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CHAIR: Mr. Hochberg, for what purpose?

REPRESENTATIVE HOCHBERG: Will the gentleman yield?

THE CHAIR: Will the gentleman yield? He did. The gentleman yields.

REPRESENTATIVE HOCHBERG: Thank you.

Mr. Gallego, in your opinion, this means that folks your rural community are going to be less likely to vote than folks in my urban community, and I think you started to answer yes.

REPRESENTATIVE GALLEGO: Absolutely, I think that is true. I think it is much more difficult to get a Photo ID, the way that this bill is drafted. And so what happens is people will end up staying home.

And I think a vote of someone who lives in a rural area should be just as fundamental and just as important as someone who lives in an urban area.

And so that's why I ask for some consideration for these folks who elderly, just by the demographics as the rural areas get older and there's not that many of us who are rural left.

But we know that our population is getting older and so this speaks to have some reasonable accommodations for those rural areas.

And I see Mr. Chisum behind you, and Mr.
Chisum can tell you that he represents some communities, too, that don't have driver's license offices, and the person from DPS visits, maybe once a week.

And if they're sick, then nobody visits. And so they'll go an entire month or sometimes without having a visit from a driver's license place.

REPRESENTATIVE HOCHBERG: And so I'm going to have to think about whether or not to vote with you on this one because I would certainly like to increase any advantage that the urban areas have in terms of producing voters for statewide elections.

So if you say your Amendment is necessary to help maintain rural voter turn-out, I'd have to think about your Amendment for awhile.

REPRESENTATIVE GALLEGOS: Well, the truth is that there's not enough people left in the rural area to offset, which is why, for example, I have to represent 15 percent of the state by land and you have to represent how many square Miles of Houston?

REPRESENTATIVE HOCHBERG: I have 14 square Miles. I have 10,000 people per square mile.

REPRESENTATIVE GALLEGOS: How many square Miles again?

REPRESENTATIVE HOCHBERG: 14.

REPRESENTATIVE GALLEGOS: And I represent
about 38,000 square miles. 14 square miles versus 38,000 square miles. And that, to me, is the essence. We've drafted a one size fit all approach, and one size doesn't fit all.

And so that's the challenge, and that's a reasonable, I think very reasonable accommodation that I seek for those folks who live in rural areas that don't have access to that driver's license office on a regular basis.

REPRESENTATIVE HOCHBERG: Thank you. I do think you have a very good Amendment.

REPRESENTATIVE GALLEGO: I appreciate that. Mr. Hawkford, and I would ask, Members, that you vote no on the motion to table.

And I appreciate the opportunity, Ms. Harless. Thank you for the opportunity to have a conversation about the Amendment.

THE CHAIR: Representative Gallego sends up an Amendment. Representative Harless moves to table.

The vote is on the motion to table. Vote aye or vote no.

Show Mr. Gallego voting no. Show Representative Harless voting aye.

Have all voted? Have all voted?

Being 100 ayes and 49 nays.
The motion to table prevails.
The following Amendment.
The clerk will read the Amendment.

THE CLERK: Amendment by Anchia.

THE CHAIR: The chair recognizes Representative Anchia.

REPRESENTATIVE ANCHIA: Thank you, Mr. Speaker and members.
Representative Harless and I had a chance to visit when I temporarily pulled this down, and I believe there's going to be some back mic questions so I yield.

THE CHAIR: Representative Harless, for what purpose?

REPRESENTATIVE HARLESS: Will the member yield?

THE CHAIR: Will you yield?

REPRESENTATIVE ANCHIA: I do.

REPRESENTATIVE HARLESS: Representative Anchia, we discussed that this Amendment is all for the ID card for voting, correct?

REPRESENTATIVE ANCHIA: That is correct.

REPRESENTATIVE HARLESS: And that ID is issued by the DPS free of charge?

REPRESENTATIVE ANCHIA: That is correct.
REPRESENTATIVE HARLESS: And what your Amendment does say is that if for whatever reason they need to get a replacement or duplicate ID because they moved and changed their address or they lost it, it would continue to be free?

REPRESENTATIVE ANCHIA: That is correct. That is absolutely correct, and the term of art is a duplicate ID, and that picks up people who, for example, who move or who changed their name, typically because of marriage or divorce.

That category of state ID for purposes of voting is called a duplicate. It's neither a new or renewal.

REPRESENTATIVE HARLESS: So we had a conversation with DPS.

REPRESENTATIVE ANCHIA: Yes.

REPRESENTATIVE HARLESS: And they are going to give us a formal ruling on this.

So I accept this Amendment, and if we need to have more conversation about it, we can.

REPRESENTATIVE ANCHIA: Thank you for taking the Amendment.

THE CHAIR: Mr. Anchia, sends up the Amendment. The Amendment is acceptable to the author. 

Is there an objection?
The Chair hears none.
The Amendment is adopted.
The following Amendment.
The clerk will read the Amendment.
THE CLERK: Amendment Martinez.
THE CHAIR: The chair recognizes Representative Martinez.

REPRESENTATIVE MARTINEZ: Thank you, Mr. Speaker, members.

This Amendment requires that employees at the Department of Public Safety inform anybody applying for a state identification card or renewal, that they state it is free of charge if they intend to use it for voting purposes.

So pretty much, all you're going to be doing is if an individual goes in and they're going to apply for a Voter ID card or for an ID card or for a driver's license, people at DPS will be telling them that if it is used for voting purposes, there is no charge for the ID and it is free of charge.

So DPS employees already ask applicants if they wish to register to vote and a link is provided for those who renew on-line.

So this Amendment would fit neatly into the system already in place for educating citizens about
voting. And as the DPS employee is interacting with the
customer, they should make sure the person has the
opportunity to receive a free ID if they need it to
satisfy the requirements of a Photo ID Voting Law.

THE CHAIR: The chair recognizes
Representative Harless in opposition.

REPRESENTATIVE HARLESS: Members,
Mr. Speaker, this Amendment actually provides for free
ID cards for those who need it. But this Amendment will
create an opportunity for people to get a free driver's
license if they say they're going to use it to vote and
I have to oppose the Amendment.

THE CHAIR: The chair recognizes
Representative Martinez to close.

REPRESENTATIVE MARTINEZ: Okay. Members,
once again we're saying that a Photo ID is free if
you're going to use it for voting, but yet DPS can't
inform you that if you're using it for voting that it's
free.

So if we're not going to be honest with the
public and when they go into renew their driver's
license or get a Photo ID card, then what's the purpose
of even having this bill?

What we need to do is make sure that when
we educate the public so that when they do go into renew
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Representative Bonnen.

REPRESENTATIVE BONNEN: Mr. Speaker,
Members, we've had a lot of different Amendments, a lot of different discussions today so it's very important that this Amendment come onto the bill. I know it's acceptable to the author.

This is simply what's called a severability clause. Meaning, that if any section of this bill is being challenged in the court, the rest of the bill becomes an active part of law. This is actually standard in most major bills that we pass.

So I move passage.

THE CHAIR: Representative Bonnen sends up an Amendment. The Amendment is acceptable to the author.

Is there an objection?

The Chair hears none.

The Amendment is adopted.

The following Amendment.

The clerk will read the Amendment.

THE CLERK: Amendment by Alonzo.

THE CHAIR: The chair recognizes Representative Alonzo.

REPRESENTATIVE ALONZO: Thank you,
Mr. Speaker, Members.
What this Amendment does is similar to Mr. Rodriguez. It allows for same-day registration. What we want to do or the intent allegedly, is to encourage more participation.

And we heard that this type of legislation has been approved, you know, by Indiana. It went to the Supreme Court.

But it was approved as long as it provided for a limited burden on voters rights that justified the states interest in election procedures in (inaudible).

Well, what we want to try to do with this Amendment is improve the election process. Improve election participation.

And what I'm saying with this Amendment, as we heard before, is there's other examples of where you allow for same day voter registration. I don't see a reason why we should I wait 30 days. We want people to vote that are eligible to vote on the day they should register and be allowed to vote.

So with that, Mr. Speaker and Members, I ask that we approve this legislation.

THE CHAIR: The chair recognizes Representative Harless in opposition.

REPRESENTATIVE HARLESS: Thank you, Members. We've had this discussion. I'd ask you to
move to table.

THE CHAIR: The chair recognizes Representative Alonzo to close.

REPRESENTATIVE ALONZO: Thank you, Mr. Speaker. Members.

You know not only have we had this discussion now. Today, we've had this discussion for some time. And in the past, we rejected -- we have not passed this legislation.

Well, although people have said this legislation is going to pass, well, let's make it a little bit better.

How can we make it a little bit better? By allowing the process to get better. How can the process get better? If we want people to vote as we say this legislation is going to allow for more people to vote, let them vote the day they get registered.

Let them vote, I say, Members -- there you go. Let my people vote. I say, let the people of Texas -- let Texas vote.

This is the slogan, Members. You vote for this Amendment, you're saying let Texas vote. Let Texans vote. Remember, let's all do it together. I'm kidding.

But vote no on the motion to table.
THE CHAIR: Mr. Alonzo sends up an Amendment. Representative Harless moves to table. This on the motion to table. Vote aye or vote nay. Show Ms. Harless voting aye. Show Mr. Alonzo voting nay. Have all voted? All voted? Being 99 ayes and 48 nays, the motion to table prevails.

THE CLERK: Mr. Gutierrez on the floor of the House.

THE CHAIR: The following Amendment. The clerk will read the Amendment.

THE CLERK: Amendment by Raymond.

THE CHAIR: The chair recognizes Representative Raymond.

REPRESENTATIVE RAYMOND: Thank you, Mr. Speaker, members.

Members, this Amendment would simply have DPS, Department of Public Safety, create a travel reimbursement program for travel to and from DPS offices for the purposes of obtaining Photo ID for voting purposes.

And would only -- the only people who would qualify would be those who -- an individual who earns
not more than 100 percent of the income standard
established by the applicable federal poverty guideline.
In other words, poor people.

If you, any of you, like I grew up, 26 miles from the DPS office, my grandparents, 33 miles from the DPS office. There are a lot of folks in this State who fall into the poverty level.

As a matter of fact, as of last year, the figures are around 4.26 million people in the State of Texas that would fall at this level.

And so, Members, I don't know what your personal experiences are, but you would recognize that if somebody has to go any kind of distance at all to get the required identification and they are poor, this is, essentially, preventing them from being able to vote.

So I would move adoption.

THE CHAIR: The chair recognizes Representative Phillips in opposition.

REPRESENTATIVE PHILLIPS: Thank you. I would respectfully move to table. This bill is not about reimbursing travel for Texans. It's about Voter ID. Obviously there's no physical note and I would respectfully move to table.

THE CHAIR: Mr. Raymond, for what purpose?

REPRESENTATIVE RAYMOND: Would the
gentleman yield for a couple of questions?

THE CHAIR: Will the gentleman yield?

REPRESENTATIVE PHILLIPS: For two questions.

THE CHAIR: The gentleman yields.

REPRESENTATIVE RAYMOND: Well, I don't know if you can answer them in two.

Mr. Phillips, you know that the State of Texas in the last year, last year it was reported that we had an additional around half a million or about 428,000 more people fell into poverty in the State of Texas.

Are you aware of that?

REPRESENTATIVE PHILLIPS: We had a population that has continued to grow. We had --

REPRESENTATIVE RAYMOND: But that last year it was reported, the official figures it was reported that over 400,000 people in the State of Texas fell into the poverty level.

REPRESENTATIVE PHILLIPS: We have a much larger state and much, much more popular state.

REPRESENTATIVE RAYMOND: Right. So we've got over 4 million people that I would call poor. This would be someone who earned, if you're an individual, someone who would earn 10,000, $800 a year. If you were
a family of two, it would be $14,000 a year.

REPRESENTATIVE PHILLIPS: Mr. Raymond,
clearly in the bill, it affords those who can't afford a
Voter ID card. I think we're getting far afield from
this legislation.

REPRESENTATIVE RAYMOND: Well, here's what
cconcerns me, Larry, and I hope it concerns you:
Minorities in the State of Texas out number Anglos by 3
to 1 in terms of those who fall into the poverty level.
All right?

So what I am seeking to do here is to help
anyone who is poor who would have a hardship being able
to drive.

As I said where I grew up in Benavides, the
closest DPS office and there are a lot of people in
Benavides where I grew up, who are poorer than poor,
there are a lot of people who are from San Ysidro,
where my grandparents were, 33 miles away from the
closest DPS office.

There were a lot of people out there who
were poorer than poor, who were United States citizens,
who were qualified and registered voters, but with this
law, if were to pass, would have to go far away.

Now, I know you're not poor, but surely you
recognize that that can be a hardship on people. That,
you know, when you have the poll tax and you have a
dollar or $2 to be able to vote, people say, a dollar,
$2 to be able to vote, oh, that's not that much.

In this case, you're saying with your bill
that you're supporting here, that if it costs you 10 or
$15 or $20 to travel to go get what you need to get to
allow you to vote, well, then, suck it up, you're going
to have to do it if you want to vote.

REPRESENTATIVE PHILLIPS: Mr. Raymond, for
a long time people make decisions. They plan ahead, and
I don't think this --

REPRESENTATIVE RAYMOND: They plan ahead?
REPRESENTATIVE PHILLIPS: Yeah, they plan
ahead for when they need.

REPRESENTATIVE RAYMOND: They plan ahead to
be poor?

REPRESENTATIVE PHILLIPS: No. When they
need to register to vote. When they're going into town.
You're talking about traveling far. When
they're going to get services. So what you're doing --

REPRESENTATIVE RAYMOND: But people are
registered to vote early.

REPRESENTATIVE PHILLIPS: You're talking
about a certain class, and I'll respectfully disagree
that that's necessary here.
REPRESENTATIVE RAYMOND: So really, you really believe --

REPRESENTATIVE PHILLIPS: You're talking about traveling far and not having to be able to get there.

