

# SENATE JOURNAL

EIGHTY-FOURTH LEGISLATURE — REGULAR SESSION

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AUSTIN, TEXAS

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PROCEEDINGS

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## FIRST DAY

(Tuesday, January 13, 2015)

In accordance with the Constitution and Laws of the State of Texas, the Senate of the Eighty-fourth Legislature met in the Senate Chamber of the State Capitol on Tuesday, the thirteenth day of January, 2015, at 12:12 p.m.

The Honorable David Dewhurst, Lieutenant Governor and President of the Senate, called the Senate to order.

Senior Pastor Steve Riggle, Grace Church, Houston, offered the invocation as follows:

Lord, thank You for Your hand of blessing upon Texas. Thank You for those who served in the previous session and the actions they took on behalf of all Texans that honor Your way and have made Texas the envy of the nation. Today, we begin a new season of leadership in our state. With all of the blessings we currently enjoy, we still face many challenges. We acknowledge here in the statehouse our need of You. I pray for each of these who have been elected to represent all of us and the decisions they will make that will affect all of our lives. I pray for a commitment to the common good that will surpass the pull of partisan ideology. With that commitment, cause there to be a recognition in each legislator of their need for Your wisdom and knowledge as they consider the issues before them and the understanding that You said all they had to do was to ask and You would grant that to them. May Your hand of mercy cover them when their best efforts are not enough. May Your supernatural strength sustain them in their weakness. May Your holy character give them courage to stand for what is good, what is right, and what is godly. And may each one participate in their responsibility of governing with a true spirit of humility. I pray this prayer in the name of Jesus Christ, my lord and savior. Amen.

## ROLL CALL OF SENATORS

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

The roll was called and the following Senators answered to their names: Birdwell, Creighton, Ellis, Eltife, Fraser, Garcia, Hinojosa, Kolkhorst, Lucio, Nelson, Perry, Rodriguez, L. Taylor, Uresti, Van de Putte, Zaffirini.

**MESSAGE FROM THE SECRETARY OF STATE**

The following message from the Secretary of State was read and was filed with the Secretary of the Senate:

THE STATE OF TEXAS  
Secretary of State

I, NANDITA BERRY, Secretary of State of the State of Texas, DO HEREBY CERTIFY that according to the records of this office the attached is a true and correct list, in alphabetical order, of the members of the Senate of the 84th Legislature, 2015, whose election on November 4, 2014, has been duly and legally certified to this office.

IN TESTIMONY WHEREOF, I have hereunto signed my name officially and caused to be impressed hereon the Seal of State at my office in the City of Austin, Texas this 12th day of December, 2014.

(Seal)

/s/Nandita Berry  
Secretary of State

The Honorable Paul Bettencourt, representing the Seventh Senatorial District composed of: Part of Harris County.

The Honorable Konni Burton, representing the Tenth Senatorial District composed of: Part of Tarrant County.

The Honorable Donna Campbell, representing the Twenty-fifth Senatorial District composed of: Part of Bexar, Comal, part of Guadalupe, part of Hays, Kendall, and part of Travis counties.

The Honorable Craig Estes, representing the Thirtieth Senatorial District composed of: Archer, Clay, part of Collin, Cooke, part of Denton, Erath, Grayson, Jack, Montague, Palo Pinto, Parker, Wichita, Wise, and Young counties.

The Honorable Bob Hall, representing the Second Senatorial District composed of: Part of Dallas, Delta, Fannin, Hopkins, Hunt, Kaufman, Rains, Rockwall, and Van Zandt counties.

The Honorable Kelly Hancock, representing the Ninth Senatorial District composed of: Part of Dallas and part of Tarrant counties.

The Honorable Donald Huffines, representing the Sixteenth Senatorial District composed of: Part of Dallas County.

The Honorable Joan Huffman, representing the Seventeenth Senatorial District composed of: Part of Brazoria, part of Fort Bend, and part of Harris counties.

The Honorable Robert Nichols, representing the Third Senatorial District composed of: Anderson, Angelina, Cherokee, Hardin, Henderson, Houston, Jasper, Liberty, part of Montgomery, Nacogdoches, Newton, Orange, Polk, Sabine, San Augustine, San Jacinto, Shelby, Trinity, and Tyler counties.

The Honorable Charles Schwertner, representing the Fifth Senatorial District composed of: Brazos, Freestone, Grimes, Leon, Limestone, Madison, Milam, Robertson, Walker, and Williamson counties.

The Honorable Kel Seliger, representing the Thirty-first Senatorial District composed of: Andrews, Armstrong, Bailey, Briscoe, Carson, Castro, Cochran, Collingsworth, Dallam, Deaf Smith, Donley, Ector, Gaines, Glasscock, Gray, Hall, Hansford, Hartley, Hemphill, Howard, Hutchinson, Lipscomb, Loving, Martin, Midland, Moore, Ochilree, Oldham, Parmer, Potter, Randall, Roberts, Sherman, Swisher, Wheeler, Winkler, and Yoakum counties.

The Honorable Van Taylor, representing the Eighth Senatorial District composed of: Part of Collin and part of Dallas counties.

The Honorable Kirk Watson, representing the Fourteenth Senatorial District composed of: Bastrop and part of Travis counties.

The Honorable Royce West, representing the Twenty-third Senatorial District composed of: Part of Dallas County.

The Honorable John Whitmire, representing the Fifteenth Senatorial District composed of: Part of Harris County.

### **ROLL CALL OF SENATORS-ELECT**

The President directed the Secretary of the Senate to call the roll of Senators-elect as certified by the Secretary of State.

The roll was called and the following Senators-elect answered to their names: Bettencourt, Burton, Campbell, Estes, Hall, Hancock, Huffines, Huffman, Nichols, Schwertner, Seliger, V. Taylor, Watson, West, Whitmire.

### **OATH OF OFFICE ADMINISTERED TO SENATORS-ELECT**

The President directed the Senators-elect to proceed to the Bar of the Senate.

Chief Justice Nathan Hecht administered the Constitutional Oath of Office to the Senators-elect as follows:

I, \_\_\_\_\_, do solemnly swear, that I will faithfully execute the duties of the office of Senator of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this state, so help me God.

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

### **APPRECIATION EXTENDED**

The President extended appreciation to Chief Justice Nathan Hecht for his assistance in the opening session of the 84th Legislature.

### **ACKNOWLEDGMENTS**

The President acknowledged the presence of Governor-elect and Mrs. Abbott; Attorney General Ken Paxton; Railroad Commissioners David Porter and Ryan Sitton; Supreme Court Justices Nathan Hecht, John Phillip Devine, Jeffrey Boyd, Phil Johnson, and Eva Guzman; Justices Jeff Rose, Scott Field, Bob Pemberton, Melissa Goodwin, James Worthen, Sherry Radack, Carolyn Wright, Terrie Livingston, Josh Morriss, Kem Frost, Roy Valdez, and Sandee Marion; and Chief Financial Officer of the Office of Court Administration Glenna Bowman.

The Senate welcomed its guests.

**SENATE RESOLUTION 1**  
**(Caucus Report)**

Senator Whitmire offered the following resolution:

BE IT RESOLVED BY THE SENATE OF THE STATE OF TEXAS:

SECTION 1. CAUCUS REPORT. At a caucus held in the offices of the senate attended by 31 members of the senate, the caucus made the recommendations for the operation of the senate contained in this resolution.

SECTION 2. SENATE OFFICERS. (a) Senate officers for the 84th Legislature are:

- (1) Secretary of the Senate—Patsy Spaw;
- (2) Calendar Clerk—Tracy Ortiz;
- (3) Doorkeeper—Austin Osborn;
- (4) Enrolling Clerk—Patience Worrel;
- (5) Journal Clerk—Polly Emerson; and
- (6) Sergeant-at-arms—Rick DeLeon.

(b) Officers named in this section serve at the will of the senate.

SECTION 3. PARLIAMENTARIAN. The parliamentarian, Karina Davis, is named by the lieutenant governor and serves at the will of the lieutenant governor. The parliamentarian is a senate officer.

SECTION 4. EMPLOYEES. (a) The lieutenant governor may employ staff for the office of the lieutenant governor at salaries set by the lieutenant governor.

(b) Each senator may employ staff for the senator's office at salaries set by the senator.

(c) The chairman of each committee may employ staff of the chair's selection as needed by the committee. A committee employee shall be compensated in amounts similar to the compensation paid to persons in similar senate positions.

