

SENATE JOURNAL

EIGHTY-SIXTH LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

THIRTY-FIRST DAY

(Tuesday, April 2, 2019)

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

The roll was called and the following Senators were present: Alvarado, Bettencourt, Birdwell, Buckingham, Campbell, Creighton, Fallon, Flores, Hall, Hancock, Hinojosa, Huffman, Hughes, Johnson, Kolkhorst, Lucio, Menéndez, Miles, Nelson, Nichols, Paxton, Perry, Powell, Rodríguez, Schwertner, Seliger, Taylor, Watson, West, Whitmire, Zaffirini.

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

The Reverend Marty Reid, Trinity Family Church, Forney, was introduced by Senator Hall and offered the invocation as follows:

Lord, we thank You for this day. Thank You for all these who serve the people of this great state and you here in the Texas Senate. You, O Lord, have set up our form of government so that we the people may live free, prosperous, and quiet lives. We pray this morning, Lord, for You to give all who serve here wisdom and understanding on all the issues of our day. Give them courage and strength to make the right decisions, decisions that would honor You and Your word. I pray a hedge of protection around each one. Lead them, guide them, and direct them. You said, Lord, You are the way, the truth, and the life. Lead us in the way and with Your truth into Your marvelous light. I pray for our Governor Greg Abbott and for our Lieutenant Governor Dan Patrick and each Senator. I pray for unity in the Texas House and the Texas Senate and with our Governor so that we may accomplish great things for the State of Texas. Bless them and keep them in Jesus' name.

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.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Tuesday, April 2, 2019 - 1

Members, Texas Commission on the Arts: Dale Wills Brock, Tarrant County; Adrian Guerra, Starr County; Mary Ann Apap Heller, Travis County; Deborah Gray Marino, Bexar County; Karen Elizabeth Snead Partee, Harrison County; Sean Payton, Bell County.

Members, Texas Historical Commission: James Edward Bruseth, Hays County; Garrett Kieran Donnelly, Midland County; Rupa Dutia, Dallas County; Lilia Marisa Garcia, Willacy County; David Alfred Gravelle, Dallas County; Laurie Ellen Limbacher, Travis County.

Members, Texas State Library and Archives Commission: David Champion Garza, Cameron County; Fenton Givens, Collin County; Arthur Thomas Mann, Hill County; Darryl Tocker, Travis County.

Member, Texas Transportation Commission: Wylie New, Tom Green County.

Members, Board of Regents, Texas Woman's University: Bernadette Carrasco Coleman, Denton County; Jill Elizabeth Jester, Denton County; Wanda Shepard, Parker County; Mary Pincoffs Wilson, Travis County; Kathleen Joy Wu, Dallas County.

Members, Board of Directors, Trinity River Authority of Texas: Cathy Altman, Ellis County; Megan Wall Deen, Tarrant County; Jerry Franklin House, Leon County; Victoria Kristen Lucas, Kaufman County; Dennis J. McCleskey, Trinity County; Steven Lynn Roberts, San Jacinto County; David Gerald Ward, Madison County.

Members, Board of Regents, University of Houston System: Douglas Hazen Brooks, Dallas County; Stephen Ira Chazen, Harris County.

Members, Board of Regents, University of North Texas System: Mary C. Denny, Denton County; Carlos Munguia, Dallas County.

NOTICE OF CONSIDERATION OF NOMINATIONS

Senator Buckingham gave notice that tomorrow she would submit to the Senate for consideration nominations to agencies, boards, and commissions of the state.

SENATE RESOLUTION 497

Senator Flores offered the following resolution:

SR 497, Recognizing April 2, 2019, as Atascosa County Day.

FLORES
ZAFFIRINI

The resolution was again read.

The resolution was previously adopted on Tuesday, March 26, 2019.

GUESTS PRESENTED

Senator Flores, joined by Senator Zaffirini, was recognized and introduced to the Senate an Atascosa County Day delegation.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Perry was recognized and introduced to the Senate an Angelo State University delegation, accompanied by President Brian J. May.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Flores, joined by Senator Menéndez, was recognized and introduced to the Senate the Judson High School girls' state champion basketball team, accompanied by Coach Triva Corrales.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator West was recognized and introduced to the Senate the Duncanville High School boys' state champion basketball team, accompanied by Coach David Peavy.

The Senate welcomed its guests.

(Senator Campbell in Chair)**HOUSE CONCURRENT RESOLUTION 130**

The Presiding Officer laid before the Senate the following resolution:

HCR 130, Congratulating former State Representative Ken Mercer on his retirement from USAA.

