

FIRST DAY

(CONTINUED)

THURSDAY, JUNE 30, 2005

PROCEEDINGS

AFTER RECESS

The Senate met at 9:00 a.m. and was called to order by the President.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER
Austin, Texas
June 30, 2005

The Honorable President of the Senate
Senate Chamber
Austin, Texas

Mr. President:

I am directed by the House to inform the Senate that the House has taken the following action:

THE HOUSE HAS PASSED THE FOLLOWING MEASURES:

HB 2, Relating to public education and public school finance matters; imposing criminal penalties.

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

CO-AUTHOR OF SENATE BILL 24

On motion of Senator Armbrister, Senator Van de Putte will be shown as Co-author of **SB 24**.

SENATE BILLS AND RESOLUTIONS ON FIRST READING

The following bills and resolutions were introduced, read first time, and referred to the committees indicated:

SB 50 by Madla

Relating to the issuance of revenue bonds for Texas A&M University–San Antonio.
To Committee on Finance.

SB 51 by Deuell

Relating to the regulation of academic dyslexia teachers and therapists; imposing penalties.

To Committee on Education.

SB 52 by Nelson

Relating to the development of consumer information and protection policies and to purchasing by the Texas Lottery Commission.

To Committee on State Affairs.

SB 53 by Estes

Relating to authorizing the issuance of revenue bonds for the University of North Texas.

To Committee on Finance.

SB 54 by Estes

Relating to authorizing the issuance of revenue bonds for utility infrastructure and campus renovations at Midwestern State University.

To Committee on Finance.

SB 55 by Estes

Relating to authorizing the issuance of revenue bonds for Texas Woman's University.

To Committee on Finance.

SB 56 by Duncan

Relating to the expansion of the Salt Fork Water Quality District and the appointment of directors by the commissioners court of each county included within the boundaries of the district.

To Committee on Intergovernmental Relations.

SB 58 by Staples, Deuell, Eltife

Relating to authorizing the issuance of revenue bonds to fund capital projects at certain public institutions of higher education.

To Committee on Finance.

SB 59 by Shapleigh

Relating to ad valorem tax rebates to individuals who lease or rent their principal residences; providing a penalty.

To Committee on Finance.

SB 60 by Zaffirini

Relating to authorizing the issuance of revenue bonds for The University of Texas Health Science Center at San Antonio.

To Committee on Finance.

SB 61 by Zaffirini

Relating to authorizing the issuance of revenue bonds for Texas A&M International University.

To Committee on Finance.

SB 62 by Janek

Relating to limiting the use of eminent domain to take private property for economic development purposes.

To Committee on State Affairs.

SJR 9 by Janek

Proposing a constitutional amendment to prohibit the taking of private property for the purpose of economic development.

To Committee on State Affairs.

SJR 10 by Deuell, Nelson, Wentworth

Proposing a constitutional amendment to prohibit a political subdivision from taking private property for the primary purpose of economic development.

To Committee on State Affairs.

SJR 13 by Wentworth

Proposing a constitutional amendment increasing the amount of the residence homestead exemption from ad valorem taxation for public school purposes and providing for a corresponding adjustment of the limitation on the amount of ad valorem taxes that may be imposed for those purposes on the homesteads of certain persons.

To Committee on Finance.

SJR 14 by Shapleigh

Proposing a constitutional amendment authorizing the legislature to provide ad valorem tax relief to individuals who lease or rent their principal residences by rebating a portion of the taxes imposed on that residential property.

To Committee on Finance.

HOUSE BILL ON FIRST READING

The following bill received from the House was read first time and referred to the committee indicated:

HB 2 to Committee on Education.

**SENATE RULES SUSPENDED
(Posting Rules)**

On motion of Senator Shapiro and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Education might meet and consider **HB 2** today.

STATEMENT OF LEGISLATIVE INTENT

Senator Carona submitted the following statement of legislative intent for **SB 149** from the 77th Legislature, Regular Session:

Statement of Legislative Intent
Senate Bill 149
77th Legislature, Regular Session

Mr. President and Members,

I have asked for the opportunity to speak today to make you aware of an issue and to seek an expression of legislative intent from this body.

In 2001, the 77th Legislature passed a bill that I authored, SB 149. The bill addressed the Tuition Equalization Grant program and its purpose was to tighten the language of the TEG statute regarding institutions approved to participate in the program.

Since the TEG's inception, institutions whose students could receive TEGs were required to achieve the same accreditation as public institutions of higher education, which is to successfully complete the rigorous review of the Commission on Colleges of the Southern Association of Colleges and Schools. Where SACS accreditation was not appropriate, other accreditors of Texas public institutions, such as the American Bar Association and the Liaison Committee on Medical Education, were acceptable alternatives.

In the months before the 77th Legislature convened, the Coordinating Board began to "recognize" other accrediting agencies including all of the regional accrediting bodies across the country, few of which match the thoroughness of SACS accreditation. Coordinating Board recognition allowed institutions that were not SACS accredited to award degrees in Texas without securing a certificate of authority to grant degrees from the Coordinating Board. When I learned this, I became concerned that at some future time the Coordinating Board might accept an institution accredited by one of its recognized entities for participation in TEG, rather than requiring the tougher SACS accreditation. I carried SB 149 to prevent that.

SB 149 amended Section 61.222 of the Education Code to specify that institutions whose students participate in TEG must have the same accreditation as Texas public institutions. That was the current practice, and the Coordinating Board staff with whom I worked on SB 149 understood that we were codifying the existing practice. We did this to ensure that any student receiving a TEG would receive a higher education that would meet the same standards that a student at our public institutions would receive.

Years have passed and the staff with whom I worked are no longer at the Coordinating Board. I understand that the Coordinating Board is beginning to interpret Section 61.222, as I amended it, more broadly than I intended and more broadly than I explained it to this body when I passed it.

Members, I seek your assistance today in allowing me to place my remarks in the *Senate Journal* as a statement of legislative intent that: No institution should be approved to participate in the TEG program unless it has been accredited by an accrediting agency that accredits public institutions of higher education in Texas.

CARONA

RECESS

On motion of Senator Staples, the Senate at 9:20 a.m. recessed until 10:00 a.m. today.

AFTER RECESS

The Senate met at 10:25 a.m. and was called to order by the President.

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

On motion of Senator Shapiro and by unanimous consent, Senate Rule 7.12(a) was suspended for the following bill and the committee report was ordered not printed: **HB 2**.

RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

Congratulatory Resolutions

SR 38 by Ellis, Congratulating Kimberly and Gavin Biar on the birth of their son, Samuel Harris Biar.

SR 39 by Ellis, Recognizing Greater Zion Missionary Baptist Church in Houston on the occasion of the 134th annual session of the Lincoln District Missionary Baptist Association.

SR 40 by Shapleigh, Recognizing Rollyn Carlson of El Paso for her contributions to her community.

SR 41 by Barrientos, Recognizing John Cole on the occasion of his retirement.

ADJOURNMENT

On motion of Senator Whitmire, the Senate at 10:34 a.m. adjourned until 10:40 a.m. today.

