

# SENATE JOURNAL

EIGHTY-THIRD LEGISLATURE — REGULAR SESSION

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AUSTIN, TEXAS

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PROCEEDINGS

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**FOURTH DAY**

(Tuesday, January 15, 2013)

The Senate met at 11:04 a.m. pursuant to adjournment and was called to order by Senator Eltife.

The roll was called and the following Senators were present: Birdwell, Campbell, Davis, Deuell, Duncan, Ellis, Eltife, Estes, Fraser, Hancock, Hegar, Hinojosa, Huffman, Lucio, Nelson, Nichols, Patrick, Paxton, Rodríguez, Schwertner, Seliger, Taylor, Uresti, Van de Putte, Watson, West, Whitmire, Williams, Zaffirini.

Absent-excused: Carona.

The Presiding Officer announced that a quorum of the Senate was present.

Lieutenant Major Dale Brynstad, Acting State Chaplain, Texas Military Forces, offered the invocation as follows:

My gracious heavenly Father, You raise up leaders and You gift them with all they need to lead the people under their charge. Therefore, I lift up the Senators and their staff of the 83rd Legislature and ask that they might walk in wisdom and discernment and the strength to do what is right, so that we as Texans may live in peace and continue to prosper. Help them to be ever mindful of the lives that they affect because of the decisions made here. Forgive where the things of the world cloud the responsibilities they carry. Bless and protect their families so that they are free to concentrate on the duties of leading the great State of Texas. Also, be with our soldiers, sailors, and airmen who can't be with us as they are in harm's way. I ask that You bring them home safely and let our land rejoice at their return. So, Lord, it's into Your hands I commend these men and women, and I trust in Your mercy. Amen. The Lord bless you and keep you, the Lord make His face shine upon you and be gracious to you, the Lord lift up His countenance upon you and give you His peace. 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.

**LEAVE OF ABSENCE**

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

**MESSAGE FROM THE HOUSE**

HOUSE CHAMBER

Austin, Texas

Tuesday, January 15, 2013 - 1

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:

**HCR 27**

Geren

Granting the legislature permission to adjourn for more than three days during the period beginning on Wednesday, January 16, 2013, and ending on Tuesday, January 22, 2013.

**SCR 5**

Eltife

Sponsor: Geren

Inviting the governor to address a joint session of the legislature on January 29, 2013.

Respectfully,

/s/Robert Haney, Chief Clerk  
House of Representatives

**PHYSICIAN OF THE DAY**

Senator Nichols was recognized and presented Dr. Ron McMurry of Jasper as the Physician of the Day.

The Senate welcomed Dr. McMurry and thanked him for his participation in the Physician of the Day program sponsored by the Texas Academy of Family Physicians.

**SENATE RULE 2.02 SUSPENDED**  
**(Restrictions on Admission)**

On motion of Senator Whitmire and by unanimous consent, Senate Rule 2.02 was suspended to grant floor privileges to the family of the late Senator Mario V. Gallegos, Jr., during the deliberation of **SR 11**.

**SENATE RESOLUTION 11**

Senator Whitmire offered the following resolution:

**SR 11**, In memory of Senator Mario V. Gallegos, Jr.

The resolution was read.

**(President in Chair)**

On motion of Senator Van de Putte and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Whitmire, **SR 11** was adopted by a rising vote of the Senate.

In honor of the memory of Mario V. Gallegos, Jr., the text of the resolution is printed at the end of today's *Senate Journal*.

### GUESTS PRESENTED

Senator Whitmire was recognized and introduced to the Senate family members of the late Senator Mario V. Gallegos, Jr.: wife, Theresa; daughters, Ali Gallegos-Templer and Melissa; son, Mario Elias; sister, Maria Gallegos; and a host of relatives, friends, and senior constituents from District 6.

The Senate welcomed its guests and extended its sympathy.

