterday, in the Committee of the Whole, you, you heard the assistant director of DPS, she, she stated in questioning by Senator Whitmire that, that some of the waiting time at the DPS centers is sometime two to three hours long. And, that was just of, of last week. Members, what this m--amendment will do is requires, and it (sic) really for the working folks, that DPS offices that process drivers' license and ID cards, it would require that i--to vote under, under Se--Senate Bill 14, to offer extended hours and on Saturday hours, increasing accessibility to the required types of ID to the working class people. The amendment simply stipulates that DPS...
offices offer at least one evening a week staying open until 7:00 o'clock, and at least two Saturday's a month operate for at least four hours. And these extended hours make it easier for people who work durin' business hours, durin' the week, and un--are unable to take off, Members. And, and they're unable to take off work to get an ID as required under Senate Bill 14. And I don't think that's, that's, that's accessible, I mean, that's very excessive. I think that's, that's at least what we should do to the working men and women that we're gonna mandate to, for them to get a voter, a, a voter ID photograph from these DPS centers. And, Mr. President, I move adoption.

PRESIDENT

FRASER And, Members, this is, like these, the last two issues that Senator Gallegos brought up. Senator, 14 is not the appropriate place to debate DPS operations. We, we don't know the expense of this and I would now move to table Amendment 29.

PRESIDENT

GALLEGOS Thank you, Mr. President. Members, I just, you know, I think this is the 'propriate time, since Senate Bill 14 mandates that, that photo ID be required. And for those men and working people in your districts that can't get to a DP eh--DPS center during business hours. I'm tellin' you just to give 'em a chance after hours and on Saturday so they, those that can't even get off of work, to be allowed to, at least, after work be allowed to go get a photo ID. That's all I ask, Members. And I ask you to vote no on the motion to table.

PRESIDENT

FRASER

PRESIDENT

SECRETARY

PRESIDENT

SECRETARY

PRESIDENT

ELLIS

ELLIS
would produce a disparate impact on any population or subgroup. It would go through a number of voting eligible residents that have and do not have a form of ID required under the bill. The number of voting eligible residents with the required form of ID that fail to comply with Senate Bill 14, only because the address on the ID is not current. The name on the ID does not match current records, like a maiden name, or the ID is expired, the average wait time, by voting precinct, at the nearest DPS license facility that provides drivers' licenses or personal IDs. The number of eligible voters that were prevented from voting due to the enhanced ID documentation requirements made by this bill, an analysis by a subgroup on whether the changes made in this bill would produce a disparate impact on women, the elderly, persons with disabilities, students, or racial ethnic minorities. Senator Fraser, I can no more prove, without this bill being in effect, that it has the disparate impact that folks on my side are afraid of. Nor can you prove that this bill is gonna deal with the issue that you (sic) concerned about, in terms of people voting who should not vote. And there's nothing worse than when we do something and we don't know the consequences of it. But in case there are unforeseen consequences from this bill, as is the case with most bills we pass, this simply asks the Secretary of State to do a report annually, has no impact on implementation of the bill. And I'd be more than happy to answer any questions. If not, I move adoption.

PRESIDENT : (Inaudible, background conversation)  
FRASER : The Chair recognizes Senator Fraser on Floor Amendment 30.

FRASER : This, Members, this is a discussion that Senator Ellis and I had last night. All the data that he's requesting, any Member can request that the start of every Session. We're gonna be back here two years, and every two years after that, and we're sitting here now, and I feel sure that you will likely request that. Putting that in statute, requiring it from now on, I don't think will be necessary. When we come back, I feel sure that you will ask for this, and we will, we'll look at the data, but I would oppose putting it into statute. I will now move to table Amendment 30.

PRESIDENT : Chair recognizes Senator Ellis to close on the amendment.

ELLIS : Members, part of the problem with this bill is that we don't know the consequences. This disparate impact report simply requires that it be collected. All this information may not be collected. There was information we were askin' for yesterday. As you know, my desk mate probably said 30 times to ask the Secretary of State. Well, some of us did and we (sic) still waitin' on the answers. So, what this does is simply say, if you're gonna make a fundamental change like this, and this is a major change, and I think all of us would be naive to try and argue it is not goin' to have an impact on turnout. It will. It's gonna have an impact on how many people are able to vote. So, I would encourage you to just let us include
in this bill a requirement that there be a statement. The collection of the data, all this data will not be collected. We didn't have it yesterday. This just complies with what my distinguished desk mate was sayin' all day yesterday, ask the Secretary of State. So, I'm just requiring that they collected, collect the data so the next time somebody asks, they can get it. Thank you.

