SENATE JOURNAL

SEVENTY-EIGHTH LEGISLATURE — THIRD CALLED SESSION

AUSTIN, TEXAS

PROCEEDINGS

THIRTEENTH DAY
(Friday, October 10, 2003)

The Senate met at 9:00 a.m. pursuant to adjournment and was called to order by President Pro Tempore Nelson.

The roll was called and the following Senators were present: Armbrister, Averitt, Barrientos, Bivins, Brimer, Carona, Deuell, Duncan, Ellis, Estes, Fraser, Gallegos, Harris, Hinojosa, Jackson, Janek, Lindsay, Lucio, Madla, Nelson, Ogden, Ratliff, Shapiro, Shapleigh, Staples, Van de Putte, Wentworth, West, Whitmire, Williams, Zaffirini.

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

The Reverend Ron Smith, Saint David's Episcopal Church, Austin, offered the invocation as follows:

O God, the fountain of wisdom, whose will is good and gracious and whose law is truth. We beseech You so to guide and bless our Texas Senators that they may enact such laws as shall please You to the glory of Your name and the welfare of the people of Texas. We ask You also to bless each individual Member of this Senate that they may find peace and rest in their hearts when after the long struggle of deliberation they return to their families and friends. We offer these prayers, O God, in knowledge of Your kindness and love towards us and all You have made. Amen.

Senator Whitmire moved that the reading of the Journal of the proceedings of Wednesday, October 8, 2003, be dispensed with and the Journal be approved as printed.

The motion prevailed without objection.

PHYSICIAN OF THE DAY

Senator Zaffirini was recognized and presented Dr. Leonides Cigarroa, Jr., of Laredo as the Physician of the Day.

The Senate welcomed Dr. Cigarroa and thanked him for his participation in the Physician of the Day program sponsored by the Texas Academy of Family Physicians.
SENATE CONCURRENT RESOLUTION 5

The Presiding Officer laid before the Senate the following resolution:

WHEREAS, The Legislature of the State of Texas is pleased to recognize Baylor University, one of the leading institutions of higher education in the state; and

WHEREAS, Baylor was chartered in 1845 by the Republic of Texas and is the oldest institution of higher education in the state; and

WHEREAS, The university offers 162 baccalaureate degree programs, 74 master's and professional degree programs, and 19 doctoral degree programs to roughly 14,000 students representing all 50 states and over 70 foreign nations; and

WHEREAS, Central to Baylor's mission as a Christian institution is the preparation of students for "worldwide leadership and service," and Baylor alumni have served with distinction in the arts and sciences, law, education, music, and business; and

WHEREAS, Baylor students, faculty, alumni, and friends have shown great devotion to the university in the face of recent challenges; now, therefore, be it

RESOLVED, That the 78th Legislature of the State of Texas, 3rd Called Session, hereby recognize Baylor University for the contributions of its students, alumni, and faculty to the life of this state and commend Baylor's commitment to achieve top-tier status as embodied in the university's 10-year vision, Baylor 2012; and, be it further

RESOLVED, That a copy of this resolution be prepared for Baylor University as an expression of high regard from the Texas Legislature.

AVERITT
HARRIS

The resolution was read.

On motion of Senator Averitt and by unanimous consent, the resolution was considered immediately and was adopted without objection.

GUEST PRESENTED

Senator Averitt, joined by Senator Harris, was recognized and introduced to the Senate Dr. David Lyle Jeffrey, Provost and Vice-president for Academic Affairs at Baylor University in Waco.

The Senate welcomed its guest.

RESOLUTIONS SIGNED

The Presiding Officer announced the signing of the following enrolled resolutions in the presence of the Senate:

HCR 3, HCR 4, HCR 6, HCR 11, HCR 12, HCR 13, HCR 16, HCR 23, HCR 24, HCR 25.

SENATE RULE 3.04
(Posters, Placards, Banners, and Signs)

On motion of Senator Gallegos and by unanimous consent, Senate Rule 3.04, which restricts the use of posters, placards, banners, and signs in the Senate Chamber, was suspended to allow the display of enlarged copies of maps to be placed on easels in the Senate Chamber.
(President in Chair)

HOUSE CONCURRENT RESOLUTION 10

The President laid before the Senate the following resolution:

HCR 10, Designating the East Texas What-A-Melon Festival as the Official Watermelon Festival of the State of Texas.

STAPLES

The resolution was read.