FLORES
CAMPBELL
HUGHES
TAYLOR

The resolution was again read.

The resolution was previously adopted on Monday, March 25, 2019.

GUEST PRESENTED

Senator Flores, joined by Senators Menéndez, Taylor, and Campbell, was recognized and introduced to the Senate Ken Mercer, former State Representative, State Board of Education member, and USAA retiree.

The Senate welcomed its guest.

GUESTS PRESENTED

Senator West, joined by Senators Powell, Menéndez, Alvarado, Zaffirini, Hinojosa, Whitmire, Nelson, Johnson, and Lucio, was recognized and introduced to the Senate a Blue Ribbon Lobby Day delegation including Tarrant County Democratic Women's Club President Vicki Moore, Kat Castro-Clemons and Carli Mosier of ROADwomen, Sherrie Matula of BAAD Women, Kathy Stabe of Texas Democratic Women of Harris County, and Texas Democratic Women members Marcia Mainord, Carol Jablonski, Alicca Hux, and Tammie Hartgroves.

The Senate welcomed its guests.

MESSAGES FROM THE GOVERNOR

The following Messages from the Governor were read and were referred to the Committee on Nominations:

April 2, 2019
Austin, Texas

TO THE SENATE OF THE EIGHTY-SIXTH LEGISLATURE, REGULAR SESSION:

On January 17, 2019, I submitted the name of George Antuna, Jr. for appointment to the State Board of Veterinary Medical Examiners for a term to expire August 26, 2019.

Because he resigned, I hereby withdraw his nomination and request that the Senate return the appointment to me.

Respectfully submitted,
/s/Greg Abbott
Governor

April 2, 2019
Austin, Texas

TO THE SENATE OF THE EIGHTY-SIXTH LEGISLATURE, REGULAR SESSION:

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

To be members of the Stephen F. Austin State University Board of Regents for terms to expire January 31, 2025:

David R. Alders
Nacogdoches, Texas
(Mr. Alders is being reappointed)

Judith A. "Judy" Olson
Conroe, Texas
(replacing Kenton E. "Ken" Schaefer of Brownsville whose term expired)

Jennifer W. "Jenn" Winston
Lufkin, Texas
(replacing John R. "Bob" Garrett of Tyler whose term expired)

To be a member of the Finance Commission of Texas for a term to expire February 1, 2022:

Robin L. Armstrong, M.D.
Friendswood, Texas
(replacing Matthew C. "Matt" Moore of Amarillo who resigned)

To be the Presiding Judge of the Seventh Administrative Judicial Region for a term to expire four years from the date of qualification:

Morton V. "Dean" Rucker, II
Midland, Texas
(Judge Rucker is being reappointed)

To be members of the Texas Southern University Board of Regents for terms to expire as indicated:

To Expire February 1, 2023:

Marc C. Carter

Houston, Texas

(replacing Kenneth R. "Kenny" Koncaba of Friendswood who resigned)

To Expire February 1, 2025:

Pamela A. Medina

Houston, Texas

(replacing Erik D. Salwen, Ph.D. of College Station whose term expired)

Albert H. Myers, Sr.

Liberty, Texas

(replacing Glenn Lewis of Fort Worth whose term expired)

Jay S. Zeidman

Houston, Texas

(replacing Sarah D. Monty of Houston whose term expired)

Respectfully submitted,

/s/Greg Abbott

Governor

(President in Chair)

SENATE RESOLUTION 495

Senator Flores offered the following resolution:

SR 495, In memory of J. Taylor Brite.

FLORES
ZAFFIRINI

The resolution was again read.

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

SR 495 was previously adopted on Tuesday, March 26, 2019.

In honor of the memory of J. Taylor Brite, the text of **SR 495** is printed at the end of today's *Senate Journal*.

**INTRODUCTION OF
BILLS AND RESOLUTIONS POSTPONED**

The President announced that the introduction of bills and resolutions on first reading would be postponed until the end of today's session.

There was no objection.

CONCLUSION OF MORNING CALL

The President at 11:51 a.m. announced the conclusion of morning call.

**COMMITTEE SUBSTITUTE
SENATE BILL 2191 ON SECOND READING**

On motion of Senator Whitmire and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 2191** at this time on its second reading:

CSSB 2191, Relating to the confinement of a defendant pending trial and detention or placement of a juvenile offender.

The bill was read second time and was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment.