### REMARKS ORDERED PRINTED

On motion of Senator Whitmire and by unanimous consent, the remarks by Senators Whitmire, Deuell, Lucio, and Van de Putte regarding **SR 11** were ordered reduced to writing and printed in the *Senate Journal* as follows:

**Senator Whitmire:** Thank you, Mr. President and Members. I guess, first let me say, I wish Mario was hanging with me. We all had a lot of fun last night and Mario was missed. Mario is definitely, as you know, a soulmate of mine. But let everyone that can hear my voice know that the entire Senate membership is a family. We meet, we consult, we live, we laugh, we cry together, so we have, literally, lost a family member. Theresa, you're in his chair. The fine Dr. Deuell, representing this body when we were sworn in last week, chose to not take the seat that now, by his seniority, allows him to take. What a testimony to this recognition that Mario is still present on the Senate floor. I know I speak for each of the Senators in this body, also, Armando Walle, State Representative, one of Mario's State Reps, Ana Hernandez Luna, Carol Alvarado, which is so well documented, State Representative, was so close to Mario, and he has high hopes for her. You know, I decided this morning when I was traveling to the Capitol, Theresa, I'm not going to shed any more tears for Mario. Let me just set the tone right now. We had great services for Mario, one of the most beautiful memorial services here in Houston. In the burial service, the young priest made an impact on my life through Mario's service. He said, our life is a book and the final chapter is not written until they have a service for us. Really made an impact, Theresa, that young priest let us all know that life is so uncertain and short. So, Mario continues to impact all of us. And let me just stop and recognize, because Mario would want me to do it, there's 90 seniors from his district present here, from Representative Hernandez's district and Mario's constituents. Y'all please honor Mario by standing and letting him know that, of your presence today. The seniors from his district, would you please rise? Thank you. I know how often Mario, y'all rise, rise and let us honor you. Thank y'all. And you honor Mario by your presence and you honor us. Like I said, I'm not shedding any more tears. At the graveside, I couldn't stand to hear the fire bells that were sounded to let other firefighters know that one of their colleagues had been lost. But this is definitely a celebration. And let me spend a couple of moments and tell you why we're celebrating. What a unique and special person, and everyone is unique and special in this body, but Mario takes first prize. He could make you laugh so hard, Jane, and he could also make you so mad,

because none of us are perfect, and Mario was the first to say that he wasn't perfect. But I can't tell you how proud he was when he went back to U of H in the mid-nineties as a Senator and got his degree. He wore that Cougar ring so proud. I could just go on and on and talk about what a special person he was, and I will emphasize, and I still need some help. Theresa, you be the deciding vote. I would love to know if Mario, if the Lord said, Mario, you can be a firefighter. Now, let me give you his background why he was so proud to be a firefighter. Can you imagine being the son of Houston's, one of the very first Hispanic firefighters? He grew up to be a firefighter, joined straight out of high school at 18. And you ought to hear some of his stories when he was on an ambulance run and who they would pick up and take back to the station, and I won't divulge, but once or twice, our confidential conversations, but they had fun. He wanted to be a firefighter because he grew up to be a firefighter whose father later went to Brownsville, Eddie Lucio, and was your first Hispanic chief in Brownsville. So, Mario wanted to be a firefighter. Then he gets an opportunity to go to the Legislature and then to the Senate. If the Lord said, Mario, you can either be a firefighter or you can be a Senator, but you can't be both. I would love to know. The good news is, the Lord is good and allowed Mario to do both. How many times, he just wouldn't tell you once when he was speaking on behalf of firefighters' pension, civil service, that he was a firefighter. He told you several times. He was so proud. He loved his family. We all love our family, but Mario was family number one, and they were so special. His sisters are here. His children are here, his grandchildren, and, I guess, where are all of the little ones this morning, Theresa? They're in the corner over there. He was so proud of them. But, anyway, it is what it is. Mario was taken too soon, but let me just assure each and every one of you, he got all there was to get out of every day on Earth. And the good news is, he's not in pain anymore. He's watching us. He's going to be judging our session. He has high expectations for us. I won't get political, Dan, but we know how strongly he feels about issues and representing his district. So, Mr. President, on behalf of this entire body we want to recognize, Theresa, Mario's public service, the contributions he's made, the difference he's made in our lives. We're better people, we're better Senators because Mario came through these halls, but we also want you to know we feel like he is still present with us. We have decided to honor Mario by having several Senators speak. All 31 would be more than proud and anxious to stand and speak. The fact that we have divided that responsibility among four of our colleagues is representative that we want to speak as one voice. We have four outstanding Senators close to Mario that would like to speak on behalf of this body today. If we can ever do anything for the Gallegos family, anything that you can think, these children's education, any red tape, any response that you need from this body, we are your family and always be available in your lives. With that said, Members, I am proud to present this resolution to someone that we're celebrating his life today because he is a very special colleague. And I guess, the thing that stands out is, Harris County's first Hispanic State Senator. You would have to be a member of that community to know how for generations the community has felt underrepresented. Mario never forgot where he came from and would want to be recognized, probably more than a firefighter and a State Senator, as Houston's first Hispanic State Senator. Thank you, Members.