(d) The secretary of the senate may employ other staff necessary for the operation of the senate at salaries approved by the administration committee.

(e) The lieutenant governor, the secretary of the senate, and each senator may use the assistance of any assistant sergeant-at-arms or other available senate employee for any and all services needed in and about the senate.

(f) In this resolution, "senate employee" includes an employee of the lieutenant governor, the secretary of the senate, a senator, a senate committee, and any other person compensated from funds appropriated for the operation of the senate.

SECTION 5. DUTIES OF ADMINISTRATION COMMITTEE. (a) In addition to the duties of the administration committee expressly imposed by this resolution, the committee shall take actions necessary to ensure that the administrative operations of the senate comply with applicable law and are conducted effectively and efficiently.

(b) The committee shall establish appropriate and necessary controls over contracts, inventory, and property management.

(c) The committee may delegate any of its responsibilities to the committee chair or to the secretary of the senate to be performed under the general supervision of the committee.

(d) Policies adopted by the administration committee must be consistent with the provisions of this resolution. To the extent of a conflict between a policy and this resolution, this resolution prevails.

(e) Policies adopted by the administration committee are subject to the will of the senate, and a majority of the senate may reject or modify any policy adopted by the committee.

SECTION 6. EMPLOYMENT AND PERSONNEL POLICIES. (a) The administration committee may adopt and enforce personnel and employment policies governing senate employees.

(b) The administration committee may not adopt a policy that limits the salary of an employee of the lieutenant governor, a senator, or a senate committee, except that the administration committee may require approval by that committee of any senate committee employee salary that is proposed to exceed \$5,000 a month.

SECTION 7. MEMBER'S EMPLOYEE LEAVE POLICY. (a) An employee of a senator accrues vacation leave, compensatory leave, or sick leave in accordance with policies adopted by the senator consistent with the requirements of this section.

(b) An employee may accrue vacation leave, compensatory leave, or sick leave only if the employee files a monthly time record with the senate human resources office. Time records are due not later than the 10th day of the following month.

(c) Compensatory time must be used not later than the last day of the 12th month following the month in which the time was accrued.

(d) An employee is not entitled to compensation for accrued but unused compensatory time.

SECTION 8. OUTSIDE EMPLOYMENT. An employee of the senate may not be employed by and receive compensation from any other person during the term of senate employment without the permission of the employee's senate employer.

SECTION 9. WORK HOURS. An employee shall report to work at the time, and work for the number of hours, set by the employee's senate employer.

SECTION 10. LIMIT ON MONTHLY STAFF SALARY AND TRAVEL EXPENSES. (a) The total amount of staff salaries and intrastate staff travel expenses for each senator may not exceed \$40,000.00 per month.

(b) This monthly amount accrues on the first day of the month and may not be expended prior to the month in which it accrues, but any unexpended portion for a month may be carried forward from one month to the next and expended until the end of the fiscal year.

(c) An unexpended amount remaining at the end of the fiscal year, not to exceed \$10,000, may be carried forward to the next fiscal year. The total balance of unexpended funds accumulated may not exceed \$10,000 at the end of any fiscal biennium.

SECTION 11. SENATORS' EXPENSE REIMBURSEMENT AND PER DIEM. (a) The secretary of the senate shall provide for the reimbursement of the expenses of each senator and the payment of each senator's per diem in accordance with law, this resolution, and the rules of the Texas Ethics Commission.

(b) The per diem rate to be paid to each senator for the 84th Legislature is \$150.

SECTION 12. OTHER SENATE EXPENSES. (a) The lieutenant governor, the secretary of the senate, and each senator may incur expenses for carrying out official duties, including expenses for items such as subscriptions, stationery, postage, and telecommunications.

(b) Expenses under this section shall be paid from the contingent expense fund of the senate.

SECTION 13. PAYMENT OF SALARIES AND EXPENSES. (a) Salaries and expenses authorized by this resolution shall be paid from the contingent expense fund as provided by this section.

(b) Vouchers for payment of any expense, including salaries and travel expenses, must be signed by the chair of the administration committee and the secretary of the senate.

(c) The administration committee shall adopt policies regarding the presentation of timely, properly completed, and signed vouchers.

SECTION 14. DESIGNATION FOR ATTENDANCE AT MEETINGS AND FUNCTIONS. (a) The administration committee shall designate a senator or any employee to attend an official meeting of a national governmental organization during a session of the 84th Legislature. The person designated is entitled to reimbursement for actual and necessary expenses.

(b) The lieutenant governor may designate a senator to represent the senate at ceremonies and ceremonial functions. The necessary expenses of the senator and necessary staff for this purpose shall be paid pursuant to a budget adopted by the administration committee.

SECTION 15. ELECTRONIC RECORDING BY MEMBER PROHIBITED. No member of the senate may electronically record a private conversation held within the brass rail on the senate floor during a legislative session without the knowledge and consent of all participants to the conversation.

SECTION 16. JOURNAL. The secretary of the senate shall provide for the printing of not more than 250 copies of the daily journal. Of that number:

- (1) 140 shall be furnished to the house of representatives;
- (2) four shall be furnished to the Texas State Library and Archives Commission;
- (3) four shall be furnished to the Legislative Reference Library; and
- (4) the remainder shall be apportioned among the senators and the lieutenant governor.

**SR 1** was read and was adopted by the following vote: Yeas 28, Nays 3.

Yeas: Bettencourt, Birdwell, Campbell, Creighton, Ellis, Eltife, Estes, Fraser, Garcia, Hancock, Hinojosa, Huffines, Huffman, Kolkhorst, Lucio, Nelson, Nichols, Perry, Rodríguez, Schwertner, Seliger, L. Taylor, Uresti, Van de Putte, Watson, West, Whitmire, Zaffirini.

Nays: Burton, Hall, V. Taylor.

#### **REASON FOR VOTE**

Senator Hall submitted the following reason for vote on **SR 1**:

I, Senator Bob Hall, voted "No" on the Senate resolution solely because I am opposed to the increase in the caucus budgets.

HALL

**REASON FOR VOTE**

Senator Burton submitted the following reason for vote on **SR 1**:

I, Senator Burton, voted against **SR 1** because I object to increasing Senate expenditures by allocating an additional \$2,000 per month for Senate offices.

BURTON

**OATH OF OFFICE ADMINISTERED  
TO OFFICERS OF THE SENATE**

The President directed the officers of the Senate to proceed to the Bar of the Senate.

The President administered the Constitutional Oath of Office to the officers as follows:

I, \_\_\_\_\_, do solemnly swear, that I will faithfully execute the duties of the office of \_\_\_\_\_ of the Senate of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State, so help me God.

**MOTION IN WRITING**

Senator Eltife offered the following Motion In Writing:

Mr. President:

I move that a committee of five Members of the Senate be appointed by the President to notify the Governor and the House of Representatives that the Senate is organized and ready to transact business.

ELTIFE

The Motion In Writing was read and prevailed without objection.

Accordingly, the President appointed the following Committee to Notify the Governor and the House of Representatives: Senators Fraser, Chair; V. Taylor, Kolkhorst, Perry, and Creighton.

**AT EASE**

The President at 12:29 p.m. announced the Senate would stand At Ease subject to the call of the Chair.

**IN LEGISLATIVE SESSION**

The President at 12:44 p.m. called the Senate to order as In Legislative Session.

**GOVERNOR AND HOUSE OF REPRESENTATIVES NOTIFIED**

The Committee to Notify the Governor and the House of Representatives that the Senate was organized and ready to transact business appeared at the Bar of the Senate and Senator Fraser notified the President and Members that the Committee had performed its duty.

