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The resolution was read.

On motion of Senator Alvarado, **SR 633** was adopted by a rising vote of the Senate.

In honor of the memory of Harold Lee Cook, the text of the resolution is printed at the end of today's *Senate Journal*.

SENATE RESOLUTIONS

Senator Middleton offered the following resolution:

SR 669, In memory of the life of Dustin Lee Mortenson.

The resolution was read.

Senator Middleton offered the following resolution:

SR 670, In memory of the life of Lucas Maurice Lowe.

The resolution was read.

On motion of Senator Middleton, **SR 669** and **SR 670** were adopted by a rising vote of the Senate.

In honor of the memory of Dustin Lee Mortenson and Lucas Maurice Lowe, the texts of the resolutions are printed at the end of today's *Senate Journal*.

SENATE RESOLUTION 658

Senator Huffman offered the following resolution:

SR 658, BE IT RESOLVED, BY THE Senate of the State of Texas, that Senate Rule 12.03 and 12.04, be suspended in part as provided by Senate Rule 12.08 to enable consideration of, and action on, specific matters which may be contained in the Conference Committee Report on House Bill 1.

The resolution was read and was adopted by the following vote: Yeas 30, Nays 1.

Nays: Gutierrez.

(Senator King in Chair)

(President in Chair)

CONFERENCE COMMITTEE REPORT ON HOUSE BILL 1 ADOPTED

Senator Huffman called from the President's table the Conference Committee Report on **HB 1**. The Conference Committee Report was filed with the Senate on Wednesday, May 24, 2023.

On motion of Senator Huffman, the Conference Committee Report was adopted by the following vote: Yeas 29, Nays 2.

Yeas: Alvarado, Bettencourt, Birdwell, Blanco, Campbell, Creighton, Eckhardt, Flores, Hall, Hancock, Hinojosa, Huffman, Hughes, Johnson, King, Kolkhorst, LaMantia, Middleton, Miles, Nichols, Parker, Paxton, Perry, Schwertner, Sparks, Springer, West, Whitmire, Zaffirini.

Nays: Gutierrez, Menéndez.

REMARKS ORDERED PRINTED

On motion of Senator Hall and by unanimous consent, the remarks by Senators Hall and Huffman regarding the Conference Committee Report on **HB 1** were ordered reduced to writing and printed in the *Senate Journal* as follows:

Presiding Officer: Senator Hall, for what purpose?

Senator Hall: This would be the right time, a couple of questions on some riders in the bill?

Presiding Officer: Chairman, do you yield?

Senator Huffman: Yes.

Senator Hall: First of all, I want to thank you, Chairwoman, for working with us on these riders. They're a very important part of the budget because it's quite often hard to determine exactly what we intend. And so, we did amend a couple to it. One I'd like to clarify to make sure we all understand and that is in the section on the Secretary of State. That's on page I-95.

Senator Huffman: Okay.

Senator Hall: And it's instruction number 15. And this came about because we know that we all, we all want accurate voter rolls, that's extremely important to everyone that's involved in voting process. And in a previous session, we had allocated funds and directed those funds to a single vendor, previously. And since then we have learned things that many other states have learned that that is probably not the best way to go about making sure we have an accurate voter rolls. So, this rider was put in there so that the Secretary of State will have the latitude to be able to select the process, the technique, and use whatever tools the Secretary of State thinks are the right ones to ensure that we do have an accurate voter roll without dictating a single vendor.

Senator Huffman: That is correct. It gives her, or the Secretary of State, flexibility in how they want to implement the program. Yes.

Senator Hall: Yeah. And they will be able to use any funds left over from previous budget that had been allocated with a single vendor to use that freely with however they come about.

Senator Huffman: That's correct. Yes, there is—

Senator Hall: Okay.

Senator Huffman: —flexibility in the funding.

Senator Hall: Right.

Senator Huffman: Yes.

Senator Hall: And I've got a second one here.

Senator Huffman: Okay.

Senator Hall: This book is thick in case you didn't know.

Senator Huffman: Yeah.

Senator Hall: Let me get to it.

Senator Huffman: Take your time.