**Senator Deuell:** Thank you, Mr. President, Members, and I really rise to support the memorial on behalf of all of us in this body. I go back to my first day here in January 14th in 2003, and I'm sitting there where Senator Uresti is sitting now. And Mario was sitting where Senator Nichols is. And my mother had come down from West Virginia and family. And Mother was just sitting there, and she was kind of listening to Mario, who I barely knew. And she said, This guy's going to be a good friend of yours because he's got a great sense of humor and that you both have a warped sense of humor and you'll get along just fine. And that was absolutely true. And really come to appreciate the interaction between Mario and his friend, Dean Whitmire, and it is kind of an interesting corner back there. But we talked, we compared notes. I grew up some in South Oak Cliff part of Dallas and West Virginia, and both of us, under somewhat not ideal circumstances. And I think that helped us get along and understand each other but from different worlds, but we were friends, we were close friends. And what I came to gather about Mario is that he cared, he really cared about his constituents. He cared about his family. Sometimes Mario would not be in a particularly good mood, and the way that, I don't know if he realized what I was doing, but all I had to do was come over and ask him about one of his grandchildren or his family and immediately his mood would change. And that's a testimony to how much he loved you. He could go from being very angry about an issue, not angry, he's not an angry man. But all I could do, we'd start talking about a grandbaby, he'd have a grandbaby up there on the screen, and it would just immediately change him. But I appreciate his service as a firefighter and the risk that came with that. And we talked about he was an EMT and talked about medical issues and, certainly, appreciated his service in the Senate. He had demons, as we all do. Teddy Roosevelt wrote a friend once that said, there's not one of us that at some time does not come under the influence of the dark clouds, but he said that it's not having been in the dark house that counts, but having left it, and he certainly left it, came to terms with his own health and his mortality and came to terms with the Lord and his friends. And I think, you know, he passed away knowing that Texas was a better place because of his service as a firefighter, EMT, House Member, and Senator. And some people, I see this as a physician, they really pass away not really knowing if they made a difference, not really even knowing if they're loved. And I think this body and his family made sure that when Mario joined the Lord that he knew he was loved on this Earth. And as I mentioned at the memorial service here, John Kennedy mentioned in his inauguration that we should go forth and serve this land that we love, asking His help and His blessing and knowing that, surely, God's work on Earth is our own. Mario knew that, and I hope that this body will continue that legacy. Thank you, Mr. President.

**Senator Lucio:** Thank you, Mr. President and Members. It is with a very heavy heart that I rise today to remember my dear friend, Senator Mario Gallegos, and I, too, speak in behalf of the body here today. Throughout his life, Mario did so much and meant so much to so many people that he met. As a young man, he was an all-city basketball star at Milby High School in Houston, and he spoke to me about his great days. And I loved to hear him because I was a former basketball coach back in the '60s myself. He was a decorated firefighter following in a proud family tradition that continues today, as was mentioned by Dean Whitmire. He was a very devoted

