

SENATE JOURNAL

EIGHTY-SECOND LEGISLATURE — FIRST CALLED SESSION

AUSTIN, TEXAS

PROCEEDINGS

FIRST DAY

(Tuesday, May 31, 2011)

In obedience to the Proclamation of the Honorable Rick Perry, Governor of the State of Texas, the Senate met in the Senate Chamber of the State Capitol at Austin, Texas, on the 31st day of May, 2011, at 8:39 a.m. and was called to order by the Honorable David Dewhurst, Lieutenant Governor and President of the Senate.

The President directed the Secretary of the Senate to call the roll of the Senate.

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

Absent-excused: Carona.

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

Pastor John C. Stennfeld, Christ Lutheran Church, Austin, offered the invocation as follows:

Dear Father in heaven, we begin this day in Your most holy name. We are here because You have chosen us to serve the people of this great state, and the people of this great state have chosen us to lead them, and though there are places that we as individuals would rather be at this moment, this is the place where we are needed. We ask You, right here and right now, to fill us with Your wisdom, give us the ability to see beyond our own point of view, guide us into decisions that will be a blessing to the people of Texas, and help us to be courageous yet compassionate as we serve as leaders. May all that we do this day honor both You and the offices that we hold, in the name of Your son, Jesus, we pray. Amen.

LEAVE OF ABSENCE

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

PROCLAMATION BY THE GOVERNOR

The following Proclamation by the Governor was read and was filed with the Secretary of the Senate:

PROCLAMATION
BY THE
GOVERNOR OF THE STATE OF TEXAS

TO ALL TO WHOM THESE PRESENTS SHALL COME:

I, RICK PERRY, GOVERNOR OF THE STATE OF TEXAS, by the authority vested in me by Article III, Section 5 and Article IV, Section 8 of the Texas Constitution, do hereby call an extraordinary session of the 82nd Legislature, to convene in the City of Austin, commencing at 8 a.m. on Tuesday, May 31, 2011, for the following purposes:

To consider legislation relating to fiscal matters necessary for the implementation of House Bill No. 1 as passed by the 82nd Legislature, Regular Session, including measures that will allow school districts to operate more efficiently.

To consider legislation relating to healthcare cost containment, access to services through managed care, and the creation of economic and structural incentives to improve the quality of Medicaid services.

The Secretary of State will take notice of this action and will notify the members of the legislature of my action.

IN TESTIMONY WHEREOF, I have hereto signed my name and have officially caused the Seal of State to be affixed at my Office in the City of Austin, Texas, this the 30th day of May 2011.

/s/Rick Perry
Governor of Texas

(seal)

Attested by:

/s/Hope Andrade
Secretary of State

SENATE BILLS ON FIRST READING

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

SB 1 by Duncan, Shapiro
Relating to certain state fiscal matters; providing penalties.
To Committee on Finance.

SB 2 by Ogden
Relating to appropriating money for the support of state government for the period beginning September 1, 2011, and ending August 31, 2013.
To Committee on Finance.

SB 5 by Huffman, Nelson
Relating to the Interstate Health Care Compact.
To Committee on Finance.

SB 6 by Shapiro

Relating to the foundation curriculum, the establishment of the instructional materials allotment, and the adoption, review, and purchase of instructional materials and technological equipment for public schools.

To Committee on Education.

SB 7 by Nelson

Relating to the administration, quality, efficiency, and funding of health care, health and human services, and health benefits programs in this state.

To Committee on Finance.

SB 8 by Shapiro

Relating to the flexibility of the board of trustees of a school district in the management and operation of public schools in the district.

To Committee on Education.

RECESS

On motion of Senator Whitmire, the Senate at 8:48 a.m. recessed until 10:00 a.m. today.

AFTER RECESS

The Senate met at 10:40 a.m. and was called to order by the President.

**ELECTION OF PRESIDENT PRO TEMPORE
EIGHTY-SECOND LEGISLATURE, FIRST CALLED SESSION**

The President announced that the time had arrived for the election of President Pro Tempore of the 82nd Legislature, 1st Called Session.

Senator Whitmire placed in nomination the name of Senator Jackson and Senator Jackson was elected President Pro Tempore of the 82nd Legislature, 1st Called Session, by acclamation.

The President declared Senator Jackson elected to the office of President Pro Tempore and administered the Oath of Office.

MOTION TO ADJOURN

On motion of Senator Whitmire and by unanimous consent, the Senate at 10:52 a.m. agreed to adjourn, in memory of Jean Gatling Phillips, upon completion of the introduction of bills and resolutions on first reading, the receipt of messages, and the receipt of committee reports, until 1:00 p.m. Thursday, June 2, 2011.

MESSAGE FROM THE GOVERNOR

The following Message from the Governor was read and was filed with the Secretary of the Senate:

MESSAGE

**TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE
EIGHTY-SECOND TEXAS LEGISLATURE, FIRST CALLED SESSION:**

WHEREAS, the people of Texas, through their state constitution, have placed the power to call the legislature into special session in the hands of the chief executive officer of the state; and

WHEREAS, the members of the Eighty-Second Texas Legislature, First Called Session, have now convened to consider items presented to them by the governor;

NOW, THEREFORE, I, RICK PERRY, Governor of the State of Texas, by the authority vested in me by Article IV, Section 8, and Article III, Section 40, of the Texas Constitution, do hereby present the following subject matter to the Eighty-Second Texas Legislature, First Called Session, for consideration:

Legislation relating to congressional redistricting.

IN TESTIMONY WHEREOF, I have signed my name officially and caused the Seal of the State to be affixed hereto at Austin, this 31st day of May, 2011.

/s/Rick Perry
Governor of Texas

(seal)
Attested by:

/s/Hope Andrade
Secretary of State

SENATE BILL ON FIRST READING

The following bill was introduced, read first time, and referred to the committee indicated:

SB 4 by Seliger
Relating to the composition of the congressional districts for the State of Texas.
To Committee on Redistricting.

ADJOURNMENT

Pursuant to a previously adopted motion, the Senate at 12:55 p.m. Thursday, June 2, 2011, adjourned, in memory of Jean Gatling Phillips, until 1:00 p.m. today.

APPENDIX

COMMITTEE REPORTS

The following committee reports were received by the Secretary of the Senate in the order listed:

June 2, 2011

FINANCE — **SB 7**

EDUCATION — **SB 6**