**SENATE CONCURRENT RESOLUTION 3**

The President laid before the Senate the following resolution:

BE IT RESOLVED by the 84th Legislature, That a joint committee, composed of six members of the senate appointed by the lieutenant governor and six members of the house of representatives appointed by the speaker of the house, arrange for the canvass of the votes cast for governor and lieutenant governor at the general election held on November 4, 2014, and that a joint session of the senate and house be held in the hall of the house of representatives at 1 p.m., on Thursday, January 15, 2015, for the purpose of counting the votes, receiving the report, and hearing the declaration of the results of the canvass; and, be it further

RESOLVED, That the senate and house of representatives sit in joint session in the hall of the house of representatives at 2:30 p.m., on Thursday, January 15, 2015, and that the Honorable Rick Perry, Governor of the State of Texas, be, and is hereby, invited to address the Regular Session of the 84th Legislature in joint session at that time; and, be it further

RESOLVED, That the senate and house of representatives sit in joint session at 11 a.m. on Tuesday, January 20, 2015, for the inauguration of the governor-elect and lieutenant governor-elect of Texas as determined by the canvass of the votes; and, be it further

RESOLVED, That a joint committee, composed of five members of the senate appointed by the lieutenant governor and five members of the house of representatives appointed by the speaker of the house, make arrangements for the joint session and oath-taking ceremony on January 20, 2015; and, be it further

RESOLVED, That the Department of Public Safety of the State of Texas be, and is hereby, instructed to close all vehicle entrances to the Capitol grounds on Tuesday, January 20, 2015, except for those vehicles approved by the inaugural committee as necessary for use in connection with the ceremony and the program following.

WHITMIRE

**SCR 3** was read.

On motion of Senator Whitmire, the resolution was considered immediately and was adopted by the following vote: Yeas 31, Nays 0.

**SENATE CONCURRENT RESOLUTION 4**

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 84th 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 15, 2015, and ending on Tuesday, January 20, 2015.

WHITMIRE

**SCR 4** was read.



On motion of Senator Whitmire, the resolution was considered immediately and was adopted by the following vote: Yeas 31, Nays 0.

**ELECTION OF PRESIDENT PRO TEMPORE  
EIGHTY-FOURTH LEGISLATURE, REGULAR SESSION**

The President announced that the time had arrived for the election of President Pro Tempore of the 84th Legislature, Regular Session.

Senator Zaffirini placed in nomination the name of Senator Juan "Chuy" Hinojosa for the office of President Pro Tempore of the 84th Legislature, Regular Session.

The nominating speech by Senator Zaffirini and the remarks made to second the nomination are as follows:

**Senator Zaffirini:** Thank you, Mr. President. Mr. President and Members, it is with great honor and pleasure that I rise to nominate our wonderful friend and colleague, Senator Juan "Chuy" Hinojosa of McAllen, to serve as our President Pro Tempore for our 84th legislative session. In that capacity, he will not only preside often over the Texas Senate, but also will be third in line to the governorship of Texas, and will act as Governor of Texas whenever the Governor and Lieutenant Governor are out of state. On those days the State of Texas truly will be in good hands under the administration of one of our state's great public servants, Governor Juan "Chuy" Hinojosa. In 1931 James Truslow Adams wrote that "life should be better and richer and fuller for everyone, with opportunity for each according to ability of achievement" regardless of social class or circumstance of birth. Many have pursued that notion of the American Dream. Today we honor a man who has realized it. Let's start at the beginning: Chuy started working at the age of five—picking cotton, vegetables, and fruit in Peñitas, Texas, alongside his mother, five brothers, two sisters, and cousins. They were exceedingly poor, and everyone had to work to put food on the table. At the dinner table, their father, a truck driver, talked them through the pros and cons of the options, decisions, and opportunities that lay ahead. For Esperanza and Juan de Dios Hinojosa, the education of their children was the top priority. So were extracurricular activities and public service: Although a farmworker through high school, Chuy excelled in sports, leading football and basketball teams as captain, and was elected Best All Around Senior, before he volunteered for the United States Marines. As a 20-year-old corporal he fought in the rice paddies of Vietnam, willing to put his life on the line for his country. When he returned from combat, thanks to the G.I. Bill and part-time jobs, he earned his bachelor's degree at Pan American University and later a law degree from Georgetown University. During his first night in D.C., someone broke into his U-Haul and stole all his meager belongings. He wrote an essay about this rude introduction to our nation's capital, entered an essay contest—and won \$500. Pessimists might have dismissed Chuy as an at-risk student or as a low-achieving military grunt—but largely because of his parents' love and inspiration—he never doubted he would succeed—and he was never afraid. He learned to be fearless—or to have the courage to take on daunting tasks and to risk the possibility of failure. He learned to be a problem-solver—to consider the pros and cons of situations while striving for consensus. And he learned to be visionary—to see a

better future beyond any dire situations. In 1981, though he had never even visited the Capitol before, the young lawyer from McAllen was elected to the Legislature. People laughed when he drove up to the House of Representatives in his beat-up pick-up truck with his mattress in the back. They didn't laugh for long: He excelled during his 16 years in the House, including while serving as Chair of the Local and Consent Committee and of the Criminal Jurisprudence Committee. He's excelled at even higher levels and in multiple leadership roles during his 12 years in the Texas Senate, where he serves as Chair of the Intergovernmental Relations Committee and Vice Chair of Finance. His leadership and effectiveness have been recognized repeatedly as he has received almost 100 awards and honors, including being named Border Texan of the Year, receiving the James Madison Award from the Freedom of Information Foundation, and being named one of the 10 Best Legislators three times by *Texas Monthly* and four times by *Capitol Inside* as one of the "Best of the Texas Legislature." Senator Hinojosa has had an amazing impact in a wide variety of legislative arenas. Always remembering his roots, he's passed landmark legislation addressing migrant child labor laws, workers' compensation, and small businesses. He's passed equally important bills related to juveniles and justice, indigent defense, DNA testing, and domestic violence. Perhaps most important, he's fought to reform the health care system and to improve access to higher education. Last session, for example, he was the lead author of the bill that provided access to the Permanent University Fund and created a new university and a new medical school for South Texas. What a life story: Thanks to the influence of his parents, his education, and his hard work, this child farmworker and working student who fought for our country in the rice paddies of Vietnam, today is being elected our President Pro Tempore and will serve as Governor of Texas, though perhaps only for a day. The lessons Senator Hinojosa learned, coupled with simple loving memories such as going to mass on Sunday and playing Kick the Can, are those that he shares as a role model for all Texans, but especially with his beloved children, Ileana, Kriselda, and Johnathan. He has lived the American Dream, but, in doing so, he also has personified Joseph Campbell's definition of a hero as "someone who has devoted his or her life to something bigger than oneself." Mr. President and Members, it truly is my honor and pleasure to nominate our friend, an American Dreamer who is as great a leader as he is a hero, Senator Juan "Chuy" Hinojosa, to serve as President Pro Tempore of the 84th Texas Legislature.

**Senator Nelson:** Thank you. Thank you, Mr. President. Senator Zaffirini, thank you. I rise to second the nomination of Senator Juan Hinojosa as President Pro Tempore of the Texas Senate. As you heard from Senator Zaffirini, throughout his whole life Senator Hinojosa has been all about serving others. He did bravely volunteer to join our United States Marine Corps and fought in Vietnam, and we are all grateful, Senator, for your service. After returning home and completing his education, he continued to serve others by working for the Legal Aid Society in Nueces County before serving our state with the Attorney General's Office. And there's another group, certainly the most important group that Senator Hinojosa has faithfully and dutifully served, and that is his constituents. I know there are many of them here today, and you all know that throughout, the whole time I've known him, both when he served in the House of Representatives and in the Senate, Senator

Hinojosa has always given his constituents his best. The list of his accomplishments for his district is long. Senator Zaffirini enumerated some of them. I can tell you that his efforts have increased access to education, certainly to health care. He has worked to create economic development both for his district and for our entire state and has certainly improved the lives of the people who live in Senate District 20. Senator Hinojosa truly cares about his district, about his constituents, and he represents them each and every day. Now, I have served as Chairman of our Senate's Finance Committee for a brief amount of time, and for that amount of time, Senator Hinojosa has served as our Vice-chair of the Finance Committee, and it has been a distinct pleasure. Senator Hinojosa has served on the Senate Finance Committee since 2007 and has been the Vice-chair, I believe, since 2009. He and I have served together on the conference committees. Every bill, if the House and Senate don't agree, there's a conference committee to work out the difference. As you can well imagine, the budget conference committee is the big kahuna, it takes a lot of hard work, a lot of negotiations. Senator Hinojosa and I have served on the budget conference committee, and I believe you've served on there three times or more, and he's always hardworking. He works toward the end goal of a good solid budget that will serve not just the people in his district but the entire State of Texas, and I have seen firsthand his advocacy on behalf of all Texans for programs and services that are relied on by many of our citizens. Senator Hinojosa and I worked together way before he was on the Finance Committee, way before you were in the Senate, Senator. Back when he was in the House, he was Chairman of the Criminal Jurisprudence Committee, like our Criminal Justice Committee Senator Whitmire chairs. Over in the House it's the House Criminal Jurisprudence Committee. And I worked with Senator Hinojosa on several domestic violence issues, and, Senator, that's when it was very early in gaining attention, and, fortunately, with your work it has gained a lot more attention and we are able to better protect the victims of those horrible domestic violence crimes. Texas is a better place because of Chuy Hinojosa. His hard work and his dedication are unmatched. His commitment to his constituents in our state is constant. This is an honor that he doesn't just deserve, but one that I know that he will execute with the highest amount of respect and responsibility. I am proud to call Senator Hinojosa not just my colleague but also my friend, and I am very proud to second his nomination for President Pro Tempore. Thank you, Mr. President.