husband, father, and grandpa. And I'm so honored to say, I was able to meet several of his family members present here today out in the hall and, obviously, over the years. Finally, he was a very generous, compassionate, and dedicated public servant. He spoke from the heart, always spoke from the heart. So, Texas has surely lost one of its greatest sons. In terms of a legacy, it's enormous. He served with distinction in the Legislature for 22 years, first serving in the House since 1991. I think he came in Leticia's class in the House. When he joined the Senate in 1995, he was the first Hispanic, that was mentioned, State Senator elected to represent Harris County. Throughout his career Mario fought hard for the interest of his community. Senate District 6 could not have asked for a more engaged and zealous advocate. Few people knew Houston as well as Mario. He gave me a few tours, and no one could mistake the passion and sense of duty he had for the city. Mario also tirelessly fought for communities across Texas. We traveled to West Texas and other parts of this state during our years together serving in committees, meeting a lot of wonderful people along the way. He was always greeted so warmly because of his character. He worked to end historic discrimination across the state. He tirelessly advocated for teachers, policemen, and firefighters. He championed efforts to improve the quality of life for senior citizens and the disabled. He loved some of the bills that I was carrying so much, he wanted to make sure his name was on them. He worked to ensure that Texas kept a strong, working middle class, and he fought each session to ensure that all Texas children had access to a quality education and to health care. Certainly, all of us here in the Senate know of Mario's health and his issues with it, his health. As some of my colleagues have already mentioned, in the last year or two, especially when we talked about Mario, Mario never let his health stop him from serving. Most famously, of course, Mario defying doctor's orders and set up a hospital bed, right in there, in the Sergeant's office. And so that he could, during the 2007 voter ID debate, be there close by. He shouldn't have been here. We know it, he knew it, but he was. He was recovering from a liver transplant. Still, according to the *Texas Tribune*, Mario said, quote, My constituents feel strongly about this; as long as I can stand, I need to be here. That is the mark of a great legislator. Though I am saddened that Mario was taken from us so early, I am comforted to know that he was surrounded by close friends when he passed away. Mario's sister Cindy said that during the last days Mario might have had as many as 50 visitors at a time crammed into his Houston hospital suite to say goodbye. The room was never empty during the days that I was there. I was privileged to visit Mario in Houston and say goodbye. I know that several of my current and former Capitol colleagues were able to visit or speak with Mario before he passed away, including former State Representative Al Luna, former State Representative Gerard Torres, former State Representative Diana Davila, former State Representative Roman Martinez, and former State Representative Rick Noriega. Also, former State Representative, now Congressman Pete Gallego, Representative Jessie Farrar, Representative Garnet Coleman, Representative Carol Alvarado, who was constantly there, Representative Ana Hernandez Luna, Representative Armando Walle, Representative Senfronia Thompson, Representative Sylvester Turner, Representative Mary Ann Perez, Representative Joe Moody, Representative Borris Miles, also former State Senator Gonzalo Barrientos. Former State Senator Eliot Shapleigh flew in from El Paso. Senator Kirk Watson. Senator Judy Zaffirini, who