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

CONFERENCE COMMITTEE REPORT ON HOUSE BILL 3

Senator Staples called from the President's table the Conference Committee Report on HB 3. The Conference Committee Report was filed with the Senate on Thursday, October 9, 2003.

Senators Hinojosa, West, Lucio, Gallegos, Whitmire, Barrientos, Shapleigh, Lindsay, Ogden, Ellis, Van de Putte, Madla, and Zaffirini were recognized during a question and answer period on the Conference Committee Report on HB 3.

(Senator Harris in Chair)
(Senator Brimer in Chair)
(President in Chair)
(Senator Averitt in Chair)
(President in Chair)

Question — Shall the Conference Committee Report on HB 3 be adopted?

AT EASE

The President at 3:17 p.m. announced the Senate would stand At Ease subject to the call of the Chair.

IN LEGISLATIVE SESSION

The President at 3:50 p.m. called the Senate to order as In Legislative Session.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER
Austin, Texas
October 10, 2003

The Honorable President of the Senate
Senate Chamber
Austin, Texas

Mr. President:

I am directed by the House to inform the Senate that the House has taken the following action:
THE HOUSE HAS PASSED THE FOLLOWING MEASURES:

**HCR 14**, Honoring Allen Martin for his contributions to Texas music.

**HCR 18**, Honoring Fernando Elizondo Barragán, governor of the State of Nuevo León, Mexico.

**HCR 19**, Recognizing October 25, 2003, as Convoy of Hope Day.

**HCR 20**, In memory of Dovie Jean Webber of Fort Worth.

**HCR 21**, Honoring the life of Nadine Lois Spencer Cary of Fort Worth.

**HCR 22**, Recognizing the creation of the Hazel Harvey Peace Professorship in children's library services at the University of North Texas.

**HCR 27**, Honoring the life of Henry F. Molina of San Antonio.

**HCR 28**, Honoring Sheriff Gary Painter of Midland for his exceptional public service.

**SCR 5**, Recognizing Baylor University for the contributions of its students, alumni, and faculty to the state.

THE HOUSE HAS CONCURRED IN SENATE AMENDMENTS TO THE FOLLOWING MEASURES:

**HB 37** (House concurs by a vote of 122 yeas, 9 nays, 1 present not voting)

THE HOUSE HAS ADOPTED THE FOLLOWING CONFERENCE COMMITTEE REPORTS:

**HB 1** (House adopts CCR by a vote of 77 yeas, 52 nays, 1 pnv)

**HB 3** (House adopts CCR by a vote of 76 yeas, 58 nays, 3 pnv)

**HB 24** (House adopts CCR by a vote of 127 yeas, 0 nays, 1 pnv)

**HB 28** (House adopts CCR by a vote of 118 yeas, 5 nays, 1 pnv)

Respectfully,
/s/Robert Haney, Chief Clerk
House of Representatives

PROCLAMATIONS BY THE GOVERNOR

The following Proclamations by the Governor were read and were filed with the Secretary of the Senate:

OFFICIAL MEMORANDUM
STATE OF TEXAS
OFFICE OF THE GOVERNOR
MESSAGE

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE SEVENTY-EIGHTH TEXAS LEGISLATURE, THIRD CALLED SESSION:

WHEREAS, the people of Texas through their state Constitution have placed the power to call the legislature into special session in the hands of the Chief Executive Officer of the State; and

WHEREAS, the members of the Seventy-Eighth Texas Legislature, Third Called Session, have now convened to consider items presented to them by the Governor;
NOW, THEREFORE, I, RICK PERRY, Governor of the State of Texas, by the authority vested in me by Article IV, Section 8 and Article III, Section 40 of the Texas Constitution, do hereby present the following additional matter to the Seventy-Eighth Texas Legislature, Third Called Session for consideration:

The subject as contained in the conference committee report for House Bill No. 1 relating to the dates of certain elections, the procedures for canvassing the ballots for an election, and the counting of certain ballots voted by mail, as reported from conference committee on Thursday, October 9, 2003.

IN TESTIMONY WHEREOF, I have signed my name officially and caused the Seal of the State to be affixed hereto at Austin, this 10th day of October, 2003.