REPRESENTATIVE RAYMOND: Let me just ask you: You really believe that there will not be people in the State of Texas, because they are poor who'll not be able to afford to get what you're asking them to get to be able to vote? You really believe that?

REPRESENTATIVE PHILLIPS: And we've had some people here, from our own body, I mean, body that testify about how important it is for the security and confidence in election.

And they will go and they proudly will obtain the right to vote.

REPRESENTATIVE RAYMOND: Would you just answer the question honestly Larry?

REPRESENTATIVE PHILLIPS: I did.

REPRESENTATIVE RAYMOND: You really believe of the 4 million people in the poor, 4 million people in the State of Texas, nearly three fourths of which are minority, this is why I believe this is aimed at minorities, you believe that many of those people will be able to -- --
REPRESENTATIVE PHILLIPS: No. I think --

REPRESENTATIVE RAYMOND: You think they're all going to be able to vote?

REPRESENTATIVE PHILLIPS: No. I think you're just raising an issue, and I think it's a red herring. I think it's clear: I think the polls in this state show that minorities by a majority.

THE CHAIR: The chair raises a point of order. The gentleman's time has expired. The point of order is well taken and sustained.

The chair recognizes Representative Raymond to close.

REPRESENTATIVE RAYMOND: Members, all this Amendment does is try to make sure that people who are poor, who cannot afford to get to where they need to get to be able to get the idea that allows them to vote, that they're able to go. That's all that this is.

And, yes, a great majority of the poor people in this state are minority.

And so I believe that this bill clearly is aimed to try and disenfranchise minorities. If you accept this Amendment, it will be a step in the right direction because you're willing to acknowledge that many of the people in this state who would not be able to vote because of the bill that you're trying to pass
would have a better chance of being able to vote if they
needed it.

If they could, at least -- if they're
qualified. They'd have to be pretty poor by the way to
 qualify for mileage to be able to get to the DPS office.

And any of you who grew up, by the way like
I did grew up in a rural town, you know in the State of
Texas, some of these offices are very far away from
where you live.

And with gasoline costs these days, you
think that there aren't going to be people that aren't
going to be able to get the necessary documentation and
necessary ID to the vote?

This, to me, is just another example of you
vote this down member and what your intentions are, and
that is to prevent people from voting, taking the right
away from people who have the right to vote. Taking it
away from as many as you can.

THE CHAIR: Mr. Raymond sends up an
Amendment. Mr. Raymond moves to place the remarks
between he and Representative Phillips in the journal.

Is there an objection?

The Chair hears none.

So ordered.

Mr. Raymond sends up an Amendment.
Mr. Phillips moves to table. The question's on the motion to table.

Vote aye. Vote nay.

Show Mr. Phillips voting aye. Show Mr. Raymond voting no. Show Mr. Pena voting aye. Show Mr. Gutierrez voting no.

Have all voted?

Being 100 ayes. 46 nays.

The motion to table prevails.

Representative Geren. For what purpose?

REPRESENTATIVE GEREN: Mr. Speaker, would you recognize me for a Motion to limit debate to the number of Amendments that are currently filed and on dias?

THE CHAIR: Members, you've heard the motion. Is there an objection?

The Chair hears none.

So ordered.

The following Amendment.

The clerk will read the Amendment.

THE CLERK: Amendment by Gutierrez.

THE CHAIR: The chair recognizes Representative Gutierrez.

REPRESENTATIVE GUTIERREZ: Thank you, Mr. Speaker, Members.
Members, what this Amendment seeks to do --
and by the way, just out of the interest of time, I've
cut out two Amendments so we can get along and get
moving tonight.

But what this Amendment seeks to do is it
seeks to reimburse each county for any costs incurred by
any county in implementing this Voter Identification
Bill.

At end of the day, Members, it's real
important to understand that this is an unfunded
mandate. And we heard that mentioned earlier, but the
LBB has suggested that there is a cost to our counties
back home.

In Tarrant County, the cost of implementing
this particular legislation would cost about $8,000. My
hometown in Bear County, we suggest is, LBB suggests
that that cost would be about $381,000.

I'll tell you what, I've got a Republican
commissioner back home who would rather have us focus on
the business of doing the business of Texas and not
Voter ID, where we're going to submit an unfunded
mandate to our community.

So what this bill seeks to do is it seeks
to have the Secretary of State reimburse the counties
for any change in ballots, change in voter
registrations, any costs that are produced as a change
of the law.

I think it's important to note that I sat
on this Voter ID Committee, and we had the State of
Georgia come in, we had the State of Indiana come in and
those folks told us that the real costs of this
legislation to them was over 8 and $10 million.

I think it's disingenuous for LBB to tell
us that this is going to costs $2 million. So I think
it's real important that we look at this idea of an
unfunded mandate. So I'd ask you to give this some
thought and support this Amendment.

THE CHAIR: The chair recognizes
Representative Harless in opposition.

REPRESENTATIVE HARLESS: Members, I would
move to table this Amendment. This is an additional
cost to the State, to the fiscal note.

The county's already have appropriated
money from the Secretary of State to do these elections,
costs and training. And it's something in their normal
scope of duty. I move to table.

THE CHAIR: The chair recognizes
Representative Gutierrez to close.

REPRESENTATIVE GUTIERREZ: Members, this is
nothing more -- this piece of legislation is nothing
more than an unfunded mandate at a time when we're $27 million in the hole. We have better things to do in this legislative body than to tax our counties more.

And at the very least, if we're going to do this, we need to be genuine. We need to know what the real cost of this legislation is.

I respectfully submit to you that it's not $2 million. It's closer to 8 and $10 million as smaller states have experienced.

Thank you very much. I really appreciate that you support my Amendment.

THE CHAIR: Representative Gutierrez sends up an Amendment. Representative Harless moves to table. This is on the motion to table.

Vote aye. Vote nay.

Show Ms. Harless voting aye. Show Mr. Cook voting aye. Show Mr. Smith voting aye. Show Mr. Kefler voting aye.

Have all voted? Show Mr. Zedler voting aye.

Okay. 99 ayes. 47 nays. The motion to table prevails.

The following Amendment.

The clerk will read the Amendment.

The chair recognizes Representative Kefler
REPRESENTATIVE KEFFER: Mr. Speaker, the members of Committee on Energy Resources to meet while the House is in session at 1:00 p.m. tomorrow, March 24th, 2011, at E2036 to consider pending business.

THE CHAIR: Members, you've heard the motion.

Is there an objection?

The Chair hears none.

So ordered.

The chair recognizes Representative Keffer.

REPRESENTATIVE KEFFER: Thank you, Mr. Speaker. I move to suspend the Five-Day Posting Rule to allow the Committee on Energy Resources to consider pending business at 1:00 p.m. tomorrow, March 24th, 2011, in E2036.

THE CHAIR: Members, you've heard the motion.

Is there an objection?

The Chair hears none.

So ordered.

The Chair recognizes Representative Cook for an announcement.

REPRESENTATIVE COOK: Thank you, Mr. Speaker. The Committee on State Affairs' meeting
tonight is cancelled and it is already posted for a meeting tomorrow.

THE CHAIR: The chair recognizes Representative Smith for an announcement.

REPRESENTATIVE SMITH: The Committee on Environmental Regulations is cancelled for today.

THE CHAIR: The following Amendment. The clerk will read the Amendment.

THE CLERK: Amendment by Castro.

REPRESENTATIVE CASTRO: Thank you, Mr. Speaker, Members.

This Amendment -- because in this bill we are requiring folks to have their Photo ID in order to vote, and the argument has been made by the author that that's important for the integrity of the voting process.

What my Amendment says is that if somebody who is not an election officer demands that a voter who is approaching the voting booth at the polling site demand that the voter show that ID to them and they're not an election officer, that there is a penalty set up.

In other words, you know, we have people who are poll watchers, which is fine. But we don't want them to cross the line and start harassing people and demanding that people show them their ID before that
person can go on and vote.

So that's what my Amendment will do. It's a way to make sure -- the Voter ID Bill -- it's a way to make sure that people don't fraudulently vote. This is a way to make sure that votes are not stolen from folks who are going to vote.

So I would ask your consideration and move for adoption.

THE CHAIR: Representative Harless to speak against the Amendment.

REPRESENTATIVE HARLESS: Members, Mr. Speaker, I think the premise of this is probably a very good one. It was not vetted through the Committee. And because of that, I think it's difficult to offer an opinion to somebody that's working at the poll that --

REPRESENTATIVE CASTRO: Mr. Speaker.

THE CHAIR: Representative Castro, for what purpose?

REPRESENTATIVE CASTRO: Will the gentlelady yield for a question?

THE CHAIR: Do you yield?

REPRESENTATIVE HARLESS: Can I finish just one second?

REPRESENTATIVE CASTRO: Well, I think you should --
THE CHAIR: She chooses not to yield at this time.

REPRESENTATIVE HARLESS: But it says in here that an offense under this section is a felony under the third degree unless the person is convicted of an intent. And in that case, it's a Class A misdemeanor.

I think it's pretty egregious when we didn't have the opportunity to discuss this in committee. And I will yield.

THE CHAIR: She yields.

REPRESENTATIVE CASTRO: You think that's that egregious penalty? Is that what you said?

REPRESENTATIVE HARLESS: For someone that is working at a poll that may be an official person working.


REPRESENTATIVE HARLESS: It says election officer.

REPRESENTATIVE CASTRO: An election officer is somebody who is --

REPRESENTATIVE HARLESS: It says election judge or election clerk.

REPRESENTATIVE CASTRO: No. I think you're
misreading the Amendment. If it's somebody that is not
one of those people who demands that the voter show them
their ID.

    REPRESENTATIVE HARLESS: I agree with that.
    REPRESENTATIVE CASTRO: Well, then what do
you disagree with?
    REPRESENTATIVE HARLESS: I disagree that
this wasn't vetted through the Committee. We didn't
have an opportunity to discuss it, and you're saying
that a poll worker that asks a question.
    REPRESENTATIVE CASTRO: Well,
Representative, if that's the standard that you're
adopting, then what's the purpose of filing any
Amendments here? I mean, are we only supposed to do
work in the committee and that's it?
    REPRESENTATIVE HARLESS: No. I think we've
accepted a lot of the Amendments that added to the bill.
I think adding the felony offense is outside of the
scope of what this intent of this legislation is.
    REPRESENTATIVE CASTRO: Okay. It's outside
the scope of this legislation.
    Are you aware that I came up with that
penalty because that's the penalty that's in your bill
for people who fraudulently vote?
    REPRESENTATIVE HARLESS: That's exactly
right.

REPRESENTATIVE CASTRO: It's exactly right. Well, then, what's wrong with the penalty?

REPRESENTATIVE HARLESS: If you would like to file this bill, we'll see if we can't get a hearing and then debate it on the floor. I think this is a good bill to be debated but it wasn't debated in Committee, and I move to table.

REPRESENTATIVE CASTRO: Representative, you have to move off of your robotic responses. Okay?

You have conceded that the penalty is the same as the penalty you've set for somebody that votes illegally.

Would you agree that just as it's bad for somebody to cast an illegal vote, it's also bad for somebody to block a legitimate voter from voting? You don't think that those two things are the same?

REPRESENTATIVE HARLESS: Mr. Castro --

REPRESENTATIVE CASTRO: Do you not think that those two things are the same?

REPRESENTATIVE HARLESS: I think asking somebody to see their driver's license and getting a felony conviction for doing that and somebody fraudulently casting a vote are two very different things. I respectfully move that we table this --
REPRESENTATIVE CASTRO: So you believe that
somebody blocking a legitimate voter from casting a
ballot, stealing their vote is different from somebody
casting a legal vote?

Is the gentlelady not going to answer

anymore questions?

THE CHAIR: She yielded the floor.

THE CHAIR: Would you wish to close,

Mr. Castro? The chair recognizes Mr. Castro to close on
his Amendment.

REPRESENTATIVE CASTRO: Members, if we're
going to have a system of voting that requires people to
show identification, then I would ask you to read this
Amendment that's on your screen and tell me how it's not
a fair Amendment.

All this Amendment does is it says that

somebody who is at a voting site, whether they're
Republican or Democrat or rich or poor or from North
Texas or South Texas, that they cannot demand of a voter
that that voter show them their ID.

In other words, we don't want strangers at
a voting poll trying to stop voters all over the state
from going and voting.

And if they do that, if somebody does that,

then this Amendment, and if this Amendment was adopted,
this law would acknowledge that blocking a vote, stealing a vote by not allowing somebody to vote, by making it harder for somebody to vote, is the same thing as casting an illegal vote.

The author of the bill, as has been the theme today, could not explain a basic part of this bill, could not explain why the penalties that I put into my provision was any different from the penalty that's in her own bill.

Members, if this process is going to be one of integrity, and this process is going to be a fair one, then we have to make sure that it's fair, not only when people come inside the voting booth, but also when they approach the polling site.

We have no problem with poll watchers, but we have problem with -- we have a problem with people who intimidate and harass voters, and that's what this Amendment is about.

I move adoption.

THE CHAIR: Mr. Anchia, for what purpose?

REPRESENTATIVE ANCHIA: Will the gentleman yield?

THE CHAIR: Will the gentleman yield?

REPRESENTATIVE CASTRO: I will.

THE CHAIR: He yields.
REPRESENTATIVE ANCHIA: As a narrative from
the author and the others who have sought to defend this
bill been that if one valid vote is -- we have invalid
domain or illegal votes that, they disenfranchise that
person who wants to cast a valid vote?

REPRESENTATIVE CASTRO: That's right. I
believe VAN Taylor, Representative Taylor, when he was
questioning you, mentioned that he's been a vote, that
there was a vote a woman was not able to cast in your
district in 2004.

So if it is correct --

REPRESENTATIVE ANCHIA: Let's say by
mail-in ballot, cancels a vote, a legitimate vote at the
polls, is it not also correct that a legitimate vote
that is prevented, that is prevented at the polls by
some suppression or intimidation is also an equal
travesty.

REPRESENTATIVE CASTRO: Absolutely,
Representative Anchia.