flew in and visited Mario several days. Senator Glenn Hegar. Senator Joan Huffman. Senator Robert Deuell. Senator Juan "Chuy" Hinojosa. And I want to say something about Senator Rodney Ellis. I understand, Rodney, that when Mario could not attend an annual senior picnic in District 6 because he was in the hospital, Senator Ellis here, Members, went in his place to give attendees Mario's love and his best wishes. And I'm sure that those of us that know Senator Ellis, who is never short of words, did a good job. Senator John Whitmire. Mario's sister Cindy said that Senator Whitmire was like Mario's guard dog during his visits, and I know Mario's family is extremely grateful. I personally, in many of my conversations, Mario made it quite clear that John, our Dean, was his best friend. Lieutenant Governor David Dewhurst. You know Mario's sister Cindy said that Governor Dewhurst came to Mario's side two days in a row and personally consoled his family while Mario was going through terrible pain. He was by his bedside for a long time, Cindy told me. Senator Leticia Van de Putte. Leticia and I visited Mario together as soon as we heard that he'd been moved into hospice. I know that Mario's family feel forever in Leticia's debt. She became the rock during those days. And I was privileged, extremely honored, to lead a memorial Holy Rosary at the University of Houston campus, a campus that meant so much to Mario. He never quit talking about The University of Texas, the University of Houston Cougars. Senator Gallegos, as I mentioned, was very devoted to his family and were, of course, by his side when he passed. He is survived by his wife, Theresa, his daughters, Ali and Melissa, and his son, Mario, who was on this floor many times and in the House as a young boy, his five grandchildren, Jake, Hollis, Jesse, Teresa, and Christina, and his mother, Olga, very special lady that I got to know while they lived in Brownsville and served in the Houston school board, also was there. And she was something very special, especially when we talked about the family, who I know wanted to be here. But she's unfortunately not, but she's here in spirit. His sisters, Maria, Olga, Lillian, and Cynthia, his brothers, Joel and Michael Gallegos. Finally, I want to say that I had the pleasure of meeting several of the Gallegos families, as I mentioned, over the years. When Mario's father died in 1990, Mario called me because he knew I was close to his dad. He had served as Brownsville's police, fire chief, excuse me, fire chief in the 1970s. And I was honored because Mario had asked me at that time to give the eulogy at his father's funeral. I want to give just a very quick story about Mario's father. Mario's father was a firefighter and later suffered complications related to emphysema. Now, Mario, who won election to the House in 1990, the family feared at the time because the father was ill that the father wouldn't see Mario be sworn in in January. So, they wanted to share the experience with his father somehow. So, they came to the Capitol months before the swearing in to take pictures and to show their father the Capitol. He was so proud of Mario's accomplishments. And after his father's death, I told Mario, I told him like a father figure to his large extended family that, that's what he was going to become now. He was going to be the father figure. And, of course, the family quickly learned that you have to share someone in politics with the rest of the state, not only the district but the entire state that you represent. But I hope the family today sees how much Texas really truly loved him. I want to thank them for sharing him with us. And as I mentioned, just like his father, Mario was a firefighter long before he joined us here at the Capitol. He worked for 22 years in the Houston Fire Department and retired as a

senior captain. But he kept his life with him, in fact, at his funeral, Mario's brother-in-law arranged to have the fire department graciously lend two fire trucks. They sat at opposite sides of the road, extended their ladders and suspended an incredible, beautiful, large Texas flag. Mario's fellow firefighters, many of them family, others dear friends, were like family, sat on the trucks as Mario's funeral motorcade rolled underneath the flag. It was a touching, most touching sendoff. Should it come as no surprise that Mario, a man who spent half of his life racing into burning buildings to save lives, would spend the latter years of his life sacrificing so much to confront important issues here in Austin? Closing, I want to say I'm so proud, extremely proud to have called Mario my friend, *mi amigo*. I miss him dearly. I take comfort, however, in knowing that Mario Gallegos, Jr., touched the lives of so many gathered here today and that our State of Texas is a better place because of his courage. Thank you, Mr. President.

**Senator Van de Putte:** Thank you, Mr. President. Mr. President and Members and the dear Gallegos family, I am honored to have been asked by our colleagues to speak today, as we celebrate the life of Mario Gallegos. For those of you who have known Mario your entire life, his brothers and sisters, I know that you share stories of the childhood, of the wonderful times, of his ability to find fun in everyday, simple activities. For Theresa and for the kids, you must know how much he treasured you, and that his laptop, right here on this desk, that screensaver was full of pictures that rotated, and I saw that the pictures changed. They were pictures of Theresa and the kids, but you very quickly got bumped from the main screensaver by all of the grandchildren. He was an incredible person. He embodied the very spirit of Texas, the ability to find the good in every situation, the ability to find a path forward against all odds. I mean, that's what Texas is and that's what your husband, your brother, and your father, and your grandfather did every day. He found a path forward. He didn't let obstacles get in the way, and to our surprise, Members, you know he could not be silenced even when he was being opposed by the giants of this state. He didn't care if he was ruffling the feathers of well-renowned organizations. And I remember his legendary fight even against the most magnificent Houston Livestock and Rodeo. Why? Because he wanted to make sure that they honored Tejano music and used scholarships that were raised by that organization to all inclusive types of students in the Houston, greater Houston area. Mario was one of a kind, and I knew it the day I met him as we were running for election in 1990. He had already been selected by his primary and pretty much a given that he would serve in the Texas House in 1991. I joined him in that class along with Senator Carona and Senator Ogden. There's not many of us left from that class. And if Mario's health had not been an issue, I think his service in the State of Texas might've rivaled the longevity of our Dean because Mario loved it here. We sat next to each other as we took that oath of office in January of 1991, and that was the beginning of a really, two decades of friendship. He met my father on that day, and he said he would've given anything for his father to witness that swearing in. Our mothers met and then became traveling companions with Mario and I as we attended our first NALEO conventions and other NCSL meetings. What you don't know is this big, imposing, giant of a man who was a firefighter was actually a mama's boy. But when I let him know that he was mama's boy, he reminded me that all great men are mama's boys. He asked that first legislative