**COMMITTEE SUBSTITUTE
SENATE BILL 2191 ON THIRD READING**

Senator Whitmire moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 2191** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

SENATE BILL 193 ON SECOND READING

Senator Perry moved to suspend the regular order of business to take up for consideration **SB 193** at this time on its second reading:

SB 193, Relating to waiving the fee for the issuance of a duplicate, modified, or renewed license to carry a handgun for school marshals.

The motion prevailed.

Senator Menéndez asked to be recorded as voting "Nay" on suspension of the regular order of business.

The bill was read second time and was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment except as follows:

Nays: Menéndez.

SENATE BILL 193 ON THIRD READING

Senator Perry moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 193** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Menéndez.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 1. (Same as previous roll call)

SENATE BILL 201 ON SECOND READING

On motion of Senator Huffman and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 201** at this time on its second reading:

SB 201, Relating to increasing the criminal penalties for certain offenses committed in a disaster area or an evacuated area.

The bill was read second time and was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment.

SENATE BILL 201 ON THIRD READING

Senator Huffman moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 201** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

**COMMITTEE SUBSTITUTE
SENATE BILL 17 ON SECOND READING**

Senator Perry moved to suspend the regular order of business to take up for consideration **CSSB 17** at this time on its second reading:

CSSB 17, Relating to discrimination by a state agency against an applicant for or holder of an occupational license.

The motion prevailed by the following vote: Yeas 19, Nays 12.

Yeas: Bettencourt, Birdwell, Buckingham, Campbell, Creighton, Fallon, Flores, Hall, Hancock, Huffman, Hughes, Kolkhorst, Lucio, Nelson, Nichols, Paxton, Perry, Schwertner, Taylor.

Nays: Alvarado, Hinojosa, Johnson, Menéndez, Miles, Powell, Rodríguez, Seliger, Watson, West, Whitmire, Zaffirini.

The bill was read second time.

Senator Perry offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 17** (senate committee report) in SECTION 1 of the bill, by striking proposed Section 57.003(b), Occupations Code (page 1, lines 40 through 42), and substituting the following:

(b) Subsection (a) does not apply to the licensing or regulation of a first responder, as defined by Section 421.095, Government Code.

The amendment to **CSSB 17** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1.

Senator Menéndez offered the following amendment to the bill:

Floor Amendment No. 2

Amend **CSSB 17** (senate committee report) in SECTION 1 of the bill, in proposed Section 57.003(d), Occupations Code, by striking Subdivision (2) of that subsection (page 1, lines 50 through 52) and substituting the following:

(2) authorize a license holder to refuse to provide:

(A) a medical service within the scope of the person's license that is necessary to prevent death or imminent serious bodily injury; or

(B) a service based on the sexual orientation or gender identity of the person requesting the service; or

The amendment to **CSSB 17** was read and failed of adoption by the following vote: Yeas 13, Nays 18.

Yeas: Alvarado, Hinojosa, Johnson, Lucio, Menéndez, Miles, Powell, Rodríguez, Seliger, Watson, West, Whitmire, Zaffirini.

Nays: Bettencourt, Birdwell, Buckingham, Campbell, Creighton, Fallon, Flores, Hall, Hancock, Huffman, Hughes, Kolkhorst, Nelson, Nichols, Paxton, Perry, Schwertner, Taylor.

Senator Rodríguez offered the following amendment to the bill:

Floor Amendment No. 3

Amend **CSSB 17** (senate committee report) in SECTION 1 of the bill, in proposed Section 57.003, Occupations Code (page 1, between lines 55 and 56), by inserting the following appropriately lettered subsection:

() A license holder who, based on a sincerely held religious belief, refuses to provide a service within the scope of the person's license shall, as soon as practicable, notify the applicable state agency that the license holder refused the service and include the name and contact information of the person who requested the service.

The amendment to **CSSB 17** was read and failed of adoption by the following vote: Yeas 12, Nays 19.

Yeas: Alvarado, Hinojosa, Johnson, Lucio, Menéndez, Miles, Powell, Rodríguez, Watson, West, Whitmire, Zaffirini.

Nays: Bettencourt, Birdwell, Buckingham, Campbell, Creighton, Fallon, Flores, Hall, Hancock, Huffman, Hughes, Kolkhorst, Nelson, Nichols, Paxton, Perry, Schwertner, Seliger, Taylor.

CSSB 17 as amended was passed to engrossment by the following vote: Yeas 19, Nays 12.