I think there's two points here. The first
is that now you have two portions of voting that are not
protected here.

First, there's nothing done in this bill
about mail-in ballots, even though 70 percent of the
cases that have been -- people that have been charged
have committed fraud on mail-in ballots.

And the second part is now we also don't care about what you do when people are walking up to the voting polls.

REPRESENTATIVE ANCHIA: And again, your Amendment does not discuss poll workers or election judges or anybody. These are third-party groups that may be outside the polling location that are telling people, no. No. The election is not today. It's tomorrow or are acting in an aggressive manner and are intimidating voters so that they don't vote.

That's all you want to pick up in this Amendment, isn't that right?

REPRESENTATIVE CASTRO: That's right. And the author, by speaking against this Amendment, by taking a position against this Amendment, is saying, well, I don't really care, you know. If you harass or you intimidate people when they're coming to the polls, I don't care.

REPRESENTATIVE ANCHIA: Well, in fact, the only way that she said she would consider this concept is if it came through a committee that you're not even on or had --

REPRESENTATIVE CASTRO: That's right.

That's another part of the ridiculousness of this
debate.

Can you imagine if -- I mean, we can't present any Amendments here unless they've been vetted by the Committee?

On any bill? Well, then why are we even here? I mean, once something comes out of committee, there's no Calendar committee. It just becomes law.

REPRESENTATIVE ANCHIA: And isn't it also ironic that that same committee, that select committee, only considered Photo ID bills, and none of the other subject matter bills that were before it?

REPRESENTATIVE CASTRO: That's right.

REPRESENTATIVE ANCHIA: They just did Photo ID. So if you had a Voter Suppression Bill, it wouldn't have even been referred to or considered.

REPRESENTATIVE CASTRO: That's right. You know, you hear one of the robotic responses you hear again and again is, well, hey, it's a great bill. I support your concept. Why don't you file a bill and when it gets to the floor, I'll vote for it.

Look, it's not going anywhere. It's not going to go to hearing. It's not going to get a committee vote. It's not going to the Calendar. It's not coming up. Period. And that's what the Amendment process is for.
REPRESENTATIVE ANCHIA: I tell you what:

Maybe you share my sense of irony in realizing that the
Select Committee on Identification and Voter Fraud heard
no bills related to mail-in ballot votes.

REPRESENTATIVE CASTRO: Absolutely.

REPRESENTATIVE CASTRO: And you know,
Representative Anchia, I think this is why voters and
residents get cynical about the legislative process
because you offer reasonable compromises, right? Okay,
hey, you want to do a Voter ID bill? Well, receipts do
something about mail ballots. Let's do something about
harassment.

No. Forget it. It makes people think,
well, then you really don't care. All you want to do
with Voter ID is make sure you have more people voting
Republican, right? You want to make sure that you can
shape your voting as best as possible to benefit the
majority party.

So if that's the intent, well, then concede
that that's the intent.

REPRESENTATIVE ANCHIA: Yeah, but it's not
about the integrity of the election.

REPRESENTATIVE CASTRO: Not at all.

REPRESENTATIVE ANCHIA: Clearly not about
voter impersonation. It's about less people voting
ultimately.

REPRESENTATIVE CASTRO: And, you know,
ever mind the fact, which we went over earlier, that
there is no demonstrable evidence that voter
impersonation or even voter fraud has been a huge
problem in Texas. So this whole thing is m a rabbit
run.

REPRESENTATIVE ANCHIA: Do you think folks
in your district have --

THE CHAIR: Representative, the point of
order, the time, has expired. The point of order is
well taken.

Mr. Castro offers an Amendment. The
Amendment is opposed by Ms. Harless. The vote is on the
table for motion.

Members vote aye. Members vote nay. The
clerk will ring the bell.

Show Representative Castro voting no.
Representative Harless voting aye.

A Motion to table. It's been a long day.

Have all members voted?

99 ayes. 49 nays. Two present motion.
The motion to table prevails.
The chair lays up the following Amendment.
The clerk will read the Amendment.
THE CLERK: Amendment by Lucio.

THE CHAIR: The chair recognizes Representative Lucio to explain his Amendment.

REPRESENTATIVE LUCIO: Thank you, Mr. Speaker. Members.

What this Amendment does -- and I've worked with several members to try to make sure that a narrow the language -- what this Amendment does is allow DPS or insures that DPS, when you cast your provisional vote, you're going to go get the ID that you're supposed to get.

You can come back within those six days, that the DPS issues a temporary ID that complies with this bill so that that temporary or provisional ballot can become a permanent ballot vote.

What we don't want, what I don't want, and what the intention of the author of this bill and this bill is, is that when you go to DPS and you're 18 years old, you don't have a driver's license because you've been focusing on school and not wanting to drive.

And you go to DPS and you apply for that temporary license so that you can go correct your vote with the voting registrar or the elections clerk, that they issue something and not say, oh, that's going to take ten days. Well, now you're past that six-day
So what this does is it directs DPS to make sure that they issue this temporary identification in compliance with this bill and it’s acceptable to the author.

THE CHAIR: Mr. Lucio sends up an Amendment that is acceptable to the author.

Is there any objections? The Amendment is adopted.

Mr. Speaker, for what purpose?

REPRESENTATIVE RODRIGUEZ: Parliamentary Inquiry.

THE CHAIR: State your inquiry.

REPRESENTATIVE RODRIGUEZ: My understanding that there was a prior Motion to limit the number of Amendments made by Representative Geren a while back.

THE CHAIR: Yes.

REPRESENTATIVE RODRIGUEZ: And was that motion made pursuant to Rule 11, Section 10?

THE CHAIR: I believe it was.

REPRESENTATIVE RODRIGUEZ: Will the chair read the name of the 25 seconds of that motion.

THE CHAIR: I believe it was.

REPRESENTATIVE RODRIGUEZ: Okay. And could you tell me by voice who those 25 members were?
THE CHAIR: I can start counting now.
Could you hold your hands up, please, if you were on
that 25. I count more than 25.

REPRESENTATIVE RODRIGUEZ: I imagine,
Mr. Chairman, I imagine if you're operating under the
proper rules of Parliamentary procedure, it would be --

THE CHAIR: You recognize that? I can't
answer any more questions. I'm sorry. Go ahead. I'm
sorry.

REPRESENTATIVE RODRIGUEZ: So I just want
to be clear: Suddenly it is a limit of debate. There
is a requirement that there be 25 seconds. And I know
that there was not any objection. I wasn't on the
floor.

THE CHAIR: I wasn't in the Chair at the
time so I didn't hear any objection either.

It was done by voice that the speaker asked
if there was an objection and he heard none and the
order was adopted.

REPRESENTATIVE RODRIGUEZ: Okay. Well, I
just want to make sure, Mr. Chairman that we're
operating under the same rules.

THE CHAIR: Sure.

REPRESENTATIVE RODRIGUEZ: And so it might
be just an exercise in doing it, but we should do it
right.

And so at this time, if Chairman Geren wants to make that motion again, if we had 25 seconds, I would appreciate that again.

THE CHAIR: The motion's already been adopted.

The chair recognizes Representative Alvarado.

The chair lays out the following Amendment.

The clerk will read the Amendment.

THE CLERK: Amendment by Alvarado.

THE CHAIR: The chair recognizes Representative Alvarado to explain her Amendment.

REPRESENTATIVE ALVARADO: Thank you, Mr. Speaker and members.

This Amendment requires that the Secretary of State to report the demographic and location information about who is casting a provisional ballot or who is being turned away because they do not have the Photo ID required to establish their identity.

And this Amendment would help the state to protect the rights of voters by better understanding who the bill is effecting in terms of gender, age, racial or ethnic background, as well as what neighborhoods or precinct might be having their voting rights
disenfranchised.

If we understand how the bill is effecting certain groups of voters, we can be more responsible in educating voters in effected communities about what ID requirements this bill has put in place.

Mr. Speaker, I move adoption.

THE CHAIR: The chair recognizes Representative Harless to speak against the Amendment.

REPRESENTATIVE HARLESS: Members, I move to table.

THE CHAIR: Representative Alvarado, would you like close?

All right. Members, Representative Alvarado sends up an Amendment. Representative Harless moves to table. The question is on the motion to table.

Those in favor vote aye. Those opposed vote nay.

The clerk will ring the bell.

Show Representative Harless voting aye.

Representative Alvarado voting no. Show Representative Eissler voting no.

Have all voted?

98 ayes, 48 nays. Two present and not voting.

The motion to table prevails.
Mr. Veasey?

The chair lays up the following Amendment.

The clerk will read the Amendment.

THE CLERK: Amendment by Veasey.

THE CHAIR: The chair recognizes Representative Veasey to explain his Amendment.

REPRESENTATIVE VEASEY: Members, this is a very important Amendment, and I actually would like -- I got the Amendment earlier from Van Taylor for identification. I actually got this bill from the Republicans, also.

On the Republican talk radio circuit in the area WDAP 820 is probably the Republican talk show station that most Republicans in the Metroplex listen to, and I'll listen to the show from time to time.

I'll listen to Mark Davis. I'll listen to Rush Limbaugh. And one of the things that I hear over and over again is, you know, what if somebody could really prove that there was real discrimination, I would stand with them.

If someone today was putting a dog on someone when they were trying to vote or if the fire station was spraying a hose on someone, I would stand out there. And you show me real discrimination and I will stand out there with you.
But there is no real discrimination, all these civil rights leaders, all they do is complain, yada yada. And something they say often on these talk radio shows.

And so what this particular Amendment says is that if the Secretary of State makes a determination that the majority of voters who lack a Photo ID were members of a racial or ethnic minority under the Voting Right Act, then the law would cease to exist until we could come back and fix it. That's all it says.

So here's your chance to come stand with me. Here's your chance, if real discrimination takes place because this law passes, here's your chance to come and stand with me.

So I'm going to give everybody an opportunity to do what the talk radio hosts say what they would do and stand with me just in case --

THE CHAIR: Mr. Lozano, for what purpose?

REPRESENTATIVE LOZANO: Yes. Will the member yield for questions?

THE CHAIR: Will you yield?

REPRESENTATIVE VEASEY: Yes.

THE CHAIR: He yields.

REPRESENTATIVE LOZANO: Representative Veasey, are you familiar with the Supreme Court decision
that upheld the Indiana Voter ID Law?

REPRESENTATIVE VEASEY: I am familiar with it, yes.

REPRESENTATIVE LOZANO: And do you recall that the Justices', the 6, 3, decision, the six in favor upholding -- didn't they make statements to that effect that if it was proven to disproportionately impact one racial or ethnic group, that then this issue should be revisited.

REPRESENTATIVE VEASEY: Absolutely. And that is exactly what this Amendment says. It says that if there's discrimination that takes place and we know that it would be discrimination if most of the people that were denied the vote were black and Hispanic because Ms. Harless has said that that is not going to happen, that in fact, people would have confidence in what is taking place during the election process and that confidence would actually bolster voter turn-out.

So there is nothing to fear by this Amendment.

REPRESENTATIVE LOZANO: Yeah. Thank you.

REPRESENTATIVE VEASEY: Thank you very much.

So, Members, I give you a chance to come
and stand with me just in case real discrimination takes
place, which I think probably will. But here's your
chance to prove once and for all that you will come and
stand with me.

I move passage.

THE CHAIR: The chair recognizes
Representative Harless to speak against the Amendment.

REPRESENTATIVE HARLESS: Members, I'm not a
big fan of talk radio. I don't listen to it and I don't
believe everything they say but I move to table.

THE CHAIR: Mr. Lozano, for what purpose?

REPRESENTATIVE LOZANO: Will Representative
Harless yield for questions?

THE CHAIR: She yields.

REPRESENTATIVE LOZANO: Representative
Harless, are you familiar with the Supreme Court
decision in which the United States Supreme Court upheld
the Indiana Voter ID Law?

REPRESENTATIVE HARLESS: Yes.

REPRESENTATIVE LOZANO: And are you
familiar that that was a 6, 3 decision, 6 in favor of
upholding the law?

REPRESENTATIVE HARLESS: Yes.

REPRESENTATIVE LOZANO: Are you familiar
with the opinions issued? The majority opinion?
REPRESENTATIVE HARLESS: The what?

REPRESENTATIVE LOZANO: Are you familiar with the majority opinion that the justices issued and in the U.S. Supreme Court decision?

REPRESENTATIVE HARLESS: Yes.

REPRESENTATIVE LOZANO: Do you recall anywhere in there where the majority opinion said that even though upholding the integrity of the ballot was paramount, that if the law showed to be disproportionately impacting a minority group, that then the issue should be revisited?

REPRESENTATIVE HARLESS: Yes.

REPRESENTATIVE LOZANO: So what if this Amendment actually would be an extension of what the majority of that Supreme Court held in that ruling?

REPRESENTATIVE HARLESS: In the Marion -- the Crawford versus Marion County Election Board, the court ruled the requirement to produce Photo ID.

Photo ID imposes only a limited burden on the owe (inaudible). And justified that the states interest restores confidence in elections, justified by the states interest in restoring confidence in elections and deterring fraud.

Mr. Speaker, I yield the podium and move to table.
THE CHAIR: Mr. Veasey, you would like to close?

The chair recognizes Mr. Veasey to close.

REPRESENTATIVE VEASEY: Members, especially my friends on the other side of the aisle that are Republican, I ask you to please join me in defeating Mrs. Harless' Motion to table and support this Amendment.

This is a very easy Amendment. All it says is that if people have really been discriminated against, that you will come and stand with me and that you will come and join me. That is the argument that is made over and over and over on the Republican talk radio shows, on WDAP.

That's what Republican friends say, is that if you can prove real discrimination, I will come and stand with you.

Now, this Amendment says that if the Secretary of State determines that most of the people with who are denied the right to vote are black and Hispanic, that the law will no longer exist.

Ms. Harless has said over and over that that will not happen. That, in fact, more people will go out to vote because they will have confidence in the voting process.
So why not accept this Amendment so we can move along and we can all feel good that we stood up against discrimination?

