

SENATE JOURNAL

EIGHTY-SEVENTH LEGISLATURE — THIRD CALLED SESSION

AUSTIN, TEXAS

PROCEEDINGS

FIFTH DAY

(Tuesday, October 5, 2021)

The Senate met at 4:46 p.m. pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Alvarado, Bettencourt, Birdwell, Blanco, Buckingham, Campbell, Creighton, Eckhardt, Gutierrez, Hall, Hancock, Hinojosa, Huffman, Hughes, Johnson, Kolkhorst, Lucio, Menéndez, Miles, Nelson, Nichols, Paxton, Perry, Powell, Schwertner, Seliger, Springer, Taylor, West, Whitmire, Zaffirini.

The President announced that a quorum of the Senate was present.

Senator Perry offered the invocation as follows:

Father God, we thank You for the God that You are. We thank You that You love us. We thank You that You care for us. We thank You, God, as our eternity planned before we're ever born and we thank You for the certainty that comes with that. We thank You for the gift of friendship, relationships, and the gift of public service and the gift of servanthood that You gave us through Your son, Jesus Christ. And I just ask that You be with each and every one of us. And we thank You for the celebration of Jane Nelson tonight. We thank You for giving us the privilege to know people like Jane Nelson that truly, truly You can sense her heart. She knows You. Thank You for all the blessings You do, thank You for all the things You're going to do, and forgive us of our many sins. In Jesus' name. Amen.

Senator Whitmire moved that the reading of the Journal of the proceedings of the previous day be dispensed with and the Journal be approved as printed.

The motion prevailed without objection.

INTRODUCTION OF BILLS AND RESOLUTIONS POSTPONED

The President announced that the introduction of bills and resolutions on first reading would be postponed until the end of today's session.

There was no objection.

CONCLUSION OF MORNING CALL

The President at 4:48 p.m. announced the conclusion of morning call.

SENATE CONCURRENT RESOLUTION 3

The President laid before the Senate the following resolution:

WHEREAS, Each day, more than 26 million students rely on school buses for safe transportation, and many school districts have experienced difficulty in keeping up with this demand due to federal licensing requirements that have exacerbated the shortage of school bus drivers; and

WHEREAS, Part 383 of the Federal Motor Carrier Safety Regulations requires school bus drivers to obtain a Commercial Driver's License, but the application process has included unnecessary obstacles to meeting this obligation; for example, the testing and training portions of the CDL application were previously handled by different third-party skills examiners, which limited applicants' ability to complete the exams if they did not have access to both a tester and a trainer; a recent change to this rule helps states streamline the process of obtaining a CDL by allowing the same examiner to both test and train an applicant, revealing that with less federal interference, states can license school bus drivers more efficiently; and

WHEREAS, According to a survey conducted by *School Bus Fleet Magazine*, most school districts have endured some degree of bus driver shortage, and data from the National Association for Pupil Transportation reveals that many school districts consider CDL requirements to be a major factor in their ability to recruit and retain bus drivers; one Texas school district has successfully overcome its shortage, but only through costly training programs that compensate new drivers as they complete the CDL application; and

WHEREAS, School districts that provide valuable transportation services are burdened by a flawed federal system with inefficient licensing requirements, and Congress should solve this problem by allowing states to establish regulations according to their own needs; now, therefore, be it

RESOLVED, That the 87th Legislature of the State of Texas, 3rd Called Session, hereby respectfully urge the Congress of the United States to pass legislation that would grant licensing authority for public school bus drivers to the states; and, be it further

RESOLVED, That the Texas secretary of state forward official copies of this resolution to the president of the United States, to the president of the Senate and the speaker of the House of Representatives of the United States Congress, and to all the members of the Texas delegation to Congress with the request that this resolution be entered in the Congressional Record as a memorial to the Congress of the United States of America.

NICHOLS
PAXTON
PERRY

TAYLOR
WEST
WHITMIRE

SCR 3 was read second time.

On motion of Senator Nichols and by unanimous consent, the resolution was adopted by the following vote: Yeas 31, Nays 0.

SENATE RULE 7.12(a) SUSPENDED
(Printing of Bills)

Senator Hughes moved to suspend Senate Rule 7.12(a) to order the committee report for **SB 10** not printed.

The motion prevailed by the following vote: Yeas 18, Nays 13.

Yeas: Bettencourt, Birdwell, Buckingham, Campbell, Creighton, Hall, Hancock, Huffman, Hughes, Kolkhorst, Nelson, Nichols, Paxton, Perry, Schwertner, Seliger, Springer, Taylor.

Nays: Alvarado, Blanco, Eckhardt, Gutierrez, Hinojosa, Johnson, Lucio, Menéndez, Miles, Powell, West, Whitmire, Zaffirini.

SENATE BILL 10 ON THIRD READING

The President laid before the Senate **SB 10** by Senator Hughes at this time on its third reading and final passage:

SB 10, Relating to increasing the criminal penalty for committing certain offenses relating to elections.

The bill was read third time and was passed by the following vote by the following vote: Yeas 18, Nays 13. (Same as previous roll call)

SENATE RULE 7.12(a) SUSPENDED
(Printing of Bills)

Senator Bettencourt moved to suspend Senate Rule 7.12(a) to order the committee report for **SB 47** not printed.

The motion prevailed by the following vote: Yeas 18, Nays 13.

Yeas: Bettencourt, Birdwell, Buckingham, Campbell, Creighton, Hall, Hancock, Huffman, Hughes, Kolkhorst, Lucio, Nelson, Nichols, Paxton, Perry, Schwertner, Springer, Taylor.

Nays: Alvarado, Blanco, Eckhardt, Gutierrez, Hinojosa, Johnson, Menéndez, Miles, Powell, Seliger, West, Whitmire, Zaffirini.

SENATE BILL 47 ON THIRD READING

The President laid before the Senate **SB 47** by Senator Bettencourt at this time on its third reading and final passage:

SB 47, Relating to processes to address election irregularities; providing a civil penalty.

The bill was read third time and was passed by the following vote: Yeas 17, Nays 14.

Yeas: Bettencourt, Birdwell, Buckingham, Campbell, Creighton, Hall, Hancock, Huffman, Hughes, Kolkhorst, Nelson, Nichols, Paxton, Perry, Schwertner, Springer, Taylor.

Nays: Alvarado, Blanco, Eckhardt, Gutierrez, Hinojosa, Johnson, Lucio, Menéndez, Miles, Powell, Seliger, West, Whitmire, Zaffirini.

RECESS

On motion of Senator Zaffirini, the Senate at 4:55 p.m. recessed until 10:00 a.m. Friday, October 8, 2021.