Yeas: Bettencourt, Birdwell, Buckingham, Campbell, Creighton, Fallon, Flores, Hall, Hancock, Huffman, Hughes, Kolkhorst, Lucio, Nelson, Nichols, Paxton, Perry, Schwertner, Taylor.

Nays: Alvarado, Hinojosa, Johnson, Menéndez, Miles, Powell, Rodríguez, Seliger, Watson, West, Whitmire, Zaffirini.

**COMMITTEE SUBSTITUTE
SENATE BILL 22 ON THIRD READING**

Senator Campbell moved to suspend the regular order of business to take up for consideration **CSSB 22** at this time on its third reading and final passage:

CSSB 22, Relating to prohibiting certain transactions between a governmental entity and an abortion provider or affiliate of the provider.

The motion prevailed by the following vote: Yeas 20, Nays 11.

Yeas: Bettencourt, Birdwell, Buckingham, Campbell, Creighton, Fallon, Flores, Hall, Hancock, Huffman, Hughes, Kolkhorst, Lucio, Nelson, Nichols, Paxton, Perry, Schwertner, Seliger, Taylor.

Nays: Alvarado, Hinojosa, Johnson, Menéndez, Miles, Powell, Rodríguez, Watson, West, Whitmire, Zaffirini.

The bill was read third time and was passed by the following vote: Yeas 20, Nays 11. (Same as previous roll call)

REASON FOR VOTE

Senator Rodríguez submitted the following reason for vote on **CSSB 22**:

Senate Bill 22 is the latest in a long line of bills that target abortion and abortion providers; it serves no medical purpose, undermines personal freedom, and further diminishes local control – once a cherished, respected value in Texas government.

The Author's Statement of Intent lacks any mention of health care; this bill is solely about defunding Planned Parenthood and other abortion providers and their affiliates.

Our purpose, as state legislators, should be to protect constitutional rights, increase access to necessary health care, and help local communities meet the needs of their constituents. Bills like this only create unnecessary divisions, and hurt those whom we should be helping. It creates a chilling effect on local governments through the threat of expensive litigation and financial sanctions.

The language in the Statement of Intent conflates abortion providers with abortion. The state already prohibits spending public money on abortions. This seeks to prohibit public funds from paying for other needed services. It's nothing less than an attempt to put a medical provider that also offers abortion (a constitutionally protected right) out of business.

For example, Planned Parenthood has partnered with local governments to provide Zika prevention kits and HIV testing. Planned Parenthood provided health care resources during Hurricane Harvey. Why would we seek to hinder those valuable contributions?

Texas has the highest uninsured rate in the country. Yet with this bill, we are denying local governments the ability to support health care providers from delivering much needed services in their communities that can prevent poor health outcomes and greater costs, such as cancer screenings, birth control, HIV and STI testing and treatment, and other essential services.

What happened when the state dropped Planned Parenthood from its Healthy Texas Women program in 2013? According to the state's own numbers, nearly 30,000 fewer women received birth control, cancer screenings, and other care in the following two years. Meanwhile, according to an HHSC report, nearly half of all Healthy Texas Women "certified providers" served no women in the program in 2017.

All of these policy points have been made repeatedly by multiple members of this body, whether in committee or on the floor. Yet the Senate insists on imposing draconian, anti-health, anti-women, and anti-local restrictions. For these reasons, I strongly oppose S.B. 22.

RODRÍGUEZ

SENATE BILL 1041 ON SECOND READING

On motion of Senator Taylor and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 1041** at this time on its second reading:

SB 1041, Relating to the deadline by which the Texas Water Development Board is required to identify and designate brackish groundwater production zones for certain areas of the state.

The bill was read second time and was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment.

SENATE BILL 1041 ON THIRD READING

Senator Taylor moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 1041** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

SENATE RULE 8.02 SUSPENDED (Referral to Committee)

Senator Bettencourt moved to suspend Senate Rule 8.02 to take up for consideration **SR 535** at this time.

The motion prevailed by the following vote: Yeas 19, Nays 12.

Yeas: Bettencourt, Birdwell, Buckingham, Campbell, Creighton, Fallon, Flores, Hall, Hancock, Huffman, Hughes, Kolkhorst, Nelson, Nichols, Paxton, Perry, Schwertner, Seliger, Taylor.

Nays: Alvarado, Hinojosa, Johnson, Lucio, Menéndez, Miles, Powell, Rodríguez, Watson, West, Whitmire, Zaffirini.