THE CHAIR: Mr. Lozano.

REPRESENTATIVE LOZANO: Mr. Speaker, I cannot hear anything from that --

THE CHAIR: Gentlemen, can we have order between the microphones.

Mr. Lozano. For what purpose?

REPRESENTATIVE LOZANO: Will the gentleman yield for questions?

THE CHAIR: Mr. Veasey?

REPRESENTATIVE VEASEY: I yield.

REPRESENTATIVE LOZANO: Great. Okay.

Mr. Veasey, I understand the significance of this Amendment, and I really hope everyone's listening because this Amendment could potentially save this bill from adverse actions by the United States Supreme Court.

We should, and I think you would agree, be sending out bills that are probably going to get overturned by the United States Supreme Court.

Based only their ruling, this below hoofs us. It would behoove us to support this Amendment.

Based on the six justices in favor of the Voter ID Law in Indiana, same, exactly what your Amendment says. I
think it would be in our best interest in the House of Representatives to support this Amendment.

I strongly urge everyone to vote against tabling this Amendment.

REPRESENTATIVE VEASEY: I think that this is an Amendment that definitely follows the Supreme Court decision, and I also believe that this is the Amendment that makes you feel good about not committing discrimination against your neighbor.

Take an overseas mission or fellowshipping with the church across town once a year is not the way how to feel good.

The way how to feel good is to stand up for civil rights when you have the opportunity to.

I move to defeat Mrs. Harless' Amendment.

Please vote no on the motion to table.

THE CHAIR: Representative Veasey sends up a motion. Representative Harless moves to table. The question is on the motion to table.

Members vote aye. Members vote nay.

The clerk will ring the bell.

Have all voted?

By a vote with 99 ayes, 48 nays, two present not voting.

The motion to table prevails.
The clerk will read the following Amendment.

Mr. Lozano, for what purpose?

REPRESENTATIVE LOZANO: Yes, Mr. Speaker, I just ask that all the last comments on the last Amendment be reduced to writing and placed in the record.

THE CHAIR: Mr. Lozano moves that the conversations between he and whoever was up here, Veasey, be reduced to writing and be placed in the journal.

Is there an objection?

The Chair hears none.

So ordered.

REPRESENTATIVE LOZANO: And Representative Harless, as well.

THE CHAIR: I'm sorry. And Representative Harless, as well.

REPRESENTATIVE LOZANO: Thank you. Thank you, sir.

THE CHAIR: Is there an objection?

The the Chair hears none.

So ordered.

The following Amendment.

The clerk will read the Amendment.
THE CLERK: Amendment by Anchia.

THE CHAIR: The chair recognizes Representative Anchia.

REPRESENTATIVE ANCHIA: Thank you, Mr. Speaker. Members.

This Amendment is going to require that the Comptroller certify that the changes made by this bill do not reduce revenue in the Texas Mobility Fund.

Representative Martinez-Fischer.

SB 14 provides free IDs to people who register to vote or are registered to vote when they apply for an ID, but it does not provide a mechanism to pay for it.

The Mobility Fund, ladies and gentlemen of the jury, is protected by the constitution of the great State of Texas because it is used to pay for the debt service for certain transportation bonds.

So Representative Mendendez, Anchia, if we float bonds to pay for transportation projects, and we are short in the Mobility Fund, we have violated the Texas Constitution. We have imperilled the state's credit rating for the Mobility Fund and we have potentially engaged in a technical default of bond covenance.

According to the statistics by the
Department of Public Safety, the Mobility Fund receives about $9 million per year from state IDs alone. Not driver's licenses. State IDs.

So if we're giving out free IDs to people who say they're using it to register to vote, we will be reducing the Mobility Fund.

And the language of Article III, Section 49 K, Subsection F of the constitution is clear: While money in the fund is pledged to the payment of any outstanding obligations or related credit agreements, the dedication of a specific source or portion of the revenue, taxes or other money provided in this section may not be and here are the magic words, judge Lewis, may not be reduced, rescinded or repealed. May not be reduced.

So what is a reduction? Is a reduction $100,000? Is it $100? Is it $16?

So if one person goes and gets a free ID under this bill, it will constitute a reduction of the Texas Mobility Fund. And I think imperils the Constitutionality of this bill.

So I ask you for those of you who are fiscally prudent, for those of you who are thoughtful about what we're doing today: I don't want the state of text to imperil the Mobility Fund by what we're going to
be doing there: So what we're going to be doing in this Amendment is asking the Comptroller to certify that that does not happen. So ladies and gentlemen, I move --

THE CHAIR: Mr. Menendez, for what purpose?

REPRESENTATIVE MENENDEZ: Would the gentleman yield for a question?

THE CHAIR: Do you yield?

REPRESENTATIVE ANCHIA: Yes.

THE CHAIR: The gentleman yields.

REPRESENTATIVE MENENDEZ: Representative Anchia, would this be considered if this goes through and the Comptroller, actually, there is the actual money that comes out of the fund, would it be considered a diversion.

REPRESENTATIVE ANCHIA: The exact language of the constitution, really quickly, speaks to a reduction. A reduction.

So if there's a reduction these moneys that are mentioned to amortize the bonded indebtedness for transportation projects, and there are pending transportation bonds out there, then it is a voter impersonation of the Texas Constitution.

And before we go down that road, what I'd like to see this legislation do is have the Comptroller certify that the changes made in law by this bill will...
not reduce revenue to the Texas Mobility Fund.

REPRESENTATIVE MENENDEZ: So if constituents in my district are concerned about the reductions in our not applying these funds to road constructions and road enhancements, constituents in your district more concerned about improving the road ways in Texas or about voter IDs?

REPRESENTATIVE ANCHIA: We're virtually broke in terms of building new capacity in our transportation system.

If we engage in a technical default of our bond covenant by rating the Texas Mobility Fund, it will further imperil our ability to build roads in the future because that technical default will reduce our credit rating in the state, and that's something we could not afford.

REPRESENTATIVE MENENDEZ: So your Amendment would help keep this bill within the constitution of the state and, in essence, it would help maybe guarantee the fact that there might not be any further reductions?

REPRESENTATIVE ANCHIA: I just want the Comptroller to certify that there won't be any reductions in the Mobility Fund.

That's all I want to do through this Amendment.
REPRESENTATIVE MENENDEZ: It sounds like a good Amendment.

REPRESENTATIVE ANCHIA: Thank you. I move adoption.

THE CHAIR: The chair recognizes Representative Harless against the Amendment.

REPRESENTATIVE HARLESS: Mr. Speaker, Members, we have already discussed this today and had a point of order, actually ruled in our favor. I would ask that you table this Amendment. REPRESENTATIVE ANCHIA: I'm curious Members, that --

THE CHAIR: The chair recognizes Representative Anchia to close.

REPRESENTATIVE ANCHIA: Thank you, Mr. Speaker.

The author would elude to the point of order that was raised on this issue. Mr. Martinez-Fischer would be happy to hear that because specifically the chair's ruling was, we are not going to pass on the Constitutionality in this House. We're going to vote on the bill and then we'll go from there. But this does not ask us to pass on the Constitutionality of Article III, Section 49 K, Subsection F of the Texas Constitution. What it asks us
to do is to go to the Comptroller so that the Comptroller may certify that this does not reduce in the Mobility Fund. It's very different than the point of order are that was called earlier. So that's why, Members, I know you don't want to raid the Mobility Fund. I know you don't want to bust the covenants of our credit agreements or other bond documents. I know you don't want to do that. I know you don't want to imperil the credit rating of the Mobility Fund be and the state of Texas. So please reject the motion to table and adopt this Amendment. Thank you.

THE CHAIR: Representative Anchia sends is up an Amendment. Representative Harless moves to table. The motion to table.

Vote aye. Vote nay. Show Representative Harless voting aye. Show Representative Anchia voting no. Show Representative Eissler voting aye. Have all voted? Have all voted? Being 99 ayes and 48 nays, the motion to table prevails.

The following Amendment.
The clerk will read the Amendment.

THE CLERK: Amendment by Anchia.
THE CHAIR: The chair recognizes Representative Anchia.

REPRESENTATIVE ANCHIA: Thank you, Mr. Speaker and members.

This Amendment puts language back in the bill which was added in the Senate. It is known in the Senate, typically, as the Ogden Amendment, which says that the bill is only effective if the state pays for it.

And it reads as follows: "This act does not make an appropriation. This act takes effect only if a specific appropriation for the implementation of this acts is provided in a general appropriations act of the 82nd Legislature."

Now, ladies and gentlemen of the jury, you've looked at the fiscal note and it's been discussed today. Ask and the bill has two plus million dollars in the fiscal note, largely to pay for the voter education outreach requirements.

The fiscal note makes no mention, ironically of the possible costs related to the Texas Mobility Fund.

The author says that the state can use HAVA funds already granted to pay for the costs of this bill. So this Amendment simply holds the author to her word.
We don't want to enact a measure that isn't paid for and that's why we should adopt this language.

Keep in mind, Members, that the Senate Bill, as it came over, had the Ogden language in it saying that we're not going to write hot checks and we're not going to implement the bill that we can't pay for it.

It just simply says if we can't pay for it, we aren't doing it.

And, Members, if the author is so confident that the fiscal note is accurate and there's plenty of money in the bill to pay for it, then this should be acceptable to the author and I will take her at her word. If not, then something else is going on.

Thank you, Members. I move adoption.

THE CHAIR: The chair recognizes Representative Harless in opposition.

REPRESENTATIVE HARLESS: Members, Mr. Speaker, we have $43 million in our general budget that Chairman Pitts laid out at the beginning of session.

That's HAVA money.

In order to apply for that HAVA money we have to pass this legislation. We've gotten a letter from them saying that if we meet the criteria, we can use that.
The $2 million in the fiscal note will be offset by HAVA money after we apply for it. There is no reason to take a chance on damaging the bill when we know that we have funds set aside in our Appropriations.

I also filed a contingency rider which the Appropriations here isn't listening, but he said it would go in the Appropriations Bill.

So I move to table.

THE CHAIR: The chair recognizes Representative Anchia to close.

REPRESENTATIVE ANCHIA: Wow. $43 million available in Appropriations rider? It seems like we have all the money that we need to pay for this.

So why would we be scared? Why would we be scared of including language in here that says we gotta pay for it? It sounds like the author has taken care of it.

It sounds like she's put money in the Appropriations Bill. That there's a supplemental Appropriations Rider. It sounds like we have all the HAVA money available to do this deal.

So why would she be scared? Why would she be concerned? Is she worried about the numbers? Does she think they're faulty? I'm kind of surprised that she won't take this Amendment if she feels so confident
that the money's in the bill.

So, Members, please let's not write hot checks that we can't pass in this body. Let's make sure that we pay for what we're doing out of the House and paying for this bill. And if not, we shouldn't be doing it. And that's something you can go back home and be proud of.

So, please, defeat the motion to table.

THE CHAIR: Representative Anchia sends up an Amendment. Representative Harless moves to table. This is on the Motion to table.

Vote aye. Vote no.

Show Representative Harless voting aye.

Show Representative Anchia voting no. Show Representative Truitt voting aye. Show Representative Creighton voting aye.

Have all voted? Have all voted?

Being 99 ayes and 48 nays, the motion to table prevails.

The following Amendment.

The clerk will read the Amendment.

THE CLERK: Amendment by Anchia.

THE CHAIR: The chair recognizes Representative Anchia.

REPRESENTATIVE ANCHIA: Thank you. On ESPN
they call this back to back to back.

This Amendment prohibits the enactment of Senate Bill 14 until the Secretary of State has conducted a study that does the following: Provides an analysis of further identification access in Texas and analyzes the potential variation in turn-out rates in voter identification requirements in Senate Bill 14 are implemented.

Ladies and gentlemen of the jury, frankly, I think this kind of study should have been done before a bill like this hit the are floor. No analysis of the impact of this bill has been presented.

In my dialogue with the author of this bill she said that she knows of some studies but they sort of all look the same to her.

So the national studies have not considered the impact on Texas. Studies like an academic paper presented in 2007 by the American Political Science Association Annual Conference called "Voter ID Requirements in the Disenfranchisement of Latino, Black and Asian Voters" by Baretto, Nunez and Sanchez.

And they found that naturalized citizens and minority voters are less able to provide natural forms of identification, such as a copy of their original birth certificate or a recent bank statement.
Voter Identification Laws could immediately disenfranchise Latino and African American citizens.

On paper, by records, university Professor Virtualotti and Anderson called protecting the franchise or restricting it, end quote, looked at effects of Voter Identification requirements on turn-out, and they found that Voter Identification requirements vary and have a direct impact on voter turn-out and voters in Photo ID states are less likely to vote than states that don't have Photo ID requirements.

A study of voters in Wisconsin entitled, "The Driver's License Status of the Voting Age Population in Wisconsin," by John Palasart, I believe, is how you pronounce it, in June 2005, found that minorities in poor populations are most likely to have driver's license problems, less than half of 47 percent of African American adults and 43 percent of Hispanic adults have a valid driver's license compared to 85 percent of white adults.

And as I alluded to on Monday, the Brennan Center study, citizens without proof, a survey of Americans possession of documentary proof and citizenship identification by the Brennan Center of Justice at NYU, found that as more as 11 percent of United States citizens, 21 million individuals do not
have government issued photo identification.

Ten percent of citizens who do not have
Photo ID, do not have Photo ID with both their current
address and their current legal name and the rate is
higher among younger citizens. As many as 18 percent of
citizens aged 18 to 4 do not have a Photo ID with
current address and name.

25 percent of African American voting age
citizens have no government issued Photo ID compared to
80 percent of white voting age citizens.

Ladies and gentlemen of the jury, I could
go on and on with the numbers. Those kind of studies
have not been done in the State of Texas by any agency,
including the Chief Elections Officer of the Secretary
of State's office and certainly by no committee, on
either the House or the Senate side of the state.

And my Amendment simply says that until we
conduct such a study and it shows that there will not be
an adverse impact on minority voting, then we should not
implement this bill.