Senator Hall: Okay. This is in the miscellaneous provisions. It's Section 17.36 and it has to do with the Lottery Commission and their rules changes. You know, after the session started, we learned that the Lottery Commission back in 2020 changed its rules on how it was wrought to operate. The original intent when the lottery came into being was that these tickets would be sold through legitimate brick and mortar facilities. They'd be sold for cash and they must be purchased by the person making a personal appearance in that brick and, legitimate brick and mortar establishment.

Senator Huffman: That, those are the rules, yes.

Senator Hall: That was what, that's what the—

Senator Huffman: Supposed to be.

Senator Hall: —Legislature had it intended.

Senator Huffman: Yes.

Senator Hall: And they operated that way for decades. And then, in June of 2020, they made some significant changes to the rules in those, in that they moved away from that requirement for an individual to go into a legitimate brick and mortar store and purchase the tickets. They arranged for a third party to insert themselves between the brick and mortar facility and the people who are actually playing the lottery.

Senator Huffman: Yes.

Senator Hall: And therefore, we lost any ability to ensure that those people playing the lottery were actually using cash. And they did it in a clever way by having a courier service actually make the purchase for the person playing the lottery as opposed to the person actually going in.

Senator Huffman: That is correct. Yeah.

Senator Hall: And that is a clear circumvention by a tortuous interpretation of the way we wrote the law to allow folks to play any, without having going into a legitimate brick and mortar facility, and we have found that there are folks that have set up so that it's highly questionable how legitimate they are in their actual sales of products in that they only have maybe one or two things in there, but they had a multitude of lottery machines. And so, this rider is intended to instruct the Lottery Commission to go back to operating the lottery like the Legislature had intended when it was first written.

Senator Huffman: That is the intention of the rider, yes, to instruct the Commission to knock off these practices that have been occurring. Correct.

Senator Hall: Okay. Very good. Well, thank you.

Senator Huffman: Thank you. Thanks for working on this. Yeah.

Senator Hall: Mr. President, I'd like to move that the discussion between Senator Huffman and myself on these two be reduced to writing and included.

REASON FOR VOTE

Senator Blanco submitted the following reason for vote on **HB 1**:

I commend Chairwoman Huffman, Chairman Bonnen, the conferees, and the Finance Committee staff on crafting a thoughtful and deliberative state budget that invests in our future and represents many of our shared values. However, I would be remiss if I did not express my disagreement with specific provisions in the bill, such as prohibiting the implementation of Diversity, Equity, and Inclusion (DEI) programming in our higher education institutions, diverting public school dollars to private vouchers or ESAs, increasing border security spending and the contingency funding for a Border Force, lacking teacher pay raises, and prioritizing alternatives to abortion programming while neglecting comprehensive, evidence-based reproductive healthcare and family planning services. With that said, the conference committee report for House Bill 1 will make big and bold investments in our state's future, with its historic and unprecedented \$321.3 billion spending plan to invest in property tax cuts, critical mental health infrastructure, broadband, water, state parks, and public/higher education to address Texans' most essential needs. CSHB 1 also contains hundreds of millions of dollars in funding priorities for El Paso and Far West Texas, paving the way for a healthier, wealthier, and brighter future for our communities and families. Our only constitutional duty in a legislative session is to pass a state budget to fund state government. Therefore, I will vote AYE on the conference committee report for CSHB 1.

BLANCO

REASON FOR VOTE

Senator Menéndez submitted the following reason for vote on **HB 1**:

Thank you to Chairwoman Huffman and all members of the Senate Finance Committee. While I appreciate you and our colleagues' tireless work, many key priorities were left out of this budget.

Having a historic \$32.7 Billion surplus provided us a tremendous opportunity. We had the ability to make needed investments in areas that have been historically underfunded, in addition to strategic funding that could improve the lives of millions of Texans.

It is difficult to vote for a plan that has about \$5.35 Billion wrapped up in bills that have not yet passed, including half a Billion tax dollars that are earmarked for ESA's aka vouchers. Our Foundation School Program is \$8.8 Billion less than last session, in spite of the surplus. Aside from the minimal increase in the basic allotment, contingent upon passage of another bill still in conference, there are no provisions outlining the possibility for teacher pay raises.

There are additional concerns about our financial support of school safety and student well-being this session. We are on the horizon of a loss of Federal Elementary and Secondary School Emergency Relief (ESSER) funding from the pandemic. Our