SENATE RESOLUTION 535

Senator Bettencourt offered the following resolution:

SR 535, Declaring the crisis at the Texas-Mexico International Border an emergency and requesting congress to adopt a budget that fully funds all means necessary to fully secure the Texas-Mexico International Border.

BETTENCOURT	HALL	PAXTON
BIRDWELL	HANCOCK	PERRY
BUCKINGHAM	HUFFMAN	SCHWERTNER
CAMPBELL	HUGHES	SELIGER
CREIGHTON	KOLKHORST	TAYLOR
FALLON	NELSON	
FLORES	NICHOLS	

The resolution was read.

Question: Shall **SR 535** be adopted?

MOTION TO SUSPEND SENATE RULE 6.08
(Motions to Commit)

Senator West moved to suspend Senate Rule 6.08 to commit **SR 535** to the Committee on Veteran Affairs and Border Security.

The motion was lost by the following vote: Yeas 12, Nays 19.

Yeas: Alvarado, Hinojosa, Johnson, Lucio, Menéndez, Miles, Powell, Rodríguez, Watson, West, Whitmire, Zaffirini.

Nays: Bettencourt, Birdwell, Buckingham, Campbell, Creighton, Fallon, Flores, Hall, Hancock, Huffman, Hughes, Kolkhorst, Nelson, Nichols, Paxton, Perry, Schwertner, Seliger, Taylor.

REMARKS ORDERED PRINTED

On motion of Senator Rodríguez and by unanimous consent, the remarks regarding Senator West's motion to commit **SR 535** were ordered reduced to writing and printed in the *Senate Journal* as follows:

Senator West: Thank you very much, Mr. President. I want to make certain that as part of my argument for this particular motion, I want to go back to Senator Watson's comments about the bill, this document being laid on our desk and then the rules being moved to suspend. Members, historically we've always dealt with transparency in this body. And from that vantage point, courtesy to one another as it relates to laying out bills, giving people opportunities to review it, view the bills before or resolutions before we pass them. Many of the chairmen of the various, chairpersons, excuse me, of the various committees make certain that a bill lays out at least one meeting before we vote on it. This hit the desk, rules were suspended. This is a substantive resolution that should be debated in committee and if the result's the same, the result's the same. So, therefore, I would move pursuant to Rule 6.08 that this resolution be referred to committee, and I've asked that it would be referred to the Veteran Affairs and Border Security Committee.

President: Senator Bettencourt, you can speak on it or you can, on the proposed motion.

Senator Bettencourt: Senator West, I think that the resolution speaks to the, the fact that there is a crisis at the Border. We have gone to a very good debate already about how the, we're recognizing the humanitarian, the sex trafficking, the vulnerable populations, et cetera, and, and the reality is that when you have an unprecedented number of crossings of 100,000 in the month of March of 2019, I have to oppose the motion at this time.

Senator West: May I close, Mr. President, on the motion?

President: You may close.

Senator West: Senator, I don't disagree with you that this needs to be discussed. I disagree with the process by which we are discussing it. Okay? The fact is that we normally, this, I mean this, this is a huge issue for the country, and so from that vantage point, I think that both sides should be able to bring data, bring whatever evidence or testimony they have as it relates to this particular issue. This is a very substantive resolution that every Member should have the opportunity, the opportunity to present testimony on. And we didn't have that opportunity, at all. You presented it, laid it on the desk, all, you have 18 persons that have signed it, no Democrats whatsoever. And if it's going to be a partisan issue, that's fine. Let's call it what it is, though. Okay? Let's call it what it is, as opposed to being the deliberative body that we are, allowing it to go through the proper committee and then bringing it back for consideration. That's all I'm asking. I move adoption of the motion.

Question: Shall **SR 535** be adopted?

Senator Rodríguez offered the following amendment to the resolution:

Floor Amendment No. 1

Amend **SR 535** and add the following language immediately after the second RESOLVED paragraph on page 3, line 17:

RESOLVED, That the Texas Senate requests the federal government cease separating families at the border as a means of deterring refugees, and utilize existing resources to humanely process refugee and asylum seekers.

The amendment to **SR 535** was read.

Senator Rodríguez withdrew Floor Amendment No. 1.

Senator Hinojosa offered the following amendment to the resolution:

Floor Amendment No. 2

Amend **SR 535** and add the following language immediately after the second RESOLVED paragraph on page 3, line 17:

RESOLVED, That the Texas Senate requests the federal government cease separating families at the border as a means of deterring refugees, and to humanely process refugee and asylum seekers.