**Senator Whitmire:** Thank you, Mr. President and Members. For our guests to realize the significance of this, we do have occasions where the Lieutenant Governor has to be out of town. So, Chuy, that we affectionately call, Senator Hinojosa, will preside. And on a very special day, the Governor will leave the state, and the Lieutenant Governor will leave the state, and he will actually be Governor for the day. So, it is a very significant ceremony we are having today. I have seen large numbers of Senators come and go, having been here myself 32 years, and I wouldn't say what I am about to say about most Senators, it takes a real Senator to get this label. Senator Hinojosa is a Senator's Senator. Chuy, I mean that from the bottom of my heart. You are one of our Senators. You are one that the freshmen and others can look to as a model of what a Senator is supposed to be about. And I will touch on that in a moment, but first I want to recognize your commitment to family. Your daughters, Johnathan, I just know what a priority your family is. And that also makes you one of

the special Senators. That's a characteristic, a character that we look to in Senators. We're proud of our families. Senator Zaffirini spoke of your hardship as a young man. I don't think I could, in good conscience, sit here with the people of Texas, the quality and the character of the person we are making President Pro Tem, Members, without pointing out that when he was in those fields with his brothers and sisters working as a farm worker, what is not well known, at the age of five he was deported with his siblings and his mother to Mexico. He was a U.S. citizen. He had been born in the State of Texas in these United States. The horrible injustice that this youngster endured did not make him bitter. He is one of the most pleasant, happiest persons to be around, my best friend. He not only is not bitter, he committed himself to correcting injustices. And he started as a very young man, not being drafted, but joining the U.S. Marine Corps. And I know what he went through in Vietnam. He's told me. He has scars, emotional scars of what he and his colleagues went through in Vietnam. There is also where he received his resolve to make certain that injustices don't occur. His commitment to public service is well documented as a State Representative, as a longtime effective Senator. But back to that Senator's Senator, particularly, my freshmen, you know why I call him a Senator's Senator? Because he has impeccable integrity. He works hard. He's bipartisan. He keeps his word. You go ask him how he's going to vote on a bill, he'll tell you, and you can put it on your desk. In fact, Members, let me tell you, when I got here, here's a roll call, you needed 21 at that time. But regardless of the number you are looking for, quite frankly, in the last couple of years you need a couple of extras. If you get 21, you better shoot for 23. If you have 19, you better make sure you still have 21 because, unfortunately, not always in today's world on this Senate floor, when you work the floor, you've got to turn this in to the Lieutenant Governor to say you are ready to go with your bill. In recent years, sometimes people forgot to tell you that they've changed their mind. When I got to the Senate, you do a checklist, and if you didn't get recognized that day, you could put it in your desk, and six weeks later it would be accurate. Chuy, that's the Senator you are. You ask Juan Hinojosa, will you support my bill? Can I put you down and turn it in? Don't even worry about revisiting the issue, he keeps his word. He's a Senator's Senator. He works hard. He travels back to his district on the weekend, and, Chuy, I cannot think of a better person on this floor that we could be giving the responsibility that we are giving you today. Mr. President and Members, I am very proud to second the nomination of Juan Hinojosa as President Pro Tempore. Thank you.

**Senator Eltife:** Thank you, Mr. President and Members. I am honored to rise and second the nomination to elect Senator Chuy Hinojosa as our President Pro Tem. As we are gathered here today with newly elected Senators and family and friends, we all have different perspectives and thoughts about politics and the Texas Senate in particular. We look at Washington and we see total partisan gridlock. We just ended a bruising campaign season. I can understand why the public can be so cynical about the political process. However, that is just not what I think about when I think about the Texas Senate. I think about 31 Members who come from all walks of life and who sacrifice time away from their families and their work to serve their constituents. Most of all, I think about my friendships that I've made here serving in the Texas Senate. None of those friendships means more to me than that of Chuy Hinojosa. It's

not about politics. It's about the people. And Senator Hinojosa rises above the politics and puts the people of Texas first. I have immense respect for his leadership, his character, and his integrity. A proud Marine who served in Vietnam, he was not drafted, he volunteered to serve our country. When awarded the Champion for Children Award in 2012, Senator Hinojosa said this: There is no constituency more important than our youngest, and there is no special interest greater than our children. He has received awards from the Boys and Girls Club of America, Court Appointed Special Advocates (CASA), Boy Scouts of America, and many other organizations. Members, these are not political organizations. These are nonprofit organizations that Senator Hinojosa has spent time serving in his community. We could spend the rest of the day going over his legislative accomplishments, but to me what is most important is his willingness to rise above politics, work to solve problems and do what is in the best interest of this state. So, when I think about the Texas Senate, I think about my friendships, I think about leadership, I think about sacrifice, and I think about Senator Hinojosa. Philippians 2:4 says, Each of you should look not only to your own interest but also to the interest of others. Senator Hinojosa, you are a shining example of living out this passage every day. I'm proud to call you my friend, and, Mr. President, I am proud to second the nomination for Chuy Hinojosa as President Pro Tem.

**Senator Uresti:** Thank you, Mr. President and Members. Ladies and gentlemen, good afternoon. Today, like my colleagues before me, I proudly rise to nominate my good friend and fellow Marine, Senator Juan Hinojosa. Now, we all know Senator Hinojosa as Senator for the many sacrifices that he has made serving his district for so many years. But we also know him, Senator Nelson, as the Vice-chair of Finance, and he has a real knack for numbers. Dean Whitmire, you know this. Where some might see just a number on a line in the budget, Senator Hinojosa, Vice-chair Hinojosa, sees the face of a child or a family struggling to put their eldest daughter through college. Senator Hall, Texans from McAllen to Plainview, El Paso to Dallas, they know Senator Hinojosa as a friend and also as an advocate, poring over budgets to ensure that our schools have enough teachers in the classroom, businesses have roads to get their goods to market, and the frail or the elderly have the medicine they need to get well. Senator Kolkhorst, Senator Hinojosa knows that if Texas is to be even better in the future than she is today, then we are going to have to make the investments necessary to make that happen. Being a Marine myself and the father of a Marine, my son, Carlos Jr., I know that Senator Hinojosa as Corporal Hinojosa for the sacrifices he made defending our country. Leading men into battle is no easy task, especially during Vietnam. It took real leadership, as he demonstrates today. Senator Huffines, for him to be such a young man and to go from leading classmates on the football field one year before to leading soldiers in Vietnam takes real courage. We benefit, Members, from those skills and that leadership here under this dome. He served in places like Chu Lai, Da Nang, Khe Sanh, and Sai Gon so that places like Houston, Tyler, Brenham, McAllen, and Lubbock can enjoy the freedoms that make Texas unique. Senator Campbell, the truth is, though, I'm not so sure that many of you Members are ready to have a Marine as Pro Tempore. Now, Senator Van Taylor, where are you Senator Van Taylor, another Marine, I think we're ready. I'm not too sure about the rest of the Members, because when Governor Hinojosa presides, he's going to run a tight ship. So, by the time the Lieutenant Governor and the Governor

leaves, Senator Fraser, I expect you to shave that beard that you're growing. Senator Birdwell, I hope you start doing your Marine Corps pushups. And if we don't start on time, Senator Garcia, and some of you are late, some of you may be peeling potatoes in the Capitol Grill for Governor Hinojosa. But on a serious note, he has served our country and our state admirably. Many of his accomplishments on behalf of our military have been in his time as a civil legislator. He's authorized legislation that created the Texas Capitol Vietnam Monument on the Texas Capitol grounds. And he's quoted, Senator Van de Putte, as saying, We remember our soldiers so their memory doesn't die. The monument will be here in the Capitol to honor those who have given their life for their country and to welcome those who came back home. As Marines, we live by a code, Semper Fidelis, or as Senator Zaffirini likes to correct me, Semper Fee-delis, Semper Fi, and it means always faithful. Always faithful to your god, country, to Corps, and to your family, the same attributes you've heard mentioned today about our President Pro Tempore Hinojosa. He is the epitome of that model. That is why he's so successful, respected, and admired. To the new Members, I submit to you that if you follow Senator Hinojosa's lead, you will never ever go wrong. So, to my colleague and my good friend, in closing, as a Marine, Senator Hinojosa, you may not be as lean, you may not be as mean, but you are still a fine United States Marine. So, with that, Mr. President and Members, it is a great honor, I nominate our friend, Senator Juan Hinojosa.

