

# SENATE JOURNAL

EIGHTIETH LEGISLATURE — REGULAR SESSION

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AUSTIN, TEXAS

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PROCEEDINGS

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**SECOND DAY**

(Wednesday, January 10, 2007)

The Senate met at 11:00 a.m. pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Averitt, Brimer, Deuell, Ellis, Eltife, Estes, Fraser, Gallegos, Harris, Hegar, Hinojosa, Jackson, Janek, Lucio, Nelson, Nichols, Ogden, Patrick, Seliger, Shapiro, Shapleigh, Uresti, Van de Putte, Watson, Wentworth, West, Whitmire, Williams, Zaffirini.

Absent-excused: Carona, Duncan.

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

The Reverend Charles Whitmire, Crestview Baptist Church, Austin, offered the invocation as follows:

Dear heavenly Father, as we open this session of the Legislature today, we pause to thank You for Your goodness and Your mercy. Your word tells us that all we have to do is call upon You and You will hear us and answer us, so today, Father, we ask for You to be present here. We ask for wisdom and courage and strength. Help us to be mindful of those in our state who we have been chosen to serve, and help us to give voice to those Texans who otherwise would go unheard. And, Father, we ask that today You watch over two groups specifically: first, our families. Wherever they may be today, we ask for You to bless them and protect them. And, secondly, we ask for You to watch over our military. Especially, Father, we ask for You to watch over our Texans that are serving in harm's way today. Watch over them and protect them. You are our eternal God and righteous judge. Guide us in this and in everything we do. Amen.

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

The motion prevailed without objection.

## LEAVES OF ABSENCE

On motion of Senator Whitmire, Senator Carona was granted leave of absence for today on account of important business.

On motion of Senator Whitmire, Senator Duncan was granted leave of absence for today on account of important business.

**CO-AUTHOR OF SENATE BILL 126**

On motion of Senator Carona, Senator Wentworth will be shown as Co-author of **SB 126**.

**CO-AUTHOR OF SENATE BILL 149**

On motion of Senator Carona, Senator Shapiro will be shown as Co-author of **SB 149**.

**CO-AUTHOR OF SENATE BILL 156**

On motion of Senator Shapiro, Senator Uresti will be shown as Co-author of **SB 156**.

**LETTER FROM LIEUTENANT GOVERNOR**

The following letter from the Lieutenant Governor was filed with the Secretary of the Senate:

David Dewhurst  
Lieutenant Governor of Texas  
President of the Senate

January 10, 2007

The Honorable Steve Ogden  
Texas Senate, District 5  
State Capitol, GE.4  
Austin, Texas 78701

Dear Senator Ogden:

Pursuant to Rule 11.04, Senate Rules, 80th Legislature, it is my pleasure to appoint you to the Senate Finance Committee, to serve as Chair and presiding officer.

As you are well aware, the Senate has substantial work to conduct in the coming months and I appreciate your commitment to this task.

Sincerely,  
/s/David Dewhurst  
Lieutenant Governor

**MESSAGE FROM THE HOUSE**

HOUSE CHAMBER  
Austin, Texas  
January 10, 2007

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:

**SCR 6**, Providing for procedures for the canvass of votes for the governor and lieutenant governor and the inauguration of the governor and lieutenant governor.

Respectfully,

/s/Robert Haney, Chief Clerk  
House of Representatives

### **GUESTS PRESENTED**

Senator Shapiro was recognized and introduced to the Senate Jack Hatchell, County Commissioner of Precinct 4 of Collin County, and Phyllis Cole, County Commissioner of Precinct 1 of Collin County.

The Senate welcomed its guests.

### **GUESTS PRESENTED**

Senator Zaffirini was recognized and introduced to the Senate Terry Simpson, County Judge of San Patricio County, and Fred Nardini, County Commissioner of Precinct 2 of San Patricio County.

The Senate welcomed its guests.

### **BIRTHDAY GREETINGS EXTENDED**

Senator Zaffirini was recognized and, on behalf of the Senate, extended birthday greetings to Senator Janek.

### **SENATE CONCURRENT RESOLUTION 7**

The President laid before the Senate the following resolution:

WHEREAS, Section 17, Article III, Texas Constitution, provides that neither house of the legislature may adjourn for more than three days without the consent of the other house; now, therefore, be it

RESOLVED by the 80th Legislature of the State of Texas, That each house grant the other permission to adjourn for more than three days during the period beginning on Thursday, January 11, 2007, and ending on Tuesday, January 16, 2007.

WHITMIRE

**SCR 7** was read.

On motion of Senator Whitmire and by unanimous consent, the resolution was considered immediately and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of the resolution except as follows:

Absent-excused: Carona, Duncan.

### **RECESS**

On motion of Senator Whitmire, the Senate at 11:12 a.m. recessed, in memory of the Honorable Billy Clayton, former Speaker of the Texas House of Representatives, until 10:45 a.m. tomorrow for the Joint Session to canvass the votes.