meeting that we went and represented our districts, went out of town, we took our mothers with us. He loved being with his family and his friends. And as he invited many of us to join him in his district in Houston, it would become an all-day affair. Although we had plans to visit several, he would get stopped at every little place, and people would generally come up to him to thank him for intervening, for the help. People who most people might overlook thought Mario was the hero. He was the hero because he was the symbol for them that if you graduate from high school, that if you do your job, that this is a Texas and a United States where even the most humblest of persons can be elected to the Texas Senate. And oh, how he loved his seniors. He planned their picnics, their parties, always making sure that there was enough Thanksgiving and holiday turkeys and hams to go around. And he honored them because he honored the generation before him. He was in awe of the soldiers and those who fought in World War II and Korea. He gave such respect to the veterans in this state and the veterans on this Senate floor, because he held them in the highest of esteem. And he loved the people who took care of his seniors. He regularly voted with all of the health care professionals legislation because he admired those doctors and nurses and dentists and ophthalmologists and optometrists and anybody who was in the health care field, Mario had the greatest of respect for them. That respect grew as his health deteriorated. And he loved those health care providers because they took care of his seniors in their homes and in skilled facilities. Mario was amazing in his ability to make lifelong friendships. And in those final days in Houston at that hospital room, I saw friend after friend come by. They had been with him in elementary school. They had been with Mario and were his running buds in high school. They were classmates that he made as an adult attending the University of Houston-Downtown. And they were his extended cousins and family. They were his *compadres*. Many could say that Mario was a man's man. He loved hunting, he loved fishing, he loved being a sportsman. He loved sports, and he liked to hang out with the guys, whether that was his childhood friends or his best friend, John Whitmire. He spoke about you, his family, so much. Theresa, he believed that you had such strength to stand by him through his most difficult of times, and he says when you make that vow for better or worse, he says my wife lived it and meant it. He was so proud of all of you. He talked about Ali and her strength and her faith and, of course, her beautiful child, and we talked about how wonderful it is for our children to find their life's passion. And he commented how that was important, but that what was really important is when our kids find their life's love. And so, when you found your life partner, your husband, he was so proud of him. He said, like, in our families, we don't have in-laws, we just have sons and daughters. He loved and spoke about the spunkiness and attitude of Melissa. He admired the way that she could master technology and could communicate with hundreds of people with a click of her computer. He most loved how she was just the most protective and out-there mom. And he loved your kids so very much. For a younger Mario, you know your dad thought you were movie-star handsome. Of course he said that you looked like him. And he was so proud of the man that you've become. It's not easy growing up as Capitol kids. And the many times that our families, our children were together as you were growing up, right in this Capitol, you know every nook and cranny and, yes, you even got lost once where we had to send the DPS out after you. We didn't know