PRESIDENT : Thank you, Senator Ellis. Members, the issue before us is the motion to table by Senator Fraser, opposed by Senator Ellis. The Secretary will call the roll.


PRESIDENT : (Gavel) There being 19 ayes and 11 nays, the motion to table prevails. (Gavel) The Chair recognizes Senator Van de Putte on Floor Amendment 31. The Secretary will read the amendment.

SECRETARY : Floor Amendment Number 31 by Van de Putte. Page 30 in your packet.

PRESIDENT : The Chair recognizes Senator Van de Putte on Floor Amendment 31.

VAN DE PUTTE : Thank you, Mr. President. Mr. President and Members, the amendment that you see before you amends the bill by just adding two sections, or two parts in, in the bill. It doesn't take up any change in the law, but what it does ask for is a certification. When this bill takes effect, we really wanna make sure that two things occur, and I've gotta tell you, very, very happy to at least s-see the voter education and outreach. But, before that, we've all talked about how difficult it is with costs, so what my amendment would do, would be to ensure that this very different change in voting procedures doesn't take effect unless we make sure, from state agencies, that there are some sort of a certification that the proper steps have been taken. So, the first part is to make sure and that to have our Comptroller certify that there's been enough funds and that the funds have been appropriated and so that the, it would have that the Comptroller makes sure that it's fully funded, that she certifies that it's fully funded or determines. And the second part, because of the duties of the Secretary of State, that those divisions have, and they do an excellent job of doing the training for, or at least putting in the guidelines, the, the training for those election judges and registrars at the local level, those are the county. And this would have the Secretary of State certify that their office is ready, so that the Secretary of State is fully ready to implement this, and then that, that each county has complied with the change in the law. So, if you look at it, I don't believe it's an unfunded mandate, because what they
have to do, and if you look at the wording in st--in Line 11, that they had to, just, they have to certify that the changes in the law have been developed, of the training component and the information required by this act has been done, and that in, they are prepared to implement the changes as applicable. So, the first draft that I got, I gotta tell you, Senator Fraser, I really didn't like 'cause I was concerned about the unfunded mandate, but all this does is make sure that the Secretary of State, first of all, certifies that their office is ready to go. The second thing that it would do is it would have the registrar, the county officials certify to the Secretary of State that they're ready to go and that--

VAN DE PUTTE --they are prepared. It doesn't say that they have done the training, but it just says that they have developed the training and the information, and they are prepared to implement. So it doesn't require the certification that they have implemented, but they're, that they are, again, ready to go. Members, one's right to vote is way too precious for there to be a possibility that th--that someone would have that right denied because they didn't know about the new provisions of this law, or we didn't have our county officials ready. All this amendment does is to make sure that we, we, we tell the people of the State of Texas we've done this law and our Secretary of State is ready to go and, is ready to implement, and that our county officials are ready to go, and, of course, the most important thing is the Comptroller saying, yeah, the funds are there and we have enough certified in the bud--ready to go. So, Senator Fraser, I, I hope you've looked at it, but I kinda call this the ready to go amendment. It makes sure that we are, indeed, (prefared) (sic) for this really different change in our election laws.

FRASER Members, this amendment goes way outside the normal procedures for either one of these agencies. As legislative body, we write the law and then it's up to the Executive branch to get it implemented. I would now move that we table Amendment 31.

VAN DE PUTTE Well, thank you, but, actually, I respectfully disagree. The Secretary of State has to certify to the Federal Elections Commission that all go, rules and guidelines are gonna be adhered to and they do this through the Elections Administrations survey that is done. And, with that survey, they have to certify that they have complied with federal election law and state election law. So, they already have to certify to, basically, the federal elections officials that they are, but this just says that the county officials say that they're ready to go, and, it doesn't state, Senator, that they've done the training, it just says they're ready to implement the training that has been developed. And I think the
Comptroller pretty much certifies a whole lot bigger things, like our revenue estimates and everything else, so asking her, I don't think, is goin' out of bounds of what her regular scope of duties and responsibilities under the Constitution of, of the State of Texas. So, I would respectfully request that you vote no on the motion to table.

PRESIDENT: Thank you, Senator Van de Putte. The issue before us, Ladies and Gentlemen, Members, is the motion to table by Senator Fraser, opposed by Senator Van de Putte. The Secretary will call the roll.


PRESIDENT: (Gavel) There being 19 ayes and 11 nays, the motion to table prevails. (Gavel) The Chair lays out the following floor amendment, Floor Amendment Number 32 by Senator Watson and Senator Rodriguez. The Secretary will read the amendment.