HINOJOSA
LUCIO
RODRÍGUEZ

The amendment to **SR 535** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 2.

Senator Lucio offered the following amendment to the resolution:

Floor Amendment No. 3

Amend **SR 535** (introduced version) on page 3, line 16, strike the comma, and strike "and erecting barriers where needed".

LUCIO
HINOJOSA
RODRÍGUEZ
ZAFFIRINI

The amendment to **SR 535** was read and failed of adoption by the following vote: Yeas 12, Nays 19.

Yeas: Alvarado, Hinojosa, Johnson, Lucio, Menéndez, Miles, Powell, Rodríguez, Watson, West, Whitmire, Zaffirini.

Nays: Bettencourt, Birdwell, Buckingham, Campbell, Creighton, Fallon, Flores, Hall, Hancock, Huffman, Hughes, Kolkhorst, Nelson, Nichols, Paxton, Perry, Schwertner, Seliger, Taylor.

Senator Johnson offered the following amendment to the resolution:

Floor Amendment No. 4

Amend **SR 535** by adding the following language immediately after the second RESOLVED paragraph on page 3, line 17:

RESOLVED, That the Texas Senate request that the federal government immediately restore foreign aid to the nations of El Salvador, Honduras, and Guatemala, given the important role of this funding in mitigating the root causes of migration by supporting political stability, reducing violence, and encouraging economic growth in these countries; and

The amendment to **SR 535** was read and failed of adoption by the following vote: Yeas 12, Nays 19.

Yeas: Alvarado, Hinojosa, Johnson, Lucio, Menéndez, Miles, Powell, Rodríguez, Watson, West, Whitmire, Zaffirini.

Nays: Bettencourt, Birdwell, Buckingham, Campbell, Creighton, Fallon, Flores, Hall, Hancock, Huffman, Hughes, Kolkhorst, Nelson, Nichols, Paxton, Perry, Schwertner, Seliger, Taylor.

Senator Menéndez offered the following amendment to the resolution:

Floor Amendment No. 5

Amend **SR 535** by striking all, and replacing with the following:

WHEREAS, The President of the United States has declared the situation along the border a "crisis;" and

WHEREAS, The United States Congress has consistently delayed meaningful action on border security, forcing Texas to expend significant resources to keep the international border with Mexico secure and placing an undue burden on the state's taxpayers; now, therefore, be it

RESOLVED, That the Texas Senate hereby expresses its dissatisfaction with the United States Congress' inadequate efforts to fully fund the operational security of the Texas-Mexico international border; and, be it further

RESOLVED, That the Texas Senate calls upon the United States Congress to adopt a budget that fully funds all means necessary to fully secure the Texas-Mexico international border, including, but not limited to, deploying personnel, implementing effective technologies, ~~and erecting barriers~~ where needed; and, be it further

RESOLVED, That the Texas Senate declares this crisis at the Texas-Mexico International Border ~~an emergency~~; and, be it further

RESOLVED, The Texas Senate ~~supports the President in his efforts to move forward with emergency action~~; and, be it further

RESOLVED, That the Secretary of the Texas Senate forward official copies of this resolution to the President of the United States, to the President of the U.S. Senate, and to the Speaker of the U.S. House of Representatives, and to all members of the Texas delegation to Congress with the request that this resolution be entered in the Congressional Record.

MENÉNDEZ	POWELL
ALVARADO	RODRÍGUEZ
HINOJOSA	WATSON
JOHNSON	WEST
LUCIO	WHITMIRE
MILES	ZAFFIRINI

The amendment to **SR 535** was read and failed of adoption by the following vote: Yeas 12, Nays 19.

Yeas: Alvarado, Hinojosa, Johnson, Lucio, Menéndez, Miles, Powell, Rodríguez, Watson, West, Whitmire, Zaffirini.

Nays: Bettencourt, Birdwell, Buckingham, Campbell, Creighton, Fallon, Flores, Hall, Hancock, Huffman, Hughes, Kolkhorst, Nelson, Nichols, Paxton, Perry, Schwertner, Seliger, Taylor.

Senator Johnson offered the following amendment to the resolution:

Floor Amendment No. 6

Amend **SR 535** by adding the following language immediately after the second RESOLVED paragraph on page 3, line 17:

RESOLVED, That the Texas Senate requests that the federal government not divert funds already allocated to military construction projects to construct a physical barrier on the US-Mexican border, given that such action could jeopardize over \$265,000,000 in funding for improvements to Texas military installations that would directly benefit our soldiers, bases, and communities; and

The amendment to **SR 535** was read and failed of adoption by the following vote: Yeas 12, Nays 19.