On motion of Senator Zaffirini, Senator Hinojosa was elected President Pro Tempore by acclamation.

The President declared that the Honorable Juan "Chuy" Hinojosa had been duly elected President Pro Tempore of the 84th Legislature, Regular Session, by acclamation.

The President appointed the following committee to escort Senator Hinojosa and his family to the President's Rostrum: Senators Zaffirini, Chair; Nelson, Rodríguez, Uresti, and Whitmire.

Senator Hinojosa and his party were then escorted to the President's Rostrum by the committee.

### **OATH OF OFFICE ADMINISTERED**

The President administered the Constitutional Oath of Office to Senator Hinojosa as follows:

I, Juan "Chuy" Hinojosa, do solemnly swear, that I will faithfully execute the duties of the office of President Pro Tempore of the Senate of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this state, so help me God.

### **ADDRESS BY PRESIDENT PRO TEMPORE**

President Pro Tempore Hinojosa addressed the Senate as follows:

Thank you. Thank you, thank you so much. Thank you. It's really an honor, thank you. Just want to thank all the colleagues and Senators who nominated me for their kind words. Want to thank my colleagues, I feel so honored to be here. I want to thank my good friend, Lieutenant Governor

Dewhurst, and welcome all my new colleagues to the Texas Senate, their families, friends, and our special guests. They told me I could say anything I wanted to, so I will. They said don't make it too long, so I won't. But for me this is a very proud moment, and I would like to share with you some of my experiences and lessons of life. And it is true, Senator Zaffirini, that I come from a large family. My father was a truck driver working two jobs, fixing flats at night, driving a truck at day. And, yes, I was picking tomatoes with my mom when the border patrol came by, and she was not here legally, she was undocumented, and at that time there was no due process. So, they took me and my mom to the bridge at Reynosa in Mexico and walked us across. But it's pretty interesting because I lived for about a year, we lived for about a year in Reynosa. My father worked towards correcting and getting her proper documentation. In Reynosa we lived behind a small shack, behind a cantina, so all night long could hear the music and the dancing. So, at night, sometimes we would sneak under the bed, I do remember that, and look through the cracks and watch the barmaids dance with the customers. And I think, Senator Nelson, that's where I really learned how to dance and enjoy dancing, which I really enjoy dancing, a lot of Tex-Mex and a lot of country and western. But for me, when I came back, my father and mother always talked about work and get an education. Work is so important, it's a work ethic, because if you don't work, you cannot support your family. If you don't work, you cannot contribute to our community. So, I learned how to work at a very young age. Besides picking cotton, tomatoes, carrots, onions, washing dishes, you name it, I've done it. And I remember one day when I was picking cotton on a hot summer day, I said to myself there has to be a better way to make a living. And there is, get an education. Get an education. My parents always, always pushed on my brothers and sisters and my two cousins, who they raised, to get an education. An education is the best equalizer we have in our society. Education gives you knowledge, knowledge gives the power to succeed. And, too, for that I'm very grateful to my parents. They never, never kept us out of school and always pushed us. And I went to four different elementary schools in Mission. Mission is a small community west of McAllen, is very family oriented, and the four elementary schools that I attended were all south of the tracks, and they were de facto segregated. Now, I'm not sure what de facto means, but I learned that fancy word in law school at Georgetown. But the reality at that time was that it was all Hispanics. But as I moved through the public school system, we had only one high school, Mission High School. And for the first time, we had Hispanics and Anglos in the same school, the same classroom. And it was a really amazing experience, the meeting of cultures, in that we liked each other. We played sports together, we would exchange tacos for sandwiches. And what was really amazing is that there was a first time that there was really a merging of the two cultures. For me it was a great lesson in my life that we treat everyone with dignity and respect. That's what I learned from my high school friends, that there was no difference, whether you're brown, white, or black or yellow or green. We're

all humans, we're all people. We all live in the same community and share our families. But when I graduated from high school, I was somewhat bored, quite frankly, after playing football, basketball. I like action. But there was a war going on in Vietnam, and for me it was important that I serve my country. And I volunteered for the United States Marine Corps. And I have to tell you, quite frankly, I didn't know what I was getting myself into. I found out the first night in boot camp, and I said, O my God, well, Lord, let all this be a nightmare and I wake up in the morning, smell my mama's tortillas, rice, and beans. But I was in. And it's really amazing the training we get in our military. They really teach us a lot of skills, how to be leaders, how to be team players. So, three months later I find myself in Vietnam. And, quite frankly, there were a whole bunch of other Marines that were 19, 20-years old. And, and the reality is, while we're well trained, we're all scared, young people from all over our country. And I remember I had a 35 millimeter camera. I thought I was a tourist, that is until Viet Cong started taking shots at us. We shot back. Then I lost my camera. But my experience in Vietnam also shaped who I am today, because in Vietnam it's really the soldier, the American soldier protects our freedom and our liberty. I met in my squad Ancio from the Bronx in New York. We had two hillbillies out of West Virginia. We had Connicky out of Tennessee, whose ancestors were from Germany. We had the son out of, of a preacher out of Alabama. We had a rancher out of West Texas, bronco rider out of El Paso. We had a cornhusker out of Nebraska. We had some other Marines out of L.A., from all over the country. What was amazing is how we bonded, how we were family, how we stood together, willing to cover each other and die for each other. It's a very special bonding that when you experience that, it forever changes your life. And when I came back—and actually I lost three of my high school classmates who died in Vietnam fighting for our country, and I never forget that because for me every day is a special day, every day is a positive day—but when I got back to the good old U.S., I realized what a great country we live in, the opportunities that we have. I was very motivated because after you experience being in a war or experience living in other countries, there's nothing like good old USA. So, I went back to college, and I graduated in two and a half years, with honors, working 35 hours a week unloading mail trucks in the United States Post Office in McAllen. Now, at that time, I wanted to be a lawyer, and everybody laughed at me. Chuy, you can't even speak English and want to be a lawyer. Some people think, still think I can't, but I get by. And, and the reality is that I received a scholarship to attend law school at Georgetown, Washington, D.C. And it's pretty interesting, but as soon as I graduated, I came back to Texas. I attended Georgetown in Washington, D.C., and the Capital, Washington, D.C., is a good place to visit, but I wouldn't want to live there. They think they know everything. They don't. Well, when I came back, I worked in different jobs, but the number one job that I worked was as an Assistant Attorney General under John Hill and Mark White. But John Hill was my mentor about politics, about how to participate and contribute to the



community. So, I learned a lot of the basics, telephone banking, going house to house, how to organize the message, and I decided to run for public office because I wanted to serve the public. But from Vietnam I really learned how to appreciate our country. So, there I am, I want to run for State Rep, there was an opening, it was an open seat. So, nobody gave me much of a chance of me winning the race, but I ran. So, I had my family and my high school friends go to door to door, door to door, all over the district. Well, I never got discouraged, but my first fundraiser was at a special event center that seated 3,000 people. A Country Rolling was my fundraising banner. But only 13 people showed up. They were all my family. But I didn't give up. And guess what, I won. And I learned a lot, to stay away from negative people. Stay away from naysayers. You've got to be positive, be confident, believe in yourself, and push, and work. Now, Governor Dewhurst, the first event after I won—and I had a Republican opponent, and I ran as a Democrat. I thought there were only Democrats in the Valley, but there wasn't—so here I am, I get invited for my first event as a State Rep. Maggie Trujillo, a friend of mine, and Eddie Lucio, Senator Lucio, you know Maggie Trujillo from McAllen, invited me to go give a speech at a special event in the Holidome in McAllen. So, I show up, and Maggie introduces me, and I'm still in campaign mode, you know. What do I do? I start talking about the Republicans. I say, you know, those Republicans, they ought to be ashamed of themselves. They said they wouldn't cut education, they lied, they cut education. Shame, shame, shame. And you know what, those Republicans said they wouldn't cut Medicaid. Well, they lied again, they cut Medicaid. Shame, shame, shame. So, the audience is just staring at me, stonefaced. So, Maggie, who I did not know was a Republican, whispers in my ear, hey, dummy, it's a Republican event. I said, O my God. You know what, those Democrats, they lie, too. Shame, shame, shame on them. So, I learned, you know, here in the Legislature, and in public office, we ought to be independent in thought. The vast majority of issues are not partisan issues. They're issues dealing with public policy, how to make government work, trying to solve problems, how to make our state a better place to live. And many times we receive and get a lot of pressure from outside groups that are very powerful groups in terms of funding, in terms of campaigns. But for us, our focus ought to be on not voting Democrat, not voting Republican, but voting in what's best for our country, what's best for our state, what's best for our family. And for us here in the Legislature, we work together in trying to solve many issues. On transportation we made a lot of progress in trying to find a steady source of revenue for our transportation needs. As our economy continues to grow, Texas still leads the country in the creation of new jobs. There's a reason for that. Because here, in the Senate, in the Texas Legislature, we work together. We don't have the same partisan, partisanship that they have in Washington, D.C., where they can't get anything done. And I will tell you that we also work on water, we also work in public education, but border security's an issue that I just want to mention very briefly. You know, border