/s/ Rick Perry
Governor of Texas

(seal)

ATTESTED BY:

/s/ Geoffrey S. Connor
Secretary of State
OFFICIAL MEMORANDUM
STATE OF TEXAS
OFFICE OF THE GOVERNOR
MESSAGE

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE SEVENTY-EIGHTH TEXAS LEGISLATURE, THIRD CALLED SESSION:

WHEREAS, the people of Texas through their state Constitution have placed the power to call the legislature into special session in the hands of the Chief Executive Officer of the State; and

WHEREAS, the members of the Seventy-Eighth Texas Legislature, Third Called Session, have now convened to consider items presented to them by the Governor;

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

The subject as contained in the conference committee report for House Bill No. 7 relating to the organization, board membership, and functions of certain governmental agencies and to the transfer of certain functions to other governmental agencies, as reported from conference committee on Thursday, October 9, 2003.

IN TESTIMONY WHEREOF, I have signed my name officially and caused the Seal of the State to be affixed hereto at Austin, this 10th day of October, 2003.

/s/ Rick Perry
Governor of Texas

ATTESTED BY:

/s/ Geoffrey S. Connor
Secretary of State
NOW, THEREFORE, I, RICK PERRY, Governor of the State of Texas, by the
authority vested in me by Article IV, Section 8 and Article III, Section 40 of the Texas
Constitution, do hereby present the following additional matter to the Seventy-Eighth
Texas Legislature, Third Called Session for consideration:

The subject as contained in the conference committee report for House Bill
No. 24 relating to appropriating the fees relating to the licensing and
regulation of certain electricians collected by the Texas Department of
Licensing and Regulation or the Texas Commission of Licensing and
Regulation under House Bill No. 1487, Acts of the 78th Legislature,
Regular Session, 2003, as the conference committee report for H.B. No. 24
was reported from conference committee on Thursday, October 9, 2003.

IN TESTIMONY WHEREOF, I have signed my name officially and caused the
Seal of the State to be affixed hereto at Austin, this 10th day of October, 2003.

/s/ Rick Perry
Governor of Texas

ATTESTED BY:
/s/ Geoffrey S. Connor
Secretary of State

OFFICIAL MEMORANDUM
STATE OF TEXAS
OFFICE OF THE GOVERNOR
MESSAGE

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE
SEVENTY-EIGHTH TEXAS LEGISLATURE, THIRD CALLED SESSION:

WHEREAS, the people of Texas through their state Constitution have placed the
power to call the legislature into special session in the hands of the Chief Executive
Officer of the State; and

WHEREAS, the members of the Seventy-Eighth Texas Legislature, Third Called
Session, have now convened to consider items presented to them by the Governor;

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

The subject as contained in the conference committee report for House Bill
No. 28 relating to state fiscal management, including various matters related
to increasing administrative efficiency in state government, making related
appropriations, as reported from conference committee on Thursday,
October 9, 2003.

IN TESTIMONY WHEREOF, I have signed my name officially and caused the
Seal of the State to be affixed hereto at Austin, this 10th day of October, 2003.
Question — Shall the Conference Committee Report on HB 3 be adopted?

Senators Barrientos, Lucio, Gallegos, West, Zaffirini, and Whitmire were recognized to speak in opposition to the Conference Committee Report on HB 3.

(Senator Wentworth in Chair)

Senators Duncan and Averitt were recognized to speak in favor of the Conference Committee Report on HB 3.

(President in Chair)

On motion of Senator Staples and by unanimous consent, further consideration of HB 3 was postponed to a time certain of 8:15 p.m. today.

Question — Shall the Conference Committee Report on HB 3 be adopted?

RESOLUTION SIGNED

The President announced the signing of the following enrolled resolution in the presence of the Senate: SCR 5.

SENATE RESOLUTION 134

Senator Nelson offered the following resolution:

BE IT RESOLVED by the Senate of the State of Texas, 78th Legislature, 3rd Called Session, 2003, That Senate Rule 12.03 be suspended in part as provided by Senate Rule 12.08 to enable the conference committee appointed to resolve the differences on HB 1, relating to the dates of and procedures for certain elections, the procedures for canvassing the ballots for an election, and the counting of certain ballots voted by mail, to consider and take action on the following matters:

(1) Senate Rule 12.03(3) is suspended to permit the committee to make SECTION 1 of the bill, which provides for a change in the uniform election dates in Section 41.001(a), Election Code, effective January 1, 2005.

Explanation: The addition of text on this matter is necessary to avoid conflicts between the elections held on uniform election dates and the primary and runoff primary elections to be held in 2004.

(2) Senate Rule 12.03(4) is suspended to permit the committee to add text to set the 2004 general primary election and 2004 presidential primary election on March 9, 2004, to set the 2004 runoff primary election on April 13, 2004, and to resolve conflicts between elections held on those dates and other provisions of the Election Code.