And with that, I move adoption.

THE CHAIR: Ms. Davis, for what purpose?

REPRESENTATIVE YVONNE DAVIS: Will the
gentleman yield?

THE CHAIR: Mr. Anchia, do you yield?
REPRESENTATIVE ANCHIA: Yes, ma'am.

THE CHAIR: The gentleman yields.

REPRESENTATIVE YVONNE DAVIS: Thank you.

Representative Anchia.

I'm listening to you talking about a study or a need to do a study. Do you know if there's any money for this study?

REPRESENTATIVE ANCHIA: Well, HAVA money could be used for this study by way of example. So, I mean, the chairwoman, or excuse me, the author of the bill said that there's plenty of HAVA money still available. And we probably should use that money in order to study the adverse impact on Hispanics and African Americans.

REPRESENTATIVE YVONNE DAVIS: Are you worried that we do not have HAVA money at this time?

REPRESENTATIVE ANCHIA: Pardon me?

REPRESENTATIVE YVONNE DAVIS: Are you worried that the state of Texas has not been approved for HAVA money at this time?

REPRESENTATIVE ANCHIA: Yeah, and I'm worried that we won't be using it properly for a bill like this.

REPRESENTATIVE YVONNE DAVIS: So if, in fact, the application is not approved, there is no
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funding for this bill -- are you aware of that?

REPRESENTATIVE ANCHIA: Yes. And my
Amendment just before that, this says that if there's no
money for it, it's not enacted but that was defeated by
the majority here.

REPRESENTATIVE YVONNE DAVIS: So if we
don't get HAVA funds, is it your understanding, would
you think now we're really passing down an unfunded
mandate to our counties to implement this program?

REPRESENTATIVE ANCHIA: Precisely.

REPRESENTATIVE YVONNE DAVIS: And we've
allocated about $2 million to do that. So we know that
it's going to be, at least, $2 million that it's going
to cost the county?

REPRESENTATIVE ANCHIA: It will be a number
far in excess of $2 million but I think that's all they
put in the bill.

REPRESENTATIVE YVONNE DAVIS: And is this
the same chamber where many members said that they had
signed onto the bill for unfunded mandates?

REPRESENTATIVE ANCHIA: Yes. And it's
ironic.

REPRESENTATIVE YVONNE DAVIS: And so your
Amendment now, we're talking about the need to educate
our voters. We're talking about a $2 million costs with
no funds available or allocated at this time?

REPRESENTATIVE ANCHIA: You know, this Amendment says, simply, that there's been no study in the State of Texas that representatives like yourself and myself are very concerned about the impacts on your communities.

And before we do something that has not been studied in the state, we need to do it. And if we're going to do it, we need to do it right.

REPRESENTATIVE YVONNE DAVIS: Thank you.

REPRESENTATIVE ANCHIA: Thank you.

REPRESENTATIVE GUTIERREZ: Mr. Speaker?

THE CHAIR: Representative Gutierrez, for what purpose?

REPRESENTATIVE GUTIERREZ: Will the gentleman yield for a few questions?

THE CHAIR: Will the gentleman yield?

REPRESENTATIVE ANCHIA: I yield.

THE CHAIR: The gentleman yields.

REPRESENTATIVE GUTIERREZ: Representative Anchia, my concern is we talked about money and the expense of this bill, but I don't think that we've had an adequate and thoughtful discussion on the true amount of money that's going to be spent with this legislation.

You are very familiar with the bills of the
state of Georgia and the state of Indiana; is that correct?

REPRESENTATIVE ANCHIA: The amounts that were budgeted in Indiana and in Georgia and then in Missouri where it was ultimately found unconstitutional where multiples of the $2 million that we have in this bill, even though ironically, those states are a fraction of the state population of the State of Texas, and don't have the same kind of Hispanic population and limited Asian population that we have in this state.

REPRESENTATIVE GUTIERREZ: To be clear: The budget expense is about 8 to $10 million respectfully; is that correct?

REPRESENTATIVE ANCHIA: That's correct. Even though those states have significantly smaller populations than we do.

REPRESENTATIVE GUTIERREZ: That's correct. I think you have a good Amendment. It's certainly important at this time when we're in this deep budget crisis that we understand the true nature of what we're doing here today. So thank you very much for your Amendment.

REPRESENTATIVE ANCHIA: Thank you, Representative Gutierrez.

THE CHAIR: The chair recognizes
Representative Harless.

REPRESENTATIVE HARLESS: I move to table.

THE CHAIR: The chair recognizes Representative Anchia to close.

REPRESENTATIVE ANCHIA: On the motion to table, an acknowledgement, I guess, that we haven't studied the issue.

I think before we jump into something like this, the Secretary of State should conduct a study. No study has been done.

Every other study that's been done on this issue has shown a very dramatic impact on African Americans and Hispanics. I'm worried about that.

I know my fellow colleagues who have spoken against this bill and tried to amend this bill are worried about that. These are not trivial concerns, ladies and gentlemen. They're documented by scholarly studies. This is not trivial. We take it very seriously, and I hope that this body takes it seriously by studying the issue first.

Thank you.

THE CHAIR: Ms. Davis for what purpose?

REPRESENTATIVE YVONNE DAVIS: Parliamentary inquiry.

THE CHAIR: State your inquiry.
REPRESENTATIVE YVONNE DAVIS: We were
discussing the costs being $2 million. We're discussing
that the application that had been made to apply for
HAVA funds for the State of Texas.

Should that application not be approved, is
there another funding source that's been identified for
this program?

THE CHAIR: Ms. Davis, the chair is not
advised.

REPRESENTATIVE YVONNE DAVIS: Given that
we're about to -- Parliamentary inquiry.

With the budget deficit being what it is
and the challenges to completing or budget, are we aware
of any contingencies or any other funding source that
has been identified for this effort?

THE CHAIR: Ms. Davis, you happen to have
the bill author here and Chairman of Appropriations. I
would invite you to direct that question to them.

REPRESENTATIVE YVONNE DAVIS: Mr. Speaker,
would the Chairman of Appropriations be able to answer
that question?

THE CHAIR: Ms. Davis, if you'll wait until
we dispense with the motion to table, we'll get an
answer for you.

REPRESENTATIVE YVONNE DAVIS: Thank you.
THE CHAIR: Representative Anchia sends up an Amendment. Representative Harless moves to table. This is on the motion to table.

Vote aye. Vote nay. The clerk will ring the bell. Show Ms. Harless voting aye. Show Representative Pitts voting aye. Show Representative Truitt voting aye. Have all voted?

Being 101 ayes, 48 nays, the motion to table prevails.

The following Amendment.
The clerk will read the Amendment.

THE CLERK: Amendment by Dutton.

THE CHAIR: The chair recognizes Representative Dutton.

REPRESENTATIVE DUTTON: Mr. Speaker and Members, I think I found an Amendment that I can agree on with the author. The others, obviously I didn't agree with on because that's why they voted against it.

But this one simply just says that the early voting Ballot Board as preferred referenced in the bill as meaning the early voting and provision Ballot Board.

And I believe it's acceptable to the author.
THE CHAIR: Ms. Harless for what purpose?

REPRESENTATIVE HARLESS: May I ask a question of the member, please?

THE CHAIR: Mr. Dutton do you yield?

REPRESENTATIVE DUTTON: Yes. I would love to yield.

REPRESENTATIVE HARLESS: I've been looking for an Amendment I could take on all night long and we discussed about this that, in your mind, it's not a substance change.

REPRESENTATIVE DUTTON: Yes.

REPRESENTATIVE HARLESS: And we are going to have a conversation with the Secretary of State and verify that.

REPRESENTATIVE DUTTON: And I would agree to take that off if that is the case.

REPRESENTATIVE HARLESS: And I will accept your Amendment.

REPRESENTATIVE DUTTON: In fact, for you, would take it off gladly.

THE CHAIR: Representative Dutton sends up an Amendment. The Amendment is acceptable to the author.

Is there an objection?

The Chair hears none.
The Amendment is adopted.
The following Amendment.
The clerk will read the Amendment.
THE CLERK: Amendment by Reynolds.
THE CHAIR: The chair recognizes
Representative Reynolds.
REPRESENTATIVE REYNOLDS: Thank you, Mr. Speaker.
I'm offering this Amendment to insure that we have strict penalties in place for anyone who seeks to tamper with our elections by removing eligible voters from the rolls.
This Amendment will create a state jail felony offense for anyone who knowingly removes a valid eligible voter from the rolls.
We all agree that safeguarding our elections is at the cornerstone of our democracy. Voting is a fundamental right.
A couple of years back in Harris County we had a major problem with the Tax Assessor's Office rejecting over 60,000 eligible voter applications without giving these potential voters any sort of reason as to why.
We need to assure that problems like these do not consider anymore and that our elections are
safeguarded from political discrimination. This Amendment will create a strict penalty and insure that it is clear that you cannot tamper with an election and get away without jail time.

REPRESENTATIVE MILES: Mr. Speaker.

THE CHAIR: For what purpose?

REPRESENTATIVE MILES: For a question.

THE CHAIR: Do you yield?

REPRESENTATIVE REYNOLDS: I yield.

REPRESENTATIVE MILES: (Inaudible) you mentioned in Fort Bend. Can you expand on that for me.

REPRESENTATIVE REYNOLDS: Yes, sir. In 2008 there were over 60,000 voter registration applications that were rejected and were not given timely notification of this rejection.

The Texas Democratic party ended up filing suit and it resulted in a settlement that, essentially, assured it would take commonsense approaches to secure our voter registration process from political motivation.

REPRESENTATIVE MILES: Can you remove the gentlemen from Fort Bend, please? Mr. Speaker?

Mr. Speaker in can you remove the riff-raff from around the podium, please?

THE CHAIR: Order, members.
REPRESENTATIVE MILES: Those applications that you referred to -- were those normal applications?

REPRESENTATIVE DUTTON: Yes, Reynolds.

Yes.

REPRESENTATIVE REYNOLDS: Yes, they were.

REPRESENTATIVE MILES: And they were all rejected.

REPRESENTATIVE MILES: Were there any findings in regard to the racial make-up of those that were from the polls that you spoke of in Florida that you spoke of?

REPRESENTATIVE REYNOLDS: Could you repeat that.

REPRESENTATIVE MILES: About how much -- we'd like to know -- the gentlemen behind me would like to know how much is the fine that you are proposing, Mr. Reynolds?

REPRESENTATIVE DUTTON: You said what is the fine?

REPRESENTATIVE MILES: How much is the fine that you are proposing? The riff-raff behind me would like to know that.

REPRESENTATIVE REYNOLDS: It would create a state jail felony.

REPRESENTATIVE MILES: Have you seen in
Florida, where African American voters and in they were discouraged in the Florida election? Were you aware of that?

REPRESENTATIVE REYNOLDS: I believe I heard something about that, yes.

REPRESENTATIVE MILES: I think this is a good Amendment and it should be accepted by the author. Good luck.

REPRESENTATIVE REYNOLDS: Thank you.

THE CHAIR: Representative Madden, for what purpose?

REPRESENTATIVE MADDEN: Would the gentleman yield for a couple of questions?

THE CHAIR: Will you yield?

REPRESENTATIVE REYNOLDS: I will yield, yes.

REPRESENTATIVE MADDEN: I think a couple of my Corrections Committee Members standing beside you. I wanted to get an idea with your State Jail felony that you're creating -- have you put any Appropriations Acts enough money for us to build a prisons to hold these people?

REPRESENTATIVE REYNOLDS: Let me confer with my Appropriations. I know you all -- what's that? We're going to use ten. How about that? We're fiscally
conservative.

REPRESENTATIVE MADDEN: You realize that each of these people will cost us at least $50 a day to maintain them in the prison.

REPRESENTATIVE REYNOLDS: Well, if you can see from the great gentlemen and gentlemen lady behind me, I think, that we have a bipartisan support for this Amendment.

REPRESENTATIVE MADDEN: You’re going to need all the help you can get on that. You realize that?

REPRESENTATIVE REYNOLDS: Thank you.

THE CHAIR: For what purpose?

REPRESENTATIVE HILDERBRAN: Will the gentleman yield?

REPRESENTATIVE REYNOLDS: Yes.

Any time for a Texas Tech man.

REPRESENTATIVE HILDERBRAN: Thank you very much, Representative Reynolds.

I got two questions. One is you mentioned, was it -- how many -- is it per voter that is prevented from voting that applies here? In other words, you said like 188.

REPRESENTATIVE REYNOLDS: In Harris County, these were eligible voters that were purged from the
voter rolls.

REPRESENTATIVE HILDERBRAN: And who would be person that didn't let, violator? The person that wouldn't let them vote? Tell me who the person is.

REPRESENTATIVE REYNOLDS: This would be an elected officer or it could be someone from the Tax Assessor's Office, as well.

REPRESENTATIVE HILDERBRAN: Would you consider changing any from a State Jail felony to a fine and it would come from the State general revenue and we might get some legs on this thing?

REPRESENTATIVE REYNOLDS: Well, if disenfranchisement was not such a serious offense, I might consider that in light of the fiscal need of the state.

However, I believe that we all agree that if we disenfranchise one voter -- better yet, I think Martin Luther King said it best, injustice any with where is a threat to justice everywhere.

We cannot disenfranchise one single voter.

REPRESENTATIVE MILES: Mr. Speaker, will the gentleman yield?

THE CHAIR: Do you yield?

REPRESENTATIVE REYNOLDS: Yes.

REPRESENTATIVE MILES: Do you realize all
those cats that just clapped for you -- do you realize they're going to vote against you your Amendment, right? I just want you to know that. Make sure you get a "yes" vote from each one of those who just clapped and stand by you in support.

REPRESENTATIVE REYNOLDS: Thank you.

REPRESENTATIVE MR. GEREN: Mr. Speaker.

THE CHAIR: Do you yield?

REPRESENTATIVE REYNOLDS: I will yield, yes.