security, we as a country and as a state have the right, the responsibility to define and defend our borders. And border security is a problem. We have issues, what's happening along the Border. But my position is from someone who lives there, who was raised there, my family lives there, work there, is that our law enforcement are doing an excellent job in dealing with the issues. Our DPS and the searches are working. We're moving more game wardens who know the backroads, they know the river, they know the ranches and the farms, where a lot of the smuggling's coming through. And what I would suggest, that let us help our law enforcement do a better job. I think the national, the use of the National Guard, I don't agree with that, for the simple reason that while I'm very proud of our National Guard's people, I think we could be, make better use of that money by maybe raising the salaries of our DPS, at the same time hiring more game wardens. Our DPS officers, who get paid by our state, their salaries are not competitive with many of our police officers in our cities. And what happens then is that we lose them. We have pretty close to 200 vacancies at DPS. And our DPS people, I'm very proud of them because they, when they come down to the Valley on searches, they do a very good job. I think we're better off stationing a company of Texas Rangers down in the Valley, because we need more investigators. But that's just my, my opinion that, for us, we should not militarize the Border. We're not at war with Mexico, we have no other issues, and we've got to approach it in a smart way. We have over a billion dollars a day in commerce and trade with Mexico. So, there is mutual benefit for our state and the country of Mexico. But with that, I'll tell you, the difference between now and compared when I was a young Marine is, when I was a young Marine, when you told me to charge, I would charge. I wouldn't ask any questions. Now, I'm older, hopefully wiser, you tell me to charge, whoa, wait a minute. Let's talk about this, let's form a committee and do a study. There's always a way out, right? But I did learn quite a bit, and for me, I'm just very proud to be the President Pro Tem. I will also tell you that for all of us who serve the public, there is nothing more rewarding than making a difference for the better in the lives of others, in making sure our state is a better place to live for all our families. I'm very thankful that we live in this great country of the United States of America. Thank you so much. Semper Fi.

**(President Pro Tempore Hinojosa in Chair)**

**SENATE RESOLUTION 2**

Senator Eltife offered the following resolution:

WHEREAS, The Texas Senate takes great pride in recognizing the Honorable David H. Dewhurst for his distinguished service as the 41st lieutenant governor of Texas and for his many contributions to this state and country over the course of his outstanding career in public service; and

WHEREAS, David Dewhurst is well known for his expertise in a wide variety of fields; in addition to being a respected state leader whose service as lieutenant governor of Texas deserves the highest of accolades, he is also a successful

businessman, a rancher, a cattle breeder, a community leader, and a world-ranked cutting-horse rider who was inducted into the Texas Rodeo Cowboy Hall of Fame; and

WHEREAS, Long before launching his political career, David Dewhurst was known as a hard worker and a high achiever who was focused on a life of service; as a young man, he served his country with distinction as an officer in the United States Air Force; he went on to become a case officer in the Central Intelligence Agency, and he later served in the United States Department of State; and

WHEREAS, After his return to Texas, he established his own diversified energy and investments company and began serving as finance chair of the state's Republican Party; he played a major role in the election of many Republican candidates to office, and in 1998, he entered the political arena himself and became the first Republican since Reconstruction to be elected commissioner of the Texas General Land Office; and

WHEREAS, David Dewhurst was elected lieutenant governor of Texas in 2002, and he has served as president of the Texas Senate longer than all but one of his predecessors; he has presided over six regular sessions and 12 special sessions, and during his tenure, he has successfully balanced five state budgets without raising taxes, helped the legislature to pass the largest tax cut in state history, and played an important role in bringing about a notable reduction in state spending; and

WHEREAS, Governor Dewhurst has overseen the significant growth of the rainy day fund and has been instrumental in the addition of more than 1.6 million new private sector jobs in the state; his leadership was key to the 2006 passage of landmark school finance reform and, in 2009, to the establishment of the framework for creating more tier-one state universities; and

WHEREAS, A true statesman who is known for his integrity and high standards, David Dewhurst has been committed to ensuring the passage of legislation that is in the best interest of this state and its future; he has championed fiscally and socially conservative laws and policies, and his leadership and diligence have helped to make the Texas economy one of the strongest in the nation; and

WHEREAS, Throughout his career, David Dewhurst has pursued a course of excellence, and he deserves praise and deepest appreciation for his dedication to service and for his countless accomplishments on our state's behalf; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 84th Legislature, hereby pay tribute to Lieutenant Governor David H. Dewhurst for his many achievements and for his invaluable contributions to our state while serving as the presiding officer of the Texas Senate; and, be it further

RESOLVED, That a copy of this Resolution be prepared for Lieutenant Governor David Dewhurst as an expression of the highest esteem of the Texas Senate.

**SR 2** was read and was adopted without objection.

### **REMARKS ORDERED PRINTED**

Senators Eltife, Zaffirini, Hancock, Nelson, and Whitmire addressed the Senate regarding **SR 2** as follows:

**Senator Eltife:** Thank you, Mr. President. Mr. President and Members, it is an honor for us to present this resolution here today to our leader, Governor David Dewhurst. Governor, it's been a tremendous honor to serve under your leadership. I'm honored to call you my friend. The State of Texas is a better place because of your service. And to Trish, thank you for your sacrifice. All of us on this floor know that the families of elected officials make a gigantic sacrifice, and we appreciate you. We'll never forget your leadership, your friendship, and your service to the State of Texas. May God bless you and may God bless your entire family. Thank you, Mr. President.

**Senator Zaffirini:** Thank you, Mr. President. Mr. President and Members, only 10 of us have served with Lieutenant Governor Dewhurst since he arrived in our Chamber in 2003. Many thought he was just another pretty face with a lot of money. Soon everyone realized not only how serious and studied he was, but also what a skilled negotiator and bipartisan leader he was. In preparing for today, I reviewed my speeches about our Lieutenant Governor. Most of them weren't helpful, because, you see, most of them were roasts. My favorite was titled, Everything I know about Lieutenant Governor David Dewhurst I learned in the Senate ladies restroom. But we won't go there. Throughout the years I talked about his negotiating skills, including how he led the passage of hundreds, if not thousands of bills, with unanimous votes over the years; how he garnered support for appropriations bills with bipartisan support, even in 2005 when we faced a \$10 billion shortfall; and how he brought Republicans and Democrats together to pass controversial bills in areas as diverse as tort reform, deregulation, and asbestos. Time and time again he precluded filibusters, sometimes negotiating, sometimes imploring Senators not to run the clock. Senator Leticia Van de Putte told the best story about his humility, his lack of pride: Toward the end of session he knelt by her side and begged her not to filibuster. She said, Governor Dewhurst, please get up! You're making me nervous. The last time a man knelt by my side with a proposal, I got pregnant six times! Lieutenant Governor Dewhurst will be remembered for many accomplishments, including his leadership in health and human services. He helped craft and pass bills to protect foster children, abused and neglected children, and the elderly. He supported efforts to fund CHIP and programs for low-income pregnant women. And he prioritized funding for persons with intellectual, physical, and emotional disabilities, with an emphasis on helping them enjoy the independence of living in the community. Our Lieutenant Governor also will be remembered for his championship of higher education. He created an independent committee for higher education. He championed excellence not only in the teaching and learning process, but also through the contribution to the field of knowledge through discovery, innovation, and research. And in 2006 he used his legislative leadership, muscle, and skill to ensure our passage of my tuition revenue bond bill that provided \$1.9 billion in tuition revenue bonds for 63 construction projects at 48 universities and health science centers. Few would have guessed that the little boy from Houston who was only two when his father, a World War II hero, was killed by a drunk driver, would grow up to be our Texas Land Commissioner and then our Lieutenant Governor. Known for his wealth, few would have guessed that as a child he would have qualified for CHIP, if not Medicaid, and that he climbed from tragedy to triumph because he took advantage of opportunities such as a public school education. All would agree, however, that he personifies the words of Henry