which Member's office the kids were in. Mario had his struggles, but he was larger than life. And we celebrate his life today because each of us on this Senate floor lived a little vicariously through Mario because for him it was about this day, this moment, and what he could do with that title of Senator. I'd like to speak to my Senate colleagues because in those last few days, Mario shared how much he adored being a Senator and how lucky that we all are. He said, Tell them that I love them. Many of you he was able to see, and he was able to talk to by phone. And many of you, I held up that phone to his ear and he could hear you, but he couldn't respond anymore. But before he really became, or he would lose consciousness, he said, Tell them I love them and how blessed they are to serve in the best legislative body in this country, and to do their job, to do it for our people. In those last few days, Mario asked very little of us, but he asked me first of all, he said, Take care of my family. And we assured him that the love of the Senate would be with you through that difficult time and then each and every day. And he knew you were a strong group, from you and his sisters and from the kids and from his cousin, General Joe Ramirez, who was there most of the time. He was so proud. And I told him, the family's going to be fine. You've got great strength, and they've got their faith. The second thing he asked, Members, he said, Take care of my staff. He said, Make sure they're all right, make sure they land okay. And each of us, as we depend on our staff, they become our families. And he was so very proud of his staff. He wanted to make sure his staff was going to be okay. He said, as I asked him, Okay, Mario, what else do you need? And he said, Take care of my district. And he shared his love and his confidence in Carol Alvarado. And then I said, Is there anything else? And as you know, he said, because many of you were in the room, he said, Baby, don't leave me till I go. And I promised him I wouldn't leave him, and I didn't until I could get Senator Judith Zaffirini and Senator Eddie Lucio to come on that Sunday because, to tell you the truth, I had run out of clothes. And those were the Members, and Senator Ellis and, of course, his best friend, John Whitmire. And then I asked Mario, What else do you want me to do? And he said, The session. At one point when Lieutenant Governor was in the room and Mario came to, Mario asked the Lieutenant Governor, What time is session, when do we need to go in? And as you took his hand, Governor Dewhurst, you said, That's okay, Mario, I think you'll get a pass this time. He again regained consciousness and looked up at the Lieutenant Governor and said, You look good, like in your commercials. And then he left us a little instructions about what we should do about education. He chose, Members, how to live each and every day. He reminded us that each day is a gift, and he used each minute of each day to try to serve the people whom he loved, and that was his district and his family. And he loved us. We are so fortunate to have had Mario Gallegos in our lives. The State of Texas has been blessed because Mario, the son of a firefighter who became a firefighter, kept wanting to fight blazes and put out fires all over the State of Texas. As I close today, I wonder why some people are taken so young, and I know that it is not in our purview to question God's plan for each of our lives, so maybe our Lord took him early because he needed a firefighter to fend off the flames of the underworld when they get too close, or maybe our Lord took Mario a little early because he needed an archangel like George and Michael to help fight the battles in the battle for souls. Or maybe our Lord took Mario because he really needed someone to make him laugh every single day because every day Mario was on this Senate floor,

each of us in any encounter would end up with a laugh. And maybe he took him a little early so he could show the rest of the angels and the rest of the world the real meaning of true redemption. All I know is that he won't be sitting behind me this legislative session, but his proud and dear friend will take that chair. Thank you to the Gallegos family for allowing us to see the work, the wit, the wisdom, and the genuineness of Mario Gallegos. We will never forget him. His picture will be constantly in this Capitol along with the Members of the different Senates and, of course, the different House sessions. And let's, on this day, build that story of history so that his grandchildren know what a truly great man served Senate District 6 for so many years. For our wonderful, sweet Mario, and I say sweet, Members, because he never said an ill word about any other Member. Mario never spoke ill of anyone. He may have not enjoyed or agreed with your positions, but he always respected each Senator. Let it be known that our sweet prince has gone, but that we celebrate every day his mark on this state and on this body. *Muchísimas gracias por la vida, por todo que hizo el Senador gran del Condado de Harris, el bombero, el luchero Mario Gallegos.* May God bless all of you as you hold out the traditions of that proud family and his service to our state.

#### **RESOLUTION SIGNED**

The President announced the signing of the following enrolled resolution in the presence of the Senate: **SCR 4.**

#### **HOUSE CONCURRENT RESOLUTION 27**

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 83rd 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 Wednesday, January 16, 2013, and ending on Tuesday, January 22, 2013.

WHITMIRE

**HCR 27** was read.

On motion of Senator Whitmire, the resolution was considered immediately and was adopted by the following vote: Yeas 29, Nays 0.