PRESIDENT: The Chair recognizes Senator Watson on Floor Amendment Number 32.

WATSON: Mr. President, thank you very much. Members, this amendment would point out that this act does not make appropriation and it would only take effect if a specific appropriation for the implementation of the act is provided in a general appropriations act of this Legislature. You might be feeling deja vu, not just because we're talking about voter ID again, but because you will recognize this amendment as what we refer to as the Ogden amendment during the last Session of the Legislature. I move approval of this floor amendment.

WATSON: (Inaudible, background conversation) Say that (inaudible, not speaking into the microphone) --

WATSON: And it is, after all, Ogden heavy as, as Chairman Ogden points out. Yes, that is correct.

PRESIDENT: The Chair recognizes Senator Fraser on Floor Amendment, Floor Amendment 32.

FRASER: I wanna make sure we got that in, this is just not regular Ogden, this is Ogden heavy.

WATSON: Thi--This i--this is the full-bore Ogden amendment.

FRASER: Senator Ogden, do you have, do, would you like to comment? And I would yield to Senator Ogden.
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PRESIDENT : Chair recognizes Senator Ogden.
OGDEN : Yes, I do. I a--I appreciate Senator Watson join m--joining me in our tightfistedness with the state budget, so, I wanna thank you for that. And--
WATSON : Y--You, you finally gave--
OGDEN : -- (inaudible, overlapping conversation)--
WATSON : --you finally gave me something. I really enjoyed doin' that with you, Senator Ogden.

OGDEN : --and he brings up, in a way, a bigger point, because as we go through this Session, we're, we're gonna have to deal with many bills that have fiscal notes and, though this process works (sic) last time, and I think it's the best that we can do today, so I, I have no, I intend to vote for your amendment. I would also encourage us to think very hard about coming up with a better procedure going forward.
WATSON And, if I might, Mr. President. I agree with you, Senator Ogden, and that was part of the reason that, that I made the, made the effort to, to change our rules and do some of those kinds of things, (bercause) (sic), specifically, with this budget, I think that's appropriate. And, I think, one of the, maybe, positive, unintended consequences of this so-called emergency, is that we had the opportunity yesterday, on this Floor, to ask a lot of questions that were left unanswered about what the actual cost of this bill was. But we're seeing such an effort to pass the bill, just so that the bill can be passed, that we're willing to gloss over those questions about fiscal responsibility, and so that is one of the reasons I'm offering this amendment is to assure that, as this Session goes forward, we do maintain some level of fiscal responsibility, no (batter) (sic) how badly we may want to pass a bill like this.

PRESIDENT : The Chair recognizes Senator Fraser.
FRASER : We, we debated this a lot last night, that we're, we fully believe that the, the cost of this will, we think will come from federal HAVA funds. But, I think, as a backstop, I think it's very appropriate that we have the Chairman of Finance say that, you know, we, we need to make sure if we're gonna do this we need to pay for it, and, I think is what we're doing with this amendment. This amendment is acceptable to the author. Thank you for bringing it forward, Senator Watson.

WATSON : Thank you, Ch--Mr. Chairman.

SECRETARY : (Gavel)
PRESIDENT : There being 30 ayes and no nays, Floor Amendment Number 32 is adopted. (Gavel) The following floor amendment na--Floor Amendment Number 33 by Senator West. The Secretary will read the amendment.
SECRETARY : Floor Amendment Number 33 by West. Page 32 in your packet.
PRESIDENT : Chair recognizes Senator West to explain Floor Amendment Number 33.

WEST : Thank you very much, Mr., Mr. Ch--Mr. President. And, consistent (wit) (sic) what we are here to do, our number one job is to pass a budget. And, we know that, based on the budgets that have been introduced, that some experts are saying that we may lose 80 to 100,000 jobs in our public school districts. Members, in 2008 or either 2009, many of our school districts had to declare financial exigency. And, basically, saying they didn't have enough money to operate. And I know that many of you are hearing back home the same thing that, based on the cutsthat will be occasioned by the Legislature, there may very well be numerous layoffs in our public school districts. And the question is, is whether or not that's going to be a priority, the priority being making certain that we put every penny that we have towards ensuring that the teachers that we currently have stay in place, Senator Shapiro. That the pay that they currently have is still in place. For the reality is, is that, we're holding our school districts accountable, not only for passage, making certain that students pass our tests, but also accountability, a whole host of accountability measures. And the reality is, also, is that the budget, as introduced, in both the House and the Senate, that school districts will, in fact, lose money. The fa--Senator Nichols, S--San Augustine ISD had to declare a financial exigency, and I don't know how many employees they lost, but the reality is, is that we know that if there's a financial crisis, school districts must respond. And all of us recognize that the school districts are going to have to tighten their belt, just as we tightened our belt. Now, why do I bring this to your attention? The reason I bring it to your attention, we have (sic) long discussin--discussion yesterday, that we would use HAVA funds, but when the DPS testified, they indicated to all of us, Senator Fraser, that they didn't know what the cost was going to be in order to implement this bill, which basically says, that they're going to be, tha--that they will end up havin' to use some general revenue. We recognize that general revenue, durin' this particular phase of our history, is more precious than ever. And that every dollar that we have, every penny, Senator Whitmire, that we have, we need to make certain that we fund our public schools. And so what this particular amendment basically says is a--if at the passage of a general appropriation act, during this legislative Session, the funding provided to our school districts through the Foundation School Program, and for tho--those Members, the Foundation
School Program is the key program that we use in order to fund our public schools, or through direct distribution to the districts, and if it's not sufficient money to maintain the current distribution per teacher, and to maintain an equal number of teachers in the district, then this particular bill has no effect. And so, knowing that Senator Ogden, and many of us on Finance will be working to make certain that we fund our public schools, your public schools, our public schools in State of Texas, I think that we send the right message, in terms of exactly what our priorities are, by passage of this particular amendment. I move adoption of the amendment.

PRESIDENT: The Chair recognizes Senator Fraser on Floor Amendment 33.

FRASER: Senator, the education of our children, are, no doubt, a very, very important thing. A function this state performs. But, the bill before us, Senate Bill 14, is not the appropriate vehicle to debate education funding. I would now move to table Amendment 33.

PRESIDENT: The Chair recognizes Senator West to close.

WEST: Members, you vote how you wanna vote. You need to make certain that you send the right message, and I think the message is, is funding--

WEST: --and I understand that there's a political divide.

PRESIDENT: (Inaudible, background conversation) three that were pulled (inaudible, not speaking into the microphone) --

WEST: (Yeah.) I understand that there's a political divide over the voter ID law. But I don't think there's a political divide over making certain that we provide the necessary funds for public education in the State of Texas. And so, when you decide, on this particular vote, you need to decide whether or not voter ID, funding voter ID implementation has a higher priority than funding our public schools.

PRESIDENT: Members, the issue before us is the motion to table by Senator Fraser on Floor Amendment 33, opposed by Senator West. The Secretary will call the roll.


PRESIDENT: (Gavel) Members, there being 19 ayes and 11 nays, the motion to table prevails. (Gavel) Chair lays out the
following floor amendment, Floor Amendment Number 34 by Senator West.
The s--the Secretary will read the amendment.

SECRETARY : Floor Amendment Number 34 by West. This is not in your packet, amending Senate Bill 14 in Section 23 of the bill.

PRESIDENT : (Inaudible, background conversation)

WEST : I, I believe it's being passed out at the present time. The Chair recognizes Senator West on Floor Amendment 34.

WEST : Thank you very much, Mr. President.

Members, all of us, how many of you for--unfunded mandates, raise your hands? I didn't think so. All of us wanna make certain that any mandate that we codify, and send to the counties, that we provide them the necessary financial resources to implement. Yesterday, as part of the fiscal note, we know, Senator Wentworths (sic), Senator Van de Putte, Senator Zaffirini, that Bexar County basically said that they were going to have a fiscal note of some three-hundred and eighty-one thousand dollars in order to implement this particular bill. And I'd be willing to wager you that Bexar County, as other counties throughout this State, are having a fiscal crisis similar to those tha--similar to the one that we're having here in the Capitol. If Bexar County is going to have to spend three-hundred and eighty-one thousand dollars to implement this bill, then they're gonna have to come up (sic) that money somewhere. And they're tightening their budget, I assume, and I hadn't looked at it, but they're tightening their budget, so something is going to have to give. And so the question is, is whether or not, Senator Ogden, we wanna send unfunded mandates to the counties. We have no empirical evidence, at all, about how much it's gonna cost counties to implement this particular bill. And, I'm pretty certain that this vote is gonna go down blue jerseys against red jerseys, unfortunately. But I know that all of us wanna make certain that, Senator Fraser, we don't have unfunded mandates. And so, when you vote on this, the bill bas--the amendment basically says that we will not provide any unfunded mandates on our counties. Let me say that one more time. I assume that Senator Fraser is going to say let's table this. Your vote, on tabling this, basically, is a vote for unfunded mandates. And I would assume that if counties have to pick up any of the cost associated with implementation of voter ID, you would wanna make certain that the state provides the financial resources necessary for those counties. And so, I hope that--

WEST : --your vote reflects what our philosophy has pretty much been, no underfunded mandates on cities or counties in the State of Texas. I move passage of the amendment.

PRESIDENT : Members, the issue before us is the motion to table by Senator Fraser.

PRESIDENT : I haven't g--gone to him, all right.
Sorry, I was--

FRASER: Long afternoon.
PRESIDENT: --(inaudible, not speaking into the microphone) long afternoon. The Chair recognizes Senator Fraser on Floor Amendment 34.

FRASER: Members, this is a, another issue that we, we talked a lot about last night. The testimony of the Secretary of State's office is that their observation was that some of these counties that had estimated the cost didn't realize that a lot of this would like be picked up by the Secretary of State's office. And, a lot of this--could come from VA funds. Their projection is, is that the, the bulk of these costs will, will flow that way, hopefully all the cost. We had a report from numerous counties that believe there would be no cost and they could pick it up with existing county services. I would now move to table Amendment 34.

PRESIDENT: The Chair recognizes Senator, Senator West to close.

WEST: Thank you very much, Mr. President. I won't belabor the point, Members. If, indeed, it's not an unfunded mandate, then this particular amendment, once we place it on there, will have no effect. But the reality is, is that in your fiscal note yesterday, Bexar County said it was gonna be three-hundred and eighty-one thousand dollars, and I think there was another county that said it was gonna be eight thousand dollars, and one other county said it would have no, no affect. And so the point is, is if, indeed, there will be sufficient funds in order to fund this, then it will not be an unfunded mandate. And so I would hope that you would vote against tabling this amendment and let's make certain that we put this on this particular bill to ensure our citizens, our constituents back home, that they will not be getting any unfunded mandates from state government. Thank you.

PRESIDENT: Now, Members, the issue is the (laughter) motion before us by Senator Fraser to table Floor Amendment Number 34, which (laughter), which Senator West opposes with both hands. All right. The Secretary will call the roll.


PRESIDENT: (Gavel) There being 19 ayes and 11 nays, the motion to table prevails. (Gavel) The Chair lays out the following floor amendment, Floor Amendment Number 34 (sic) by Senator Patrick. The, the Secretary wi--will read the amendment.

SECRETARY: (Inaudible, background conversation)

SECRETARY: (Yes, yes), this is Floor Amendment 35. Floor Amendment Number 35 by Patrick, being passed--
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PRESIDENT : The Chair recognizes Senator Patrick to explain Floor Amendment 35.

PATRICK : Thank you, Mr. President and Senator Fraser, thank you for your stamina today. Members, this is an amendment that will address an, an issue that was discussed last night with the folks that were concerned about our community of disabled in Texas. What this amendment clearly does is allow an applicant who wishes to receive an exemption based on disability, from the requirements of Section 6301, that they must include a certification from a physician that a person has a disability under the Labor Code, with the person's application. What this means in layman's terms is that if someone is disabled, and they wanna be exempted from having to take a photo ID to vote, they simply must send in a letter from a doctor into the voter registrar and they will receive an exemption from having to take a photo. They can, of course, vote by mail as they do now by checking off the box but many members of our community of the disabled will actually want to go to vote but it could be a burden to receive, to go and get that photo ID, if they don't have one. So, if you look at this closely, Members, at the bottom of the page, number two, we have an exemption for those who are of 70 years of age or older, as of January 12th. This will also add an exemption to those who are disabled. They will have a registration card that when they take in, will show they are not required to have a photo ID. And I asked (sic) for passage.

PRESIDENT : The Chair recognizes Senator Fraser on Floor Amendment 35.

FRASER : The, the amendment is acceptable.

PRESIDENT : Members, Senator Patrick moves the adoption of Floor Amendment 35, it's acc--it's acceptable to Senator Fraser. The Secretary will call the roll.


SECRETARY : Og--

PRESIDENT : There being 30 ayes and no nays, Floor Amendment Number 35 is adopted.

PRESIDENT : Thank you, Mr. President.

PRESIDENT : Thank you, Senator. The Chair lays out Floor Amendment Number 36 by Senator Davis. The Secretary will read the amendment.

SECRETARY : Floor Amendment Number 36 by Davis, amending Senate Bill 14 by adding the following appropriately numbered sections, beginning with Section 82.006.

PRESIDENT : The Chair recognizes Senator Davis to explain Floor Amendment 36.