Wadsworth Longfellow, Lives of great men all remind us we can make our lives sublime, and, departing, leave behind us footprints in the sands of time. Governor Dewhurst, your footprints will lead others down many trails of success for many years, for you have left them in the sands of time. Thank you, Governor Dewhurst, for your years of leadership and service, for everything you did in so many arenas—particularly health and human services and education, and for your commitment to build a better Texas. My prayer is that the Lord will continue to bless you and yours and that He will inspire you to continue to excel. May you also personify the words of Robert Browning, The best is yet to be. Thank you so much.

**Senator Hancock:** Thank you, Mr. President. Members and guests, we're honored that you're gathered with us here today, not only for the swearing in, for the recognition of a man who gave so much and a family who gave so much to the great State of Texas. Governor, a couple of things as I stand, and it is indeed an honor to speak on your behalf, I promise I will not comment on your pretty face, nor will I call you a cute little boy, must be here longer than one term in order to do those things. It's true that when you started here in the Senate, governing the Senate and presiding over it, I was nothing more than a school board member at a local district. I knew your name, I knew your commercials, you spent a lot of money on commercials in the few years you were an elected official. I'm sure the TV stations thank you for that. And then I came to the House, and was elected to the House, served three years over there, and I knew your name, and then I knew your face, but I also knew that not anybody had to speak to me when I came over here. You learn that very quickly when you're in the House. It was last session that I got to know you personally. We met, as you do with all the Senators, and I got to find out a little bit about the man, the businessman, David Dewhurst. I got to find out about your dedication, not simply to this job but to your service in the Air Force, your dedication to the nation, through your service here as Lieutenant Governor, as Land Commissioner, your service to the state. I got to find out about the frustration that many of us feel as Senators when we find out that our legislation's tied up in your office because you want to look at every piece of legislation before it ever comes to the floor. And the frustration in that puts a smile on my face because in the last few days and just recent hours, we've got to see the heart of David Dewhurst, in private meetings with the Senators, and your compassion for this place. You see, you didn't look at every piece of legislation simply to show your power over us, in fact, you were just the opposite. You wanted to look at every piece of legislation because of your love for this state and to make sure that you left it in a better place than you found it when you were first elected. Being a businessman myself and a numbers guy, I've looked over some of those historical numbers, and let me say before this audience and before you, thank you, for, indeed, Texas is a better place because of David Dewhurst. We haven't seen the last of David Dewhurst, I'm certain, because that love doesn't go away. That concern for this great place and this great state that we reside in will not leave Lieutenant Governor David Dewhurst when he steps down from office. We've seen in his heart that that cannot change, but we look forward to the opportunities that lay ahead. We look forward to hearing from you again, as you seek to make this state even greater than it is today. I want to thank you, and I have thanked you before. As a freshman Member coming from the House and coming over here, I knew that it was very important my freshman year to watch, to

learn, to listen, and to keep my mouth shut most of the time. But I'll never forget the day that you called me into your office and you, our Lieutenant Governor, asked this freshman, Kelly, what do you think about, I don't even remember the issue—it pales to the memory of your willingness to listen to a Member who really, I didn't even know what I didn't know—because you knew that every Member of this body brings something, and as the Presiding Officer, you wanted to find out what that was from every Member. I thank you for your leadership. I thank you for your friendship. I thank you for your heart and dedication, and, Tricia, the family as well, for making Texas Texas. Thank you.

**Senator Nelson:** Thank you. I, too, rise in support of this resolution honoring a man who has faithfully served this body and our state for the last 12 years. Now, I want to tell you all about the first time that I ever heard of our Lieutenant Governor, and it was actually before he was even Land Commissioner. I was at a conference for the Texas Federation of Republican Women, those are the red-jacket women that storm our Capitol every session, and I was at a conference for Texas Federation of Republican Women, and I went into my hotel room, and there was a yellow rose lying in my hotel room from a guy named David Dewhurst. And I wondered if I had a secret admirer, but I soon learned that not only did he put a rose in my room but there was a yellow rose in the room of every woman who was attending the conference that year, shows you what a wise man our Lieutenant Governor is. Governor Dewhurst, you've heard about the long and distinguished career that our Lieutenant Governor has had. In addition to his service in the Senate, he served in the United States Air Force and the Central Intelligence Agency. He has had a very successful business career, and, of course, we are also all very familiar with his exploits as champion cutting horse rider. During his time in the Senate, Governor Dewhurst has been a strong advocate for public health and a defender of children. And I think, Governor, you're going to be remembered for a lot of things, but the thing that just sticks close to my heart is the Jessica's Law. He was the driving force behind Jessica's Law to protect children from sexual exploitation. He worked very hard to protect student athletes by promoting defibrillators at our sporting events. Together we worked on countless numbers of health-related bills, human service-related bills that improved the overall efficiency and quality of our health care system, and we're all grateful for that. He is also a loving father and a husband, and I know he's looking forward to having a little bit more time to spend with you, Tricia, and your wonderful daughter. We want to thank you, Governor Dewhurst, for your many years of service, your hard work and your dedication has been appreciated, not just in this Chamber but throughout our State of Texas. Thank you, Governor.

**Senator Whitmire:** Thank you, Mr. President. Senator Eltife, I want to thank you for bringing us together for the opportunity to honor a special person and great Texan. David, I want to publicly thank you for our friendship, our personal friendship, and our important professional relationship. I know how close you were to your mother, and probably your mother told you what most of our mothers have told us, you're known by the people that you keep company with. She'd be very proud of you. I know she lived to see you rise in state politics and be a very successful businessman. And I also know where you got the genes for public service, having read and talked to you about your father's heroic, multiple hundreds of flights across Europe in a bomber

to protect the United States. So, I thank you. I know how important family is. I know that it's the highest priority to be with your wife, Tricia, and your daughter, Carolyn, another Senate trait. Thank you for bringing us together. I can remember when all 31 of us, in a hot special session, got on a yellow school bus and went to East Austin and focused on property taxes and school reform. Thank you. I don't know that that's ever been done before, and it'll probably be a long time before we do that again. In closing, let me tell you, I've served with six Lieutenant Governors: Hobby, Bullock, Perry, Ellis, Ratliff, and Dewhurst. Each one of them brought special talents, expertise. Hobby, from a very political prominent family; Bob Bullock, one of the toughest public officials and persons that you'd ever have to deal with; Rick Perry has made his fine record; Ellis got us through a very difficult time when we were in transition after Governor Bush had been elected and Governor Perry moved up; then Ratliff was chosen by his colleagues. They all made an impression but, Governor Dewhurst, I can tell you that none of them, as talented as they were, and with their timing, could've done the job that you've done the last 12 years because of the challenges and the economy, the challenges of tremendous growth, the diversity of this state. None of them, fine public servants, could've met the challenges as well as you have because of your character, your preparation, and, in particular, your business experience. Members, we are the envy of the nation, our economy. People are moving here by approximately 1,500 people a day, as we've been here, probably about close to 1,500 have moved to the state. David, you get credit for a lot of that success in our economy, and I've been in multiple meetings with other Senators, your quick mind but your business experience that you brought here. So, I'm here to recognize you for the success in the state's economy, as the envy of the nation, you get a lot of the credit. And let me close by telling you, we don't want you to go very far. We're going to need your advice and counsel. You're a state asset, and we look forward to working with you in the future. Thank you.