Absent-excused: Carona.

#### **RESOLUTION OF RECOGNITION**

The following resolution was adopted by the Senate:

#### **Memorial Resolution**

**SR 10** by Uresti, Joining the citizens of San Antonio as they honor the legacy of Martin Luther King, Jr.

**ADJOURNMENT**

On motion of Senator Whitmire, the Senate at 12:19 p.m. adjourned, in memory of Mario V. Gallegos, Jr., until 11:00 a.m. Wednesday, January 23, 2013.

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**APPENDIX**

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**RESOLUTIONS ENROLLED**

January 14, 2013

**SCR 4, SR 5, SR 9**

**In Memory**  
**of**  
**Mario V. Gallegos, Jr.**  
**Senate Resolution 11**

WHEREAS, The Senate of the State of Texas joins Texans across the state in grieving the untimely loss of Senator Mario V. Gallegos, Jr., who died October 16, 2012, at the age of 62; and

WHEREAS, Born September 8, 1950, Mario Gallegos was a lifelong Houstonian; he grew up in the Magnolia Park community in the East End and graduated from Milby High School; he later returned to school and earned a degree from the University of Houston in 2001; and

WHEREAS, He joined the Houston Fire Department at the age of 18 and served the people of Houston with distinction for 22 years as a firefighter, rising to the rank of senior captain; during those years, he developed an abiding interest in politics and played an important role in articulating and promoting the needs of the state's firefighters and other emergency responders through his union work at the State Capitol; and

WHEREAS, He began his legislative career as a member of the Texas House of Representatives after a landslide election victory in 1990; during his two terms in the House, he began the work that would make him a longtime champion for the working class citizens of Texas, concentrating on such issues as health care and public education; and

WHEREAS, In 1994, he became the first Hispanic elected to the Texas Senate from Harris County; over the course of his tenure of nearly two decades in the Senate, he played a vital role in fighting for teacher pay raises and increased funding for public schools, putting into action his belief that "making a solid investment in our children is one of the smartest things we can do, one which will reap long-term benefits for our state"; and

WHEREAS, Senator Gallegos was a staunch advocate for senior citizens and defended Medicaid funding for residents in long-term care facilities; he was also responsive to the need for economic opportunities in his district and led the way in the creation of the municipal management districts that revitalized communities in Houston and served as a model for other Texas cities; and

WHEREAS, In 2007, Senator Gallegos again displayed the courage and principled determination that were the hallmarks of his legislative career; only weeks after undergoing a liver transplant, and against the orders of his doctor, he returned to the Senate so that he would be able to cast his vote against voter identification legislation; his was the deciding vote in preventing the passage of the bill; and

WHEREAS, Senator Gallegos received numerous awards over the course of his illustrious career, including the Distinguished Legislative Service Award from the Texas Municipal League, the Good Guy Award from the Texas Women's Political Caucus, and Legislator of the Year from the Mexican American Bar Association; he was recognized by the Texas State Association of Firefighters and the Combined Law Enforcement Associations of Texas for his passage of public safety legislation; and

WHEREAS, In recognition of his legacy of public service, Senator Gallegos lay in state in the Senate chamber so that citizens could pay their respects to the man who had dedicated himself to making Texas a more generous, just, and honorable state; and

WHEREAS, A man of wisdom, strength, and integrity, Senator Gallegos gave voice to the aspirations and dreams of countless Texans, and his hard work and diligence served as a constant inspiration to his fellow legislators; and

WHEREAS, He was a devoted husband, father, and grandfather, and although his presence will be deeply missed by all those who were privileged to share in his life, his legacy of service and dedication will continue to have a profound impact for generations to come; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 83rd Legislature, hereby extend sincere condolences to the bereaved family of Senator Mario V. Gallegos, Jr.; and, be it further

RESOLVED, That a copy of this Resolution be prepared for his family as an expression of profound sympathy from the Texas Senate, and that when the Senate adjourns this day, it do so in grateful and loving memory of Mario Gallegos.

WHITMIRE