Yeas: Alvarado, Hinojosa, Johnson, Lucio, Menéndez, Miles, Powell, Rodríguez, Watson, West, Whitmire, Zaffirini.

Nays: Bettencourt, Birdwell, Buckingham, Campbell, Creighton, Fallon, Flores, Hall, Hancock, Huffman, Hughes, Kolkhorst, Nelson, Nichols, Paxton, Perry, Schwertner, Seliger, Taylor.

SR 535 as amended was adopted by the following vote: Yeas 19, Nays 12.

Yeas: Bettencourt, Birdwell, Buckingham, Campbell, Creighton, Fallon, Flores, Hall, Hancock, Huffman, Hughes, Kolkhorst, Nelson, Nichols, Paxton, Perry, Schwertner, Seliger, Taylor.

Nays: Alvarado, Hinojosa, Johnson, Lucio, Menéndez, Miles, Powell, Rodríguez, Watson, West, Whitmire, Zaffirini.

STATEMENT REGARDING SENATE RESOLUTION 535

Senator Rodríguez submitted the following statement regarding **SR 535**:

Today, Texas Senate Republicans ambushed Senate Democrats to take up Senate Resolution 535. The resolution vilifies border communities and immigrants by repeating false narratives that conflate crimes against persons and property with immigration, and mischaracterizing refugees seeking asylum as a threat to our national security. If there is a crisis on the border, it is a humanitarian crisis created by the Trump administration.

The author of the resolution chose to make this a partisan issue; he only asked Republican members to joint author the resolution. Senate leadership also chose to circumvent the usual process of holding a committee hearing on a substantive resolution where members and the public have notice and the opportunity to participate. Instead, the resolution was laid out on members' desks mere minutes before being taken up on the Senate floor. This procedural move sets a bad precedent for the Senate and may serve as a slippery slope for further resolutions seeking to make these types of declarations.

There was one bright spot: I offered an amendment to urge the federal government not to separate families as a means of deterring asylum seekers, and to ensure humane treatment of asylum seekers, which was ultimately accepted.

Nonetheless, I am disappointed that many of my Senate colleagues have allowed this resolution to be taken up in a manner that is contrary to the traditions of the Texas Senate.

RODRÍGUEZ

SENATE BILLS ON FIRST READING

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

SB 2504 by Creighton

Relating to the creation of the Magnolia Woods Municipal Utility District No. 1; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

To Committee on Intergovernmental Relations.

SB 2505 by Creighton

Relating to the powers, duties, and governance of the Westwood Magnolia Parkway Improvement District; providing authority to impose taxes and issue bonds.

To Committee on Intergovernmental Relations.

SB 2507 by Taylor

Relating to the territory, powers, and administration of the Gulf Coast Water Authority.

To Committee on Water and Rural Affairs.

HOUSE BILLS ON FIRST READING

The following bills received from the House were read first time and referred to the committees indicated:

HB 61 to Committee on Transportation.

HB 428 to Committee on Criminal Justice.

HB 547 to Committee on Water and Rural Affairs.

HB 638 to Committee on Education.

HB 1101 to Committee on Administration.

GUESTS PRESENTED

Senator Fallon was recognized and introduced to the Senate parents of Lauren Landavazo, Vern and Bianka Landavazo.

The Senate welcomed its guests and extended its sympathy to the family members.

CO-AUTHORS OF SENATE BILL 14

On motion of Senator Nichols, Senators Paxton and Perry will be shown as Co-authors of **SB 14**.

CO-AUTHORS OF SENATE BILL 17

On motion of Senator Perry, Senators Campbell and Lucio will be shown as Co-authors of **SB 17**.

CO-AUTHORS OF SENATE BILL 23

On motion of Senator Kolkhorst, Senators Birdwell, Fallon, and Taylor will be shown as Co-authors of **SB 23**.

CO-AUTHOR OF SENATE BILL 244

On motion of Senator Creighton, Senator Birdwell will be shown as Co-author of **SB 244**.

CO-AUTHOR OF SENATE BILL 555

On motion of Senator Schwertner, Senator Bettencourt will be shown as Co-author of **SB 555**.

CO-AUTHOR OF SENATE BILL 686

On motion of Senator Alvarado, Senator Paxton will be shown as Co-author of **SB 686**.