Explanation: The addition of text on this matter is necessary to allow for the use of the congressional districts contained in H.B. No. 3, Acts of the 78th Legislature, 3rd Called Session, 2003, in the 2004 primary elections.
The resolution was read and was adopted by the following vote: Yeas 19, Nays 12.

Yeas: Armbrister, Averitt, Bivins, Brimer, Carona, Deuell, Duncan, Estes, Fraser, Harris, Jackson, Janek, Lindsay, Nelson, Ogden, Shapiro, Staples, Wentworth, Williams.

Nays: Barrientos, Ellis, Gallegos, Hinojosa, Lucio, Madla, Ratliff, Shapleigh, Van de Putte, West, Whitmire, Zaffirini.

CONFERENCE COMMITTEE REPORT ON HOUSE BILL 1 ADOPTED

Senator Nelson called from the President's table the Conference Committee Report on HB 1. The Conference Committee Report was filed with the Senate on Thursday, October 9, 2003.

On motion of Senator Nelson, the Conference Committee Report was adopted by the following vote: Yeas 19, Nays 12.

Yeas: Armbrister, Averitt, Bivins, Brimer, Carona, Deuell, Duncan, Estes, Fraser, Harris, Jackson, Janek, Lindsay, Nelson, Ogden, Shapiro, Staples, Wentworth, Williams.

Nays: Barrientos, Ellis, Gallegos, Hinojosa, Lucio, Madla, Ratliff, Shapleigh, Van de Putte, West, Whitmire, Zaffirini.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER
Austin, Texas
October 10, 2003

The Honorable President of the Senate
Senate Chamber
Austin, Texas

Mr. President:

I am directed by the House to inform the Senate that the House has taken the following action:

THE HOUSE HAS PASSED THE FOLLOWING MEASURES:

HCR 31, Recognizing Neal McCoy of Longview.

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

HOUSE RESOLUTION ON FIRST READING

The following resolution received from the House was read first time and was referred to the committee indicated:

HCR 1 to Committee on Natural Resources.
SENATE RESOLUTION 125

Senator Bivins offered the following resolution:

BE IT RESOLVED by the Senate of the State of Texas, 78th Legislature, 3rd Called Session, 2003, That Senate Rules 12.03 and 12.04 be suspended in part as provided by Senate Rule 12.08 to enable the conference committee appointed to resolve the differences on HB 24, relating to appropriations to departments and agencies of the state government, including conditions, limitations, rules, and procedures for allocating and expending appropriations, to consider and take action on the following matters:

(1) Senate Rules 12.03(3) and (4) and 12.04(5) are suspended to permit the committee to make a new appropriation by adding a new Section 3 of the bill to read as follows:

SECTION 3. (a) Except as provided by Subsection (b) of this section, all surcharges collected during the state fiscal biennium beginning September 1, 2003, by the Texas Alcoholic Beverage Commission under Section 5.55(b), Alcoholic Beverage Code, as added by Chapter 101, Acts of the 78th Legislature, Regular Session, 2003, are appropriated to the Texas Alcoholic Beverage Commission for the state fiscal biennium beginning September 1, 2003, for the purpose described by Section 5.55, Alcoholic Beverage Code.

(b) The amount appropriated to the Texas Alcoholic Beverage Commission under this section may not exceed $500,000.

Explanation: It is necessary to make the new appropriation to appropriate for the intended purpose surcharges that will be collected under a law added by the 78th Legislature, Regular Session.

(2) Senate Rules 12.03(3) and (4) and 12.04(5) are suspended to permit the committee to make new appropriations by adding a new Section 4 of the bill to read as follows:

SECTION 4. (a) All surcharges authorized by Section 134.014(b), Agriculture Code, as added by Chapter 677, Acts of the 78th Legislature, Regular Session, 2003, and collected during the state fiscal biennium beginning September 1, 2003, are appropriated to the Department of Agriculture for the state fiscal biennium beginning September 1, 2003, for the implementation and administration of the Texas shrimp marketing assistance program under Subchapter B, Chapter 47, Agriculture Code. The amount appropriated by this subsection may not exceed $25,000 for each fiscal year of the biennium.