#### **REMARKS BY LIEUTENANT GOVERNOR DEWHURST**

If you would, please be seated. Thank you. Well, I'm going to blow my image of being formal. Your comments were so nice, I lost my contact. So, what I've been doing behind Chuy is trying to figure out, without any water, anything, any saline solution, how to get the contact back in my eye. So, if you want to say something to me, would you speak up so I can hear where you are. Sort of hard to see, so I'm going to put this contact right here and try to get it back in my eye in a few minutes, but thank you for those kind words. As I told the Senators earlier today, leaving is only emotional when you think, hey, and pardon the cowboy theme, but I've always enjoyed saddling up and riding off into battle, y'all. So, I look forward to having the opportunity to saddle up and be supportive of what you're doing because what you do, most people don't understand, is so important. I mean, state government touches the lives of Texans in so many more ways than the federal government does, and to do it with a citizen legislature, alright, that gets paid the astronomical number of 20 bucks a day, whether you earned it or not, you know, it's just amazing, just amazing. And so, I appreciate those words, and I appreciate what you do because just listening to you, I felt overwhelmed, knowing all the words that have been said in this Chamber

by so many people with such big hearts, all wanting to do the right thing. This Senate Chamber is an amazing place, it really, really is. I'll never forget when I was debating whether or not I would ever run for public service and considering whether I'd run for the Texas Land Commission. I was talking to a man that served in the Texas House of Representatives, by this time he was 88, 90-years old, a former United States Congressman. And he said, David, run. And I said, why? And he said, because you're a good man and it'll make you a better man. And what I've seen in all of you friends, colleagues, is that this process, when we put our eyes on Texas, put our eyes on Texas, keeping in mind that whenever we lift our eyes, and I'm a religious person and you all are, too, but many times I've lifted my eyes, figuratively, to the Lord for inspiration, and in that process I've noticed and you've noticed five words on each lamp, T-E-X-A-S. And so, by putting our focus on what is in the best interest of 27 million people, I think, certainly over the last 12 years, we've been able to make a difference, make this a little better, more opportunity, and if there's a word that describes David Dewhurst, it's opportunity. Because why else would a guy that really wasn't that good of a basketball player, as I went out to the University of Arizona and I gave a commencement address two or three years ago, I thought I'd get their attention, so I started off by saying, you know, I'm not sure why I'm here. There was a murmur. And I said, my junior year here, great basketball program, I said, it's not that I still remember this, it's not that it still bothers me at all, but you retired me but not my number. And so, but, not a great basketball player coming from humble upbringing, but Texas, T-E-X-A-S, has given me, given you, given so many fellow Texans so much opportunity. And that's, that's the deal of the day, what we conservatives want to see, get government out of the way and make sure there's justice and then let people do as much as they can. Our Senate is a melting pot of ideas, different viewpoints, and we all know that the Legislature's designed to kill bills, not pass bills. But this is where the work, at least for the upper Chamber, occurs, right here, and I want to congratulate each and every one of you. We've had our disagreements, but as I said in the caucus, and we've heard here, the vast majority of what we do, we can reach an agreement on. Early on my first year in the Legislature in 2003, we had a problem with the flight of doctors from the State of Texas, we're losing 1,000 doctors a year. And Bruce Gibson was my Chief of Staff those first four years, and he said, just relax, David, don't lead on medical malpractice reform. Let the House send it over, they'll mess it up, then we can fix it, and we did. And as a result, our medical malpractice rates fell over 50 percent, instead of losing 1,000 doctors a year since 2003. The rest is history. We've got some 35,000 new doctors that have been licensed to practice, and it goes on and on. And I didn't think I was ever going to pass asbestos reform. It took two sessions, but working together we got an agreement, great bill, toll the statute of limitations, and we focus on helping people that had been hurt. We passed that bill 31 to 0. I can remember, right here, as I gaveled, there being 31 ayes and no nays, and I said, not meaning to, unbelievable. And we could



go on, we could fill the afternoon, but I'm not going to do that, but just with so many stories about how 31 Members came together. That is truly remarkable. Leading this process over the last 12 years has been the biggest honor of my lifetime, other than Tricia saying, yes. And we really don't have time to talk about all the things that you all have done, and even the new Senators, the things that you're going to do. But I think we've made Texas better. More people with jobs than ever in the history of the State of Texas, crime rate is down, and if you look at the statistics, our children are getting a better education. Of all the things I could talk about and the reason I lost my contact is because of the relationships. When Chuy came up on the podium just a moment ago, sometimes I can't understand him, but it's easy to see what's in his heart. And so, he said—see, Zaffirini told me, think about something funny, alright, I'm thinking about something funny—and he said, good to see you, my friend. I've got so many good friends, Republicans, Democrats, I'm going to miss you. You're great. And to our new Senators, I'm really impressed with the new group of our Senators. You have so much ability and you've got so much enthusiasm. If I was still going to be here, Konni, thanks for all the things we heard. And I thought that was cute last night by General Abbott, he wants to play poker with you because you don't have a poker face. That was cute. But we've got amazing Senators, we've got amazing staffers who support each and every one of us, amazing Senate employees who keep this whole place moving. My own amazing staff, I think the best in the Capitol, who are still hard at work. But most of all, and I want to repeat what was said a few moments ago, I think the hardest job in the Texas Senate is being a spouse. That's the hardest job, because we're expecting you to keep everything going while we're not home with you, and then when we finally get home, and we get phone calls, and we're busy on our computer, to still be smiling and still be happy. I think it's the toughest job, and so, I just want to say to Tricia and Carolyn, love you and thank you for everything that you do. To all my fellow Texans, I'd like to say, thank you. I'm humbled by the faith that you put in me for the last 12 years, and I also want to say, thank you for all the support and faith that you have put in to all of you, all of you Members. It is an honor to serve and it's our honor to serve you. And I believe that the new leadership team believes that. Let me just end with this note. Another man, years and years ago, completely different circumstances, when you hear the sentence, you'll probably figure out who he is, but another man in a farewell speech, different circumstances, many years ago, said something, and the sentiment is true. And I say for myself, today I consider myself the luckiest man on the face of the Earth, the luckiest man on the face of the Earth. You know, I live in the greatest state in the greatest country. We've got opportunity, I could go on and on. I consider myself the luckiest man on the face of this Earth, so I want to thank each and every one of you. Thank you, all of you, for your service. I want to thank all of you for your support. And if anyone

has any wetting solution for my contact, let me know. Thank you for your support, and thank you most of all for loving our state. Long may she reign. God bless you.

**(President in Chair)**

**VIDEO RELEASE POLICY WAIVED**

On motion of Senator Eltife and by unanimous consent, the Senate policy that governs the release of recordings of the Senate proceedings was waived in order to grant the request of Senator Hinojosa for a DVD of today's session.

**REMARKS ORDERED PRINTED**

On motion of Senator Eltife and by unanimous consent, all remarks made today were ordered reduced to writing and printed in the *Senate Journal*.

**CANVASS AND INAUGURAL COMMITTEES APPOINTED**

In accordance with the provisions of **SCR 3**, the President announced the appointment of the following as a Committee to Canvass the Votes: Senators Schwertner, Chair; Bettencourt, Garcia, Kolkhorst, L. Taylor, and Uresti, and the following as an Inaugural Committee: Senators Birdwell, Chair; Campbell, Nelson, Schwertner, and Whitmire.

**MOTION TO RECESS AND ADJOURN**

On motion of Senator Whitmire and by unanimous consent, the Senate at 2:20 p.m. agreed to recess until 1:00 p.m. Thursday, January 15, 2015, for the Joint Session to Canvass the Votes and to hear an address by the Governor and to recess at the conclusion of that Joint Session until 11:00 a.m. Tuesday, January 20, 2015, for the Joint Session to Inaugurate the Governor and Lieutenant Governor.

The Senate further agreed to adjourn at the conclusion of Tuesday's Joint Session until 11:00 a.m. Wednesday, January 21, 2015.

**RESOLUTIONS OF RECOGNITION**

The following resolutions were adopted by the Senate:

**Memorial Resolution**

**SR 4** by Watson, In memory of Martha Jean Fleming Pinnelli.

**Congratulatory Resolutions**

**SR 3** by Watson, Recognizing John Hrcncir on the occasion of his retirement.

**SR 5** by Nelson, Recognizing the First Aid for Drug-Free Living Campaign and Drug-Test Kit Initiative.

**RECESS**

Pursuant to a previously adopted motion, the Senate at 2:20 p.m. recessed until 1:00 p.m. Thursday, January 15, 2015.

**APPENDIX**

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**RESOLUTIONS ENROLLED**

January 13, 2015

**SR 1, SR 2, SR 3, SR 4, SR 5**