CO-AUTHOR OF SENATE BILL 1048

On motion of Senator Fallon, Senator Bettencourt will be shown as Co-author of **SB 1048**.

CO-AUTHORS OF SENATE BILL 1494

On motion of Senator Paxton, Senators Flores, Hughes, and Nichols will be shown as Co-authors of **SB 1494**.

CO-AUTHOR OF SENATE BILL 1572

On motion of Senator Alvarado, Senator Taylor will be shown as Co-author of **SB 1572**.

CO-AUTHOR OF SENATE BILL 1621

On motion of Senator Kolkhorst, Senator Seliger will be shown as Co-author of **SB 1621**.

CO-AUTHOR OF SENATE BILL 1622

On motion of Senator Kolkhorst, Senator Seliger will be shown as Co-author of **SB 1622**.

CO-AUTHOR OF SENATE BILL 1772

On motion of Senator Bettencourt, Senator Taylor will be shown as Co-author of **SB 1772**.

CO-AUTHOR OF SENATE JOINT RESOLUTION 57

On motion of Senator Bettencourt, Senator Taylor will be shown as Co-author of **SJR 57**.

RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

Memorial Resolution

SR 530 by West, In memory of Maye Everette Thompson Darby.

Congratulatory Resolutions

SR 532 by Hinojosa, Recognizing the Valley Land Title Company on the occasion of its 100th anniversary.

SR 533 by Schwertner, Recognizing Prairie Grove Baptist Church on the occasion of its 150th anniversary.

ADJOURNMENT

On motion of Senator Whitmire, the Senate at 5:16 p.m. adjourned, in memory of Lauren Landavazo and J. Taylor Brite, until 11:00 a.m. tomorrow.

APPENDIX

COMMITTEE REPORTS

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

April 2, 2019

AGRICULTURE — **SB 814**

EDUCATION — **CSSB 243, CSSB 213, CSSB 316, CSSB 1230, CSSB 364**

AGRICULTURE — **CSSB 2037**

STATE AFFAIRS — **CSSB 21**

BUSINESS AND COMMERCE — **CSSB 1939, CSSB 590, CSSB 1531**

BILLS ENGROSSED

April 1, 2019

SB 361, SB 395, SB 749, SB 1082

RESOLUTIONS ENROLLED

April 1, 2019

SR 513, SR 514, SR 515, SR 516, SR 517, SR 519, SR 520, SR 521, SR 522, SR 523, SR 524, SR 525, SR 526, SR 527, SR 528, SR 529

SENT TO SECRETARY OF STATE

April 2, 2019

SCR 56

In Memory
of
J. Taylor Brite
Senate Resolution 495

WHEREAS, The citizens of Pleasanton lost a beloved resident and civic leader with the passing of the Honorable J. Taylor Brite on January 8, 2019, at the age of 97; and

WHEREAS, The son of Thomas and Nora Brite, Taylor Brite was born in San Antonio on October 27, 1921, and he grew up with the companionship of four siblings, Ralph, Bessie, Rita, and Iris; answering his nation's call to duty, he served in the Army Air Forces during World War II; and

WHEREAS, Judge Brite began his exemplary 46-year career in public service in 1950, when he was elected Atascosa County attorney; he was appointed district attorney in 1960, and he went on to serve as judge of the 81st Judicial District in South Texas and as senior district judge for the State of Texas; active in his profession, he held the office of president of the Texas District & County Attorneys Association; and

WHEREAS, In all his endeavors, Judge Brite enjoyed the love and support of his wife, Frances, with whom he shared a rewarding marriage that spanned 68 years until her passing; he took great pride in his children, Steve, Gary, Tom, and Patricia, and he had the pleasure of seeing his family grow to include 11 grandchildren, Chris, Matt, Jennifer, Amy, Emily, Kevin, Robert, Tara, Taylor, Alan, and Rachel, and 11 great-grandchildren, Ben, Annie, John, Will, Zachary, Mia, Liam, Owen, Graham, Henry, and Jemma; and

WHEREAS, The loss of Taylor Brite is keenly felt by the numerous friends he made through the years as well as by the many people in Atascosa County and beyond whose lives he forever enriched; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 86th Legislature, hereby pay tribute to the memory of the Honorable J. Taylor Brite and extend sincere sympathy to all who mourn his passing; and, be it further

RESOLVED, That an official copy of this Resolution be prepared for his family and that when the Texas Senate adjourns this day, it do so in memory of J. Taylor Brite.

FLORES
ZAFFIRINI