THE CHAIR: Representative Sheffield raises a point of order. The time has expired. The point is well taken.

REPRESENTATIVE WEBER: I have a Parliamentary inquiry.

THE CHAIR: State your inquiry.

UNIDENTIFIED SPEAKER PHILLIPS: When Mr. Reynolds was up at front there and his entire class wrapped around him -- did they become known as Reynolds Wrap?

THE CHAIR: The chair recognizes Representative Hancock in opposition.

REPRESENTATIVE HANCOCK: Yes. Mr. Speaker, I'd like to recognize Representative Reynolds for working with us, working with the author on this bill.
Unfortunately, I'm going to have to table this Amendment due to it would create issues on this bill that we would not like to see at this time.

So I appreciate the joy in which he offered it and the opportunity to work with him, but we are going to have to table it at this time.

THE CHAIR: The chair recognizes Mr. Reynolds to close.

REPRESENTATIVE REYNOLDS: Members, I personally think that it would be hypocritical if we say that yes, SB 14, we allow enhanced penalties for voter impersonation.

Yet and still, we will not allow criminal penalties for someone who disenfranchises a voter.

I say if it's good for the goose, then it's good for the gander.

. Members, I move you not to table this Amendment. Thank you. I move adoption.

THE CHAIR: Representative Reynolds sends up the Amendment. Representative Hancock moves to table. It's on the motion to table. Vote aye. Vote nay.

Representative Harless voting aye. Show Representative Miles voting no. Show Representative Reynolds voting no. Show Representative Hancock voting
aye. Show Representative Mendendez voting no.

Have all voted?

Being 99 ayes, 48 nays.

The motion to table prevails.

The following Amendment.

The clerk will read the Amendment.

THE CLERK: Amendment by Martinez.

THE CHAIR: The chair recognizes

Representative Martinez.

REPRESENTATIVE MARTINEZ: Thank you, Mr. Speaker, Members. This Amendment is one that's very, very personal.

Years and years ago, back there was a lot of discrimination, and discrimination against minorities because of race, color. And all this Amendment does, it says that anybody within that lineal descendent of a person that was not permitted to vote back during that time, they will not be -- will fall within this provision of a Voter ID.

Mainly because of the personality of this bill and we also have evidence that shows that clearly, back when our governor of Texas was not allowing anybody to vote if they were of color or of different race.

THE CHAIR: Ms. Dukes, for what purpose?
1 REPRESENTATIVE DUKES: Will the gentleman yield?

2 THE CHAIR: Do you yield?

3 REPRESENTATIVE MARTINEZ: I do yield.

4 REPRESENTATIVE DUKES: The microphone was not close to where I could really hear the explanation of the Amendment.

5 REPRESENTATIVE MARTINEZ: Thank you. Is that better?

6 REPRESENTATIVE DUKES: Yes. Yes. Can you once again explain the elements of the Amendment.

7 REPRESENTATIVE MARTINEZ: Absolutely, Representative.

8 This bill is very personal have it's personal on minorities because of race and color.

9 Years and years ago, people of our race, of our color were not allowed to vote for various reasons. And all this does, this Amendment says that anybody who has ever gone through that, within that, who is a lineal descendent of a person who is not permitted to vote would be exempt from this bill.

10 So it would allow us to be able to be exempt from this type of legislation.

11 REPRESENTATIVE DUKES: So someone like my grandmother or my grandfather, my parents, who during
pre-civil rights did not have the luxury to go freely without intimidation, without the possibilities of a poll tax or some type of literacy test to vote freely in this country, although they were tax paying citizens -- they and their descendants would be affected by this Amendment?

REPRESENTATIVE MARTINEZ: Oh, absolutely. Absolutely. They would have to follow the Voter ID requirements of this Amendment because we've always been treated differently.

A lot of people don't understand how different it has been. A lot of people haven't been told that they won't be served or that they cannot vote because of the color of their skin or because of their race.

And all this Amendment does, it says that if we have a lineal descendent of a person who is not permitted to vote in that time, would he not fall within this bill and we would be allowed to go without the restrictions of Voter ID.

REPRESENTATIVE DUKES: And the provisions of an individual that would be affected by the portion of the Amendment beginning 1832 -- can you explain that provision.

REPRESENTATIVE MARTINEZ: Sure. Yes, ma'am.
Actually, back in January 1st of 1923, you had people of color and people of different race that weren't able to vote because of that very reason.

The governor at that time had passed legislation that would not allow us to vote and restricted them from voting in any type of or participating in any type of forthcoming elections.

REPRESENTATIVE DUKES: Rather coincided with the Jim Crow period?

REPRESENTATIVE MARTINEZ: Yes, ma'am.

REPRESENTATIVE DUKES: And the period starting in 1800? 1833?

REPRESENTATIVE MARTINEZ: Yes, ma'am. And back in March 2nd of 1936, because of the presumption of a person's race and participating in the Mexican Revolution, they were also not allowed to vote because of our race.

REPRESENTATIVE DUKES: You know, I don't no know if you are aware, but today when I was standing at the front microphone and was talking about provisions and Amendments to be placed on this bill to insure that there will always be the free opportunity, unblocked by some measure arbitrary to prevent individuals from having the ability to vote, I thought about the stories that my grandfather who is first cousins with Heiman
Sweat who sued the University of Texas for the ability for African Americans and people of color to have an opportunity at higher education, what they had to go through.

He always told the story about the discrimination that existed, and that they had to suffer. Standing at that front microphone today, I felt some of that discomfort that my ancestors felt being looked in the face and told that they could not do certain things, even though they were mentally qualified. They were -- they're equal human beings and citizen.

I think you have a good Amendment to insure that never, ever, again, that there are unintended consequences placed in statute maybe by well intended people maybe to disenfranchise people who have already suffered at the hands of laws that were created to prevent them from being able to elect the person of their choice.

REPRESENTATIVE MARTINEZ: Absolutely, Representative, and you made a very, very good point because many members in this chamber have never been affected by this. Many members in this chamber have never been treated in a certain way. But to a lot of us, we have. And we've gone through it and we've lived
through it.

And not only us, but our family members and we are the descendent of those people that have been effected it by this.

THE CHAIR: Mr. Coleman, for what purpose?

REPRESENTATIVE COLEMAN: Yes. Would the gentleman yield for a question?

REPRESENTATIVE MARTINEZ: Sure.

THE CHAIR: Does the gentleman yield?

Mr. Martinez, do you yield?

REPRESENTATIVE MARTINEZ: Absolutely.

THE CHAIR: The gentleman yields.

REPRESENTATIVE COLEMAN: First of all, I want to thank you for bringing this Amendment.

REPRESENTATIVE MARTINEZ: Thank you.

REPRESENTATIVE COLEMAN: Lately there's been a lot of thought about whether or not we're moving back to a time when persons weren't American citizens. They were state citizens.

And the state of Texas or the state of Alabama, Georgia, whomever else, New Mexico, Arizona, could make the determination of whether that person had an opportunity to participate in what we call our great democracy. Is that correct?

REPRESENTATIVE MARTINEZ: That is correct.
REPRESENTATIVE COLEMAN: And when we have a
discussion about whether or not someone is worthy of
voting, at that time, those things were put in statute
in order to keep people from accessing that ballot box,
correct?

REPRESENTATIVE MARTINEZ: Absolutely. That is correct.

REPRESENTATIVE COLEMAN: In 1964, as Ms. Dukes has said people weren't just citizens of a particular state.

When the Voting Right Act passed, we became citizens of the United States of America and our citizenship of America trumps anything because our constitution guarantees us all the rights that were afforded, correct?

REPRESENTATIVE MARTINEZ: That is correct.

REPRESENTATIVE COLEMAN: Well, I appreciate you bringing this because there is a lot of talk about state sovereignty and state's rights.

And the idea that this Legislature is going to go back to a time when those words meant that the literacy test, the bubbles and the soap, whatever your stature, where you are in life was, was determined by state sovereignty have thanks your Amendment.

REPRESENTATIVE MARTINEZ: Thank you.
THE CHAIR: Representative Sheffield raised the point of order. The gentleman's time has expired. The point is well taken and sustained.

Mr. Dutton, for what purpose?

REPRESENTATIVE DUTTON: Well, I was going to ask a question but his time has expired.

THE CHAIR: Thank you.

The chair recognizes Representative Harless in opposition.

REPRESENTATIVE HARLESS: Mr. Speaker, Members, while we all regret certain conduct that occurred many years ago, it's important that --

REPRESENTATIVE DUTTON: Mr. Speaker?

THE CHAIR: Mr. Dutton, for what purpose?

REPRESENTATIVE DUTTON: Could we turn the volume up so we can hear Ms. Harless. I can't hear her.

REPRESENTATIVE HARLESS: You can't hear women's voices.

REPRESENTATIVE DUTTON: I got it now. I got it now. I'm sorry. I couldn't hear you and it's an echo back here.

REPRESENTATIVE HARLESS: Okay.

REPRESENTATIVE DUTTON: Maybe we can get some acoustical engineer to figure out what's going on back here. It may be just me, go ahead.
REPRESENTATIVE HARLESS: I think you and I should be the new coffee and cream.

REPRESENTATIVE DUTTON: I didn't hear that. What did you say? Say that again. We did what? I think we ought to share coffee and cream?

REPRESENTATIVE HARLESS: May I finish?

REPRESENTATIVE DUTTON: Can't hear you.

REPRESENTATIVE HARLESS: May I finish?

REPRESENTATIVE DUTTON: Mr. Speaker, would you ask my folks over here to be a little quieter so I can hear Ms. Harless. I didn't hear what she said.

REPRESENTATIVE HARLESS: I said while we all regret that certain conduct that occurred many years ago, it's important that this bill apply to all current Texans in a fair, rationale manner.

I don't believe it's appropriate to exempt certain current Texans based on the wrongdoings of Texans who lived decades if not centuries ago.

I make a Motion to table.

REPRESENTATIVE DUTTON: I'll wait until Mr. Martinez comes back.

THE CHAIR: The chair recognizes Representative Martinez to close.

REPRESENTATIVE MARTINEZ: Thank you, Mr. Speaker, Members.
REPRESENTATIVE DUTTON: Mr. Speaker.

THE CHAIR: Representative, for what purpose?

REPRESENTATIVE DUTTON: Will the gentleman yield?

THE CHAIR: Will you yield?

REPRESENTATIVE MARTINEZ: Absolutely.

THE CHAIR: The gentleman yields.

REPRESENTATIVE DUTTON: Tell me, again, the purpose of your Amendment, Mr. Martinez.

REPRESENTATIVE MARTINEZ: Mr. Dutton, as you well know that years and years ago, back in the 1800s, 1836, 1923, there was a lot of people that were discriminated against who were not allowed to vote because of their race and their color.

And what we are saying is that anybody in this state should have a right to vote and their vote should not be suppressed.

And if you are a lineal descendent of a person who was not allowed to vote, this vote should not be applied to you.

REPRESENTATIVE DUTTON: So do I have to prove that? Do I have to prove my lineal heritage?

REPRESENTATIVE MARTINEZ: Well, I believe that --
REPRESENTATIVE DUTTON: Well, in my case, it's probably obvious.

REPRESENTATIVE MARTINEZ: I think in both our cases it's probably obvious, especially in some of the legislation that was passed back by the Governor --

REPRESENTATIVE DUTTON: And so you're trying to exempt, at least, at this point, exempt those people from whatever effects this bill has?

REPRESENTATIVE MARTINEZ: Absolutely.

REPRESENTATIVE DUTTON: And is it your understanding that this bill, at least, has some costs to the person who's attempting to vote?

REPRESENTATIVE MARTINEZ: Oh, absolutely. It is a direct attack on minorities. I believe it is a step back from where we have gotten from our civil rights movement. From all the hard work by our civil rights leaders to get to where we are now.

And now to suppress any vote by any minority is a step backwards and I'm against that.

REPRESENTATIVE DUTTON: And at cost -- is that cost for sort of similar to what we had in the past, which we called the poll tax? A p-o-l-l for some members who might not know what that means?

REPRESENTATIVE MARTINEZ: Absolutely, Representative. That's exactly what that means.
REPRESENTATIVE DUTTON: And so your Amendment is an attempt to, at least, go around that for those people who you describe in the Amendment as having had some past effect or past discrimination?

REPRESENTATIVE MARTINEZ: Absolutely, Representative. Anybody who has ever had any type of voter suppression or has not been able to vote and is a part of that family would be exempt from this bill.

REPRESENTATIVE DUTTON: And so your Amendment is really one that says we're going to exempt, based on the present facts of those people to some past discrimination that existed during the time periods which your Amendment talks about?

REPRESENTATIVE DUTTON: Okay. I think you have a good Amendment.

REPRESENTATIVE MARTINEZ: Thank you.

THE CHAIR: Mr. Pena, for what purpose?

REPRESENTATIVE PENNA: For a question.

THE CHAIR: Mr. Martinez, do you yield?

REPRESENTATIVE MARTINEZ: Yes, I yield.

THE CHAIR: The gentleman yields.

REPRESENTATIVE PENNA: Representative Martinez, as I understand it, you want to set up one system of protection for people who's family lineage has had a history of discrimination; is that correct?
REPRESENTATIVE MARTINEZ: What this Amendment does is that anybody who's a lineal descendent of a person who is not permitted to vote would be exempt from this bill.

REPRESENTATIVE PENA: Okay. And what class of people are you speaking about?

REPRESENTATIVE MARTINEZ: Anybody who's a descendent of somebody who's not permitted to vote.

REPRESENTATIVE PENA: So if you're a person who is a --

REPRESENTATIVE MARTINEZ: So if you're a person as a descendent who was not permitted to vote, you fall within this Amendment --

REPRESENTATIVE PENA: So that would be African Americans?

REPRESENTATIVE MARTINEZ: That would be whoever falls within this lineal descendent of a person who is not permitted to vote.

REPRESENTATIVE PENA: That would be women, I take it?

REPRESENTATIVE MARTINEZ: Anyone who's a lineal descendent of a person who's not permitted to vote.