(b) All additional revenue generated by the increase in the amount of certain license fees under Section 77.002(c), Parks and Wildlife Code, as added by House Bill No. 2470, Acts of the 78th Legislature, Regular Session, 2003, and collected during the state fiscal biennium beginning September 1, 2003, by the Parks and Wildlife Department is appropriated to the Department of Agriculture for the state fiscal biennium beginning September 1, 2003, for the implementation and administration of the Texas shrimp marketing assistance program under Subchapter B, Chapter 47, Agriculture Code. The amount appropriated by this subsection may not exceed $250,000 for each fiscal year of the biennium.
The full-time equivalent position limitation established for the Department of Agriculture in Chapter 1330, Acts of the 78th Legislature, Regular Session, 2003 (the General Appropriations Act), is increased by two for the state fiscal biennium beginning September 1, 2003.

Explanation: It is necessary to make the new appropriations to appropriate for the intended purpose certain surcharges and license fee revenue that will be collected under laws added by the 78th Legislature, Regular Session.

(3) Senate Rules 12.03(3) and (4) and 12.04(5) are suspended to permit the committee to make new appropriations by adding a new Section 5 of the bill to read as follows:

SECTION 5. Rider 68 following the appropriations to the Department of Health on page II-41, Chapter 1330, Acts of the 78th Legislature, Regular Session, 2003 (the General Appropriations Act), is amended to read as follows:

68. Contingency Appropriation for House Bill 3588. Contingent upon enactment of House Bill 3588, or similar legislation relating to the construction, acquisition, financing, maintenance, management, operation, ownership, and control of transportation facilities and the progress, improvement, policing, and safety of transportation in the state, an estimated amount not to exceed $108,000,000 [$59,338,603] in fiscal year 2004 and an estimated amount not to exceed $161,300,000 [$112,613,914] in fiscal year 2005 in funds deposited in the trauma facility and emergency medical services account established under the bill are hereby appropriated to the Department of Health. These funds shall be used to fund designated trauma facilities, county and regional emergency medical services, and trauma care systems. Of the funds appropriated from this account, the Commissioner of Health shall maintain a reserve of $500,000 for extraordinary emergencies.

Explanation: It is necessary to make the new appropriations to account for the increase, since the regular session, in the amount estimated to be available for trauma care.

(4) Senate Rules 12.03(3) and (4) and 12.04(5) are suspended to permit the committee to make a new appropriation by adding a new Section 6 of the bill to read as follows:

SECTION 6. (a) In addition to other amounts appropriated to the Department of Licensing and Regulation for the state fiscal biennium beginning September 1, 2003, for the purpose of administering certain provisions of Chapter 816, Acts of the 78th Legislature, Regular Session, 2003, including provisions pertaining to elevator contractor regulation, toll-free customer service lines, and loss damage waiver regulation, the following amounts are appropriated out of the general revenue fund, from fees collected by the department, to the Department of Licensing and Regulation for the purpose of administering the provisions of Chapter 816, Acts of the 78th Legislature, Regular Session, 2003: $208,909 for the state fiscal year beginning September 1, 2003, and $230,172 for the state fiscal year beginning September 1, 2004. The full-time equivalent position limitation established for the department in Chapter 1330, Acts of the 78th Legislature, Regular Session, 2003 (the General Appropriations Act), is also increased by 4.5 for the state fiscal year beginning September 1, 2003, and by 5.5 for the state fiscal year beginning September 1, 2004, for that purpose.
(b) Any increase in state employee benefit costs incurred during the state fiscal biennium beginning September 1, 2003, in connection with the increase in the number of full-time equivalent positions authorized by Subsection (a) of this section shall be paid out of the appropriations made by Subsection (a) of this section and shall be allocated to the appropriate employee benefit appropriation items in accordance with applicable rules of the comptroller.

Explanation: It is necessary to make the new appropriations to account for the increase, since the regular session, in the amount of fees estimated to be collected by the Department of Licensing and Regulation that will be needed to administer provisions of the sunset bill for the department.

The resolution was read and was adopted by the following vote: Yeas 31, Nays 0.

CONFERENCE COMMITTEE REPORT ON HOUSE BILL 24

Senator Bivins called from the President’s table the Conference Committee Report on HB 24. The Conference Committee Report was filed with the Senate on Thursday, October 9, 2003.

On motion of Senator Bivins and by unanimous consent, further consideration of the Conference Committee Report on HB 24 was postponed to a time certain of 8:15 p.m. today.

Question — Shall the Conference Committee Report on HB 24 be adopted?

SENATE RESOLUTION 133

Senator Bivins offered the following resolution:

BE IT RESOLVED by the Senate of the State of Texas, 78th Legislature, 3rd Called