REPRESENTATIVE PENA: That would be people who didn't own -- in the early years, am I correct that
only people who owned land could vote?

REPRESENTATIVE MARTINEZ: If they fell within that parameter, then you're correct.

REPRESENTATIVE PENA: Okay. Do you have concern that your Amendment doesn't meet the equal protection argument of the United States Constitution?

REPRESENTATIVE MARTINEZ: Well, I don't think it doesn't have equal protection. I think that it is talking about anybody who has ever been suppressed from voting would fall into this Amendment.

REPRESENTATIVE PENA: What you're basically saying is that as I understand it, is that white people wouldn't come under this protections; is that correct?

THE CHAIR: Representative Sheffield raises the point of order. The gentleman's time has expired. The point of order is well taken and sustained.

Representative Martinez sends up an Amendment. Representative Harless moves to table.

On the motion to table, vote aye or vote nay.

The clerk will ring the bell.

Have all voted? Have all voted?

Being 100 ayes, 44 nays, the motion to table prevails.

Mr. Castro, for what purpose?
REPRESENTATIVE CASTRO: For a Parliamentary inquiry, Mr. Speaker.

THE CHAIR: State your inquiry.

REPRESENTATIVE CASTRO: Mr. Speaker, is it the Chair's understanding that each Committee Report according to Rule 4 Section III 2C, must include in summary or section by section form a detailed analysis of the subject matter of the bill or Resolution?

THE CHAIR: That is part of the rule and section that you cite, yes.

REPRESENTATIVE CASTRO: Would the effective date of the substantial provision of this bill -- would that be included in that summary or detailed analysis?

THE CHAIR: Mr. Castro, that would be a hypothetical. If you have a point of order, you can bring it down front.

REPRESENTATIVE CASTRO: Sure, I would like to raise a point of order for further consideration of the committee substitute to Senate Bill 14 under you will Rule 4 Section III 2C of the rules of the House on the grounds be that the bill in the office is substantially and terribly misleading.

THE CHAIR: Bring your point of order down front.

(Point of Order)
THE CHAIR: The Chair has removed the bill and the Bill Analysis. The bill find that the Bill Analysis was not substantially or materially misleading as relates to the bill.

The point of order is overruled.

The chair recognizes Representative Veasey for a motion.

REPRESENTATIVE VEASEY: Members, if I could have your attention quickly. On the motion -- this is a Motion to reconsider the vote by which Amendment No. 48 was adopted.

And No. 48 was the Amendment -- Amendment 4 was the Amendment that Representative Bonnen had and he's going to explain the Amendment again.

But I didn't want to do a Motion to reconsider because it passed by unanimous cannot sent on the original vote. And I would actually like to be on record as changing my vote.

THE CHAIR: The Chair recognizes Representative Bonnen.

REPRESENTATIVE BONNEN: Thank you, Mr. Speaker, Members.

The members was the severability clause.
And quite frankly, Members, in most bills would be harmless and not terribly significant. But with respect
to Mr. Veasey, it insures that in one respect, the bill
should be challenged or questioned, that the rest of the
bill would become law.

And in respect to Mr. Veasey and our other
colleagues, they want to make sure they have the
opportunity to vote against this Amendment to make it
clear to their constituents they had an opportunity for
this entire bill to be struck for a section, they stood
up and said no with respect to this severability.

So with respect to Mr. Veasey and the rest
who want the opportunity to be on record with this, I am
with you in recalling the vote and would respectfully
ask that you vote for the Amendment and I think that
Mr. Veasey would ask you to vote against it.

REPRESENTATIVE VEASEY: I want to thank the
gentleman from Angleton, and I don't think I could have
said it any better myself.

THE CHAIR: Members, the motion is to
reconsider the vote by which Amendment 48 is passed. Is
there any objection to the motion to reconsider?

The the Chair hears none.

So ordered.

The Chair lays out Amendment 48.

The clerk will read the Amendment.

THE CLERK: Amendment by Bonnen.
THE CHAIR: The chair recognizes Representative Bonnen.

REPRESENTATIVE BONNEN: This is what I just explained. It's the severability to insure that if a section of this bill for some reason is being challenged or questioned constitutionally, that the rest of the bill would live on and become law.

So this is simply what it does. I would ask you to vote for the Amendment.

THE CHAIR: The Chair recognizes Representative Veasey.

REPRESENTATIVE VEASEY: Thank you. I think that the bill is so bad and so egregious and so violates civil rights and the Voting Right Act that I don't want any of it to become law.

So hopefully if it's struck down, we'll move on and continue on with the great voting system that we already have in place in our great state.

Thank you.

THE CHAIR: Members, Mr. Bonnen sends up an Amendment. A record vote's been requested. Vote aye or vote no on the Amendment.

Show Mr. Bonnen voting aye. So Mr. Veasey voting no.

Have all voted?
1 Being 100 ayes and 49 noes, the Amendment
2 is adopted.
3
4 The Chair recognizes Representative Dutton
5 for an announcement.
6
7 REPRESENTATIVE DUTTON: Mr. Speaker,
8 Members, I just wanted to alert the members of the House
9 Voting Affairs Committee, that this proceeding has gone
10 on too long and it has interfered with our meeting and
11 it has been cancelled.
12
13 THE CHAIR: The following Amendment.
14 The clerk will read the Amendment.
15
16 THE CLERK: Amendment by Strama.
17
18 THE CHAIR: The Chair recognizes
19 Representative Strama.
20
21 REPRESENTATIVE STRAMA: Thank you,
22 Mr. Speaker.
23
24 REPRESENTATIVE PHILLIPS: Mr. Speaker.
25
26 THE CHAIR: Yes.
27
28 REPRESENTATIVE PHILLIPS: I'd like to call
29 a point of order on Rule 11 Section 2, and Rule 11
30 Section III.
31
32 THE CHAIR: Bring your point of order down
33 front.
34
35 (Point of Order)
36
37 THE CHAIR: The point of order is
withdrawn.

THE CHAIR: The Chair recognizes Representative Strama.

REPRESENTATIVE STRAMA: Thank you, Mr. Speaker and members.

Either you all aren't going to hear me lay out this Amendment or you're going to have to listen carefully because this is as loud as I'm capable of talking right now.

THE CHAIR: Can we have order. Mr. Strama has lost his voice.

Mr. Bonnen, for what purpose?

REPRESENTATIVE BONNEN: Mr. Speaker, would it be appropriate to treat Mr. Strama's as a personal privilege, to have everyone sit down, be quiet and just listen.

REPRESENTATIVE STRAMA: Thanks, Representative Bonnen.

Let me lay out this Amendment quickly, Members, and we can dispose of the...

The purpose of this bill, as its author has stated, is to try to bring integrity to our election process. That is the purpose of this Amendment, as well, but I want to make it clear to you. It goes about doing so in a dramatically different way than the bill
The bill requires a photo ID of everyone who shows up in-person to vote, though it doesn't require a Photo ID of those who vote by mail.

What this Amendment with would do instead is get at the broader issue of electoral integrity by requiring that the Secretary of State's office require training to county election officials to require voter fraud by requiring county election officials to conduct a post election integrity audit after every election; to report the results of that audit to their County Commissioner's Court.

And if they've identified any evidence of fraud, to report that evidence to a special distribution that would be created within every prosecutors office in the state with specialized training in detecting, investigating and prosecuting voter fraud, including voter impersonation.

It's against the legal -- our laws are actually pretty strong against voter impersonation and voter fraud. We have to enforce those laws. Everybody on this floor. Though we haven't agreed on much today, we have to agree on preventing voter fraud.

Those of us who have voted against all the efforts in this, by doing so sanctioning voter fraud, no
more so than those who favor this bill intend in doing so to sanction the disenfranchisement of some voters.

But we have to weigh those two values against each other. Because while it may not be the purpose of this bill to disenfranchise some voters, it is, unfortunately, the inevitable consequence of it. And it is not the purpose of those of us who oppose this bill to sanction voter fraud.

And that is why I bring in good spirit and good faith an evident to address the fundamental problem. The problem of people who would break the law to try to change the outcomes of our election and to do so in a prosecutorial way, rather than in a way that might have the unintended consequence of disenfranchising anyone.

Because just as Representative Harless, my good friend said when she laid this bill out, that it undermines the sacrosanct value of democracy when anyone commits voter fraud. It does the same when anyone who is entitled to vote is denied their ability to vote.

This is an Amendment that gets at electoral integrity without the unintentional disenfranchisement of voters. And it will work, I believe, more effectively at insuring election integrity than the bill does in its current form.
So that's why this Amendment strikes the whole bill and replaces it with an enforcement and prosecution strategy that will be a more effective deterrent to voter fraud than what's in the current bill without the collateral consequences that undermine the integrity of democracy by disenfranchising certain people.

And so I move adoption of the Amendment.

REPRESENTATIVE HAMILTON: Mr. Speaker.

THE CHAIR: Mr. Hamilton, for what purpose?

REPRESENTATIVE HAMILTON: Can we get that reduced into writing? We didn't hear a single word he said.

THE CHAIR: The Chair recognizes Representative Harless.

REPRESENTATIVE HARLESS: Members, it's been a long night. This Amendment creates an unfunded mandate on accounting, and it would be done better at the Secretary of State's Annual Election Law Training and I ask that you table the Amendment.

REPRESENTATIVE TURNER: Mr. Speaker.

THE CHAIR: Yes, sir.

REPRESENTATIVE TURNER: I ask, will the lady yield?

THE CHAIR: Will you yield?
REPRESENTATIVE HARLESS: I will.

REPRESENTATIVE TURNER: Representative Harless, I was silent most of the day, but on this particular Amendment, are you asking us to table a vote against an Amendment that, basically, is asking us to maintain the integrity of the election process?

REPRESENTATIVE HARLESS: That is not how I read it. I read that it strikes the entire bill and creates an election integrity task force.

REPRESENTATIVE TURNER: Well, but it says that if anyone is impersonating another voter, that these audits will be conducted, and the intent is to get at any voter fraud.

Help me to understand: If we vote against this Amendment, we are voting against an Amendment that speaks against voter fraud. It's an Amendment that speaks against the Secretary of State of the county erring sitting up an integrity unit.

It speaks against, the same thing like we talked about back in Medicaid fraud, the same thing that we talked about in Medicaid fraud, that all of us who are against. This speaks against voter fraud.

So I just want to make sure that we are all clear. If we vote against or table this Amendment, then we are, essentially, saying that we are for a system
that encourages voter fraud or people who are impersonating other voters because that's what the Amendment speaks against.

I just want to be clear as to what we're voting against.

REPRESENTATIVE HARLESS: I disagree that that's what the Amendment says. Our bill spells out specifically what it takes to show up at a poll and vote in-person, and that is to increase the integrity and election process, build confidence with the public.

This bill completely takes our bill out. Strikes it and enacts a new election integrity task force.

And I move to table.

REPRESENTATIVE TURNER: But the Amendment also says that if, for example, there's anyone impersonating a voter, illegally impersonating a voter, that there are consequences and that the integrity task force can prosecute any of those individuals.

So, I mean, if we vote to table or we vote against the Amendment, I mean, we are voting against the substance and the essence of the Amendment.

REPRESENTATIVE HARLESS: I disagree. The bill that we have says that if you are impersonating a voter, there is penalties for that. Our bill does
exactly what this did without the task force.

Thank you. I move to table.

THE CHAIR: The Chair recognizes

Representative Strama to close.

REPRESENTATIVE STRAMA: Thank you,

Mr. Speaker, Members. I know I sound the way the rest
of you feel at this hour so I will just close by saying
this: There is a standard in current law that you can
vote without a photo ID if you vote by mail.

And there's a reason why this bill doesn't
address that vulnerability in the integrity of the
election system. It is not because there isn't a
vulnerability in the voter by mail process. It is
because the only way to address it would be to shut down
voting by mail.

And you wouldn't do that well because that
would make our elections more secure. It would make
them substantially less accessible. And there is a
tradeoff between security and accessibility in
elections.

And you all decided, Representative Harless
decided, in offering this legislation without
eliminating the vote by mail procedure, that sometimes
requiring a photo ID has too high a cost that the
security benefits you gain from the Photo ID and the
vote-by-mail would be at too high a cost of accessibility.

It would eliminate more voters than it would reduce voter fraud. I feel the same is true of the bill itself. There is no evidence of substantial voter fraud caused by substantial voter impersonation at the polls.

And that the disenfranchisement, whether it's unintentional or not, and whether it's a small number of people who may be disenfranchised by it or not. The reduction of accessibility is greater than the reduction of fraud under this bill's approach.

But I share the bill's goal of insuring the integrity of elections and that's why this Amendment is a better way to get there.

I will close by reading to you all something that I just think restates our common values as a House of Representatives about democracy. It's something I read a long time ago from a book called "The Making of the President, 1960."

It calls American elections, particularly presidential elections, the most awesome transfer of power in the world.

"The power to martial and mobilize. The power to send men to kill or be killed. The power to
tax and destroy. The power to create, and the
responsibility to do so all committed into the hands of
one person.

"Heros and philosophers, (inaudible) tried
to make this particular manner of transfer of power work
effectively. No people have exceeded at it better or
over a longer period of time than Americans.

"Yet, as this transfer of power takes
place, there is nothing to be seen except an occasional
line outside of church or school or a file of people
fidgeting in the lane waiting to enter the booth.

"No bands playing on election day. No
troops march. No guns are ridded. No conspirators
gathered in secret headquarters.

"The noise and the blare. The bands and
the screaming. Patriarchy and the oratory of the long
Fall campaign fade on election day."

We have a good thing in this country.
Nobody does it better than we do. There is a lot of
hysteria about the integrity of your election process
on the right. It comes from this fear that there are a
bunch of illegal immigrants voting by impersonating
someone else.

On the left it comes from people who think
that electronic voting machines can't be trusted. Both
sides are wrong. We do it right in this country. We could do it better. My Amendment does it better and I want you to vote yes for the Amendment and no on the motion to table.

THE CHAIR: Representative Strama sends up an Amendment. Representative Harless moves to table. This is on the motion to table. Vote aye. Vote nay. Show Ms. Harless voting aye. Show Mr. Strama voting no.

Have all voted?

Being 100 ayes and 49 nays, the motion to table prevails.

Following Amendment.
The clerk will read the Amendment.

THE CLERK: Amendment by Eiland.

THE CHAIR: The Chair recognizes Representative Eiland.

REPRESENTATIVE EILAND: Mr. Speaker, Members, this is the last Amendment. We've been here over 12 hours and I'm tired. Are you tired?

Let me tell you what. I'm tired, though. I'm tired of this card. This voter registration card is absolutely worth less after the package of this bill.

And what my Amendment does is it would phase out the use of these paper cards. This is the
only government document that I know that as soon as you
get it, it is of no use because as soon as this bill
passes, you get this card, and you go what is it? Voter
registration card.

What do I do with it? You can vote with
it. Okay. And I take it down and go here's my voter
registration card. I want to vote. That's no good.
You have an ID.

So I have this and an ID? Yes?
Well, if I just have my ID, can I vote?
Yes.

Well, why do I need this?

So what my Amendment does, it says that all
of the driver's license, which is what I use to vote,
would have your information on it and you use your
driver's license to vote or this Photo ID, would you use
it to vote.

And we would stop using this worthless
paper ballot at some point in the near future. Because
after the package of this bill, this is worthless.

And so if my driver's license is good
enough to pull my ayes out when I'm dead, it ought to be
able to serve as my voter registration card and my
driver's license and my ID. And the bill does other
things, such as same day registration because I'm tired
-- you have to register before the negative campaigns even start.

Nobody pays attention till 30 days out and if you start paying attention the 29th day out, it's too late. You don't get to participate.

So we need to modernize our system and allow people to vote when the negative ads start and people get interested, which is about 30 days out, 25 days out, 20 days out.

So, ladies, and gentlemen of the jury, vote for my bill and let's get rid of these cards and let's have same day registration. Vote no on the motion to table.

REPRESENTATIVE HARLESS: I move to table.

THE CHAIR: The Chair recognizes Mr. Harless in opposition.

Mr. Burman, for what purpose?

REPRESENTATIVE BERMAN: Will the lady yield for just one moment?

THE CHAIR: Ms. Harless, do you yield? The lady yields.

REPRESENTATIVE BERMAN: Patricia, wouldn't this allow same-day voting? You could bring a bus load of people with a picture of yourself and you can go right in and vote? There's no registration? Wouldn't
that do exactly what I just described?

REPRESENTATIVE HARLESS: We're moving to
table the bill.

REPRESENTATIVE BERMAN: Thank you.

THE CHAIR: The Chair recognizes Mr. Eiland
to close.

REPRESENTATIVE EILAND: I close.

THE CHAIR: Mr. Eiland sends up an
Amendment. Representative Harless moves to table on the
motion to table.

Vote aye. Vote no.

Show Ms. Harless voting aye. Show
Mr. Eiland voting no.

Have all voted?

Being 100 ayes and 49 nays, the motion to
table prevails.

Members, anyone wishing to speak for or
against the bill?

The Chair recognizes Representative Aliseda
to speak in favor of the bill.

REPRESENTATIVE ALISEDA: Members,
Mr. Speaker, it is such an honor to be standing here
representing my district, and as a State Representative
in supporting Representative Harless and this Voter ID
Bill.
As I stated earlier today, I am a Mexican immigrant. I came to this country at the age of four and became a United States citizen at the age of 17.

I want to show you what they use in Mexico to vote. This is a Mexican federally issued biometric. It has on the front a picture, on the back, a magnetic strip containing additional information, and a fingerprint.

I'm a proud American now, and using an ID to vote just makes commonsense, and we need it here and we need it now.

You need an ID in this country to do anything in today's society. To cash a check. To open a bank account. To do something as simple as rent a movie. Americans expect it. Americans want it. They want it because they want to believe that their voting system is. At least, as safe as renting a movie at Blockbuster.

Do I believe that there are some Americans who do not vote because they feel it is useless because of fraud? Yes. How do I know that? Because they have told me so.

I've served this country for five years as a United States Naval Officer for my country. I did not do that so that some dead person could vote or so that
Mickey Mouse registered by Acorn could vote.

I served my home county, Bee County, as its County Attorney for eight years. In 1990 as a young democrat County Attorney I had investigated and I prosecuted voter fraud cases. I actually got convictions.

I did not do that just to bring the perpetrators to justice. I did it primarily because my citizens needed to believe that they had a clean and fair election system, and that someone was fighting for that.

That is exactly why I strongly support this bill. My district is comprised of seven counties south of San Antonio and west of Corpus Christi. According to 2008 statistics you, one county in my district, Goliad County, had more people registered to vote than persons eligible to vote.

Under current law, the opportunity for fraud is there.

In 2008, a high water mark for voter registration, Texas had an overall registration rate of 76 percent of eligible voters. In McMullen County, another one of my counties, in 2008 we had a voter registration percentage of 97.9 percent. 21.4 percent above the state average. The opportunity for fraud was
Jim Wells County -- some of you may have heard of Jim Wells County, that's the home of the infamous Box 13 -- in 2008 they had eligible voter registration of 90.44 percent or 14 point above the state average. The opportunity for fraud was probably there.

In 2004 in Bee County, we had a woman cast a ballot as if she were her deceased mother.

In 2007 the Texas State Auditor's Office found that Texas had 49,049 registered voters who may have been ineligible to vote. Of those, there were 23,500 voters on the role who were probably deceased.

Would voter ID possibly have stopped them if they had tried to vote? I think so.

There were also 230,059 voters identified as having duplicate records. I believe Voter ID would have helped there, also.

In the Voter ID Committee I heard testimony from election officials that in-person voter fraud had actually occurred and that they had witnessed it. They testified that they had voters show up with multiple ID cards. Do I believe voter fraud has occurred? Yes.

I believe that the majority of my constituents in my district, Democrats, Independents and
Republicans, want this and I intend to vote for it, and
I ask that you do so, also.

   Thank you.
THE CHAIR: Mr. Pena, for what purpose?
REPRESENTATIVE PENA: I'd like to ask a
couple of questions, but before I do that, Mr. Speaker,
I'd like to have his comments reduced into writing and
placed into the record.

THE CHAIR: Members, you've heard the
motion.

   Is there an objection?
The Chair hears none.
So ordered.

REPRESENTATIVE PENA: Representative, I
would say that it's good to hear your story. I'm always
impressed when I get to hear about your family coming
from Mexico, and you are from my home area, as well; is
that correct?

REPRESENTATIVE ALISEDA: I am a McCowen
High grad, yes that's correct.

REPRESENTATIVE PENA: Yes. So you know
about the political environment in which I live, which
is quite similar to the one that you live in South
Texas.

REPRESENTATIVE ALISEDA: Yes. I didn't
bother to look up the numbers in your county. Just in my district.

REPRESENTATIVE PENA: And you talked about some of the voter fraud or corruption that you have heard about or prosecuted in your area of South Texas.

REPRESENTATIVE ALISEDA: Yes.

REPRESENTATIVE PENA: Would you be surprised to learn that one of my campaign workers's father voted against me while he was deceased?

REPRESENTATIVE ALISEDA: That does not surprise me, no.

REPRESENTATIVE PENA: I want you to give the members here an idea of what the people are asking for in South Texas, with regards to confidence in the voting system.

REPRESENTATIVE ALISEDA: I had a Jim Wells County, unfortunately, it was on a day that we took a recess and I had the opportunity to sit with elected officials from Jim Wells County, all Democrats and citizens from that county.

And I asked them about this Voter ID Bill. And to a person, they said we need it have we need this and we need other things. You and I have some bills that we filed for issues such as voter registration and mail-in ballot fraud. We need to do more. This is just
REPRESENTATIVE PENA: You and I have filed about 20 or 30 bills dealing with much of the other voter fraud that have been discussed other than voter impersonation; is that correct?

REPRESENTATIVE ALISEDA: Yes.

REPRESENTATIVE PENA: And did you file yours because there is a demand for that coming from your citizens?

REPRESENTATIVE ALISEDA: Yes, and because I think we need it. That's what a Representative does. It's a Republican. We represent our desk.

REPRESENTATIVE PENA: Now, you gave reference to some of the colorful history in South Texas. We still have, in my opinion, remnants of the boss system or patron system, as we call it.

Is that similar or is that the same in your community?

REPRESENTATIVE ALISEDA: Of course.

For example in Jim Wells County, as recently as, I think, last year or the year before, we had the Attorney General conduct the investigation because of the politicos, doing what's called vote harvesting in Jim Wells County. That was occurring in my county back in 1990.
REPRESENTATIVE PENA: Tell us what vote harvesting is.

REPRESENTATIVE ALISEDA: Well, it's when you hire individuals to effectively go to nursing homes and the homes of the elderly, have them apply for a ballot or perhaps you apply or that individual applies for a ballot for them.

The ballot comes, and the ballot is somehow voted, either because the politico or politico identifies by word, sign or gesture to the voter after they filed the mail truck out to the home, and said here, you need to vote for this party or this person or the ballot somehow gets magically voted and sent back.

Or if they vote the wrong way, the ballot gets toss in the mail before its deposited in the mailbox.

REPRESENTATIVE PENA: And do you perceive that amongst the people that you represent, that there's a loss of confidence in the electoral system?

REPRESENTATIVE ALISEDA: I've had many a person's tell me that they don't believe that their vote will count because of the fraud that exists in South Texas.

REPRESENTATIVE PENA: Do you believe that it's important that as representatives of those people
that we come forward with solutions to try to bring back a sense of confidence so people participate in the system?

REPRESENTATIVE ALISEDA: It just makes sense, yes.

REPRESENTATIVE PENA: In your area do you have a system that I'd like to describe that's in my area where people assist people to vote?


REPRESENTATIVE PENA: And do they assist and tell them how to vote? Is that a common practice?

REPRESENTATIVE ALISEDA: That is something that is illegal. That's why it's illegal when you do it in a mail-in ballot situation. It's also illegal when you do it at the polling place.

REPRESENTATIVE PENA: And again, this brings about a loss of confidence in the electoral system?

REPRESENTATIVE ALISEDA: Yes. The other problem we had in my county --

THE CHAIR: Representative Sheffield raises a point of order the gentleman's time has expired. The point of order is well taken. The point of order is sustained.
REPRESENTATIVE PENA: Mr. Speaker?

THE CHAIR: Mr. Pena, for what purpose?

REPRESENTATIVE PENA: I'm sorry, Mr. Speaker. I was going to make a motion, but I'm not.

THE CHAIR: Thank you.

The Chair recognizes Representative Veasey to speak in opposition to the bill.

REPRESENTATIVE VEASEY: Members, Mr. Speaker, I'm not going to talk long. We've had a very, very long evening. Of course you know I'm in opposition of this bill. I think that it discriminates. I think it will disenfranchise.

And I was just kind of thinking about the history of the Texas House of Representatives and what has changed over the last hundred years or so.

Obviously the chamber has changed. It wasn't too long ago that there were no African Americans and no Hispanics at all that served in this body and it was large my because of the discrimination that took place at the polling place.

And there was times where this body even upheld certain segregation policies that dealt with integrated schools and interracial marriage and other things like that that obviously we would find despicable today.
But what hasn't changed, even though the parties have changed, is that when it comes time to doing the right thing on decisions that largely involve race, that conservatives just cannot do the right thing. It's too hard. People didn't do the right thing in regards to school desegregation. People just stuck with their communities. People didn't want to go against. People thought that they weren't going to be able to come back here when it dealt with segregation. When it dealt with whether our colleges and universities weren't going to be integrated have people couldn't do the right thing.

People thought when it came time to take a stance on slavery, people couldn't do the right thing. But people -- but I guarantee you, the people that served here in the 1950s and '60s, they'll look back and say, you know what? That was wrong.

I should have -- when I was in the Texas Legislature I should have done something. I should have stood up. I thought school desegregation was right then. I thought that segregated water fountains was right then. I should have stood up and done the right thing.

And I can guarantee you that after this bill passes and we see who is discriminated against, and
we see who suffers because of the strict requirements in this bill, that just like the people that served here in the 1950s, just like the people that served here in the 1930s, and the people that served here during reconstruction and before, they had to look back in shame.

They didn't have a good story to tell their kids and their grandkids about how they dealt with the issue of race. We're making the same miss takes here today.

REPRESENTATIVE BURNAM: Mr. Speaker, would the gentleman yield?

THE CHAIR: Mr. Veasey do you yield?

REPRESENTATIVE VEASEY: Yes.

THE CHAIR: The gentleman yields.

REPRESENTATIVE BURNAM: Representative, you and I were raised in the same area of Fort Worth, correct?

REPRESENTATIVE VEASEY: Correct.

REPRESENTATIVE BURNAM: And while you're younger than I, we have very similar experiences in and around the Lake Coumo community neighborhood and what they endured over the years.

REPRESENTATIVE VEASEY: Correct.

REPRESENTATIVE BURNAM: A couple of weeks
ago when we had the Immigrant Rights Rally here, I was in the crowd and I made mention of the fact of legislators in the '50s and the '60s, and Jim Crow times.

And I said that this session was shaping up to be the most overtly racist session that I have witnessed in 25 or 30 years.

Do you think what we have seen and heard today bears up on my comments?

REPRESENTATIVE VEASEY: I think that what is being done here today is no different than the things that were done here in the '50s. No different than the things that were done here previous to that. The things that were done here during reconstruction and before.

I think it's horrible. I think it discriminates against people. I think that we'll look back in shame. And I think that we'll all look back and say, you know, that's wrong.

People always do that. There is not a person here that will say what happened in the '60s, and what happened in the '50s was the right thing.

Back then everybody thought it was the right thing, but nobody would say it was the right thing today. But back then it was very socially acceptable. It was the right thing to do. As a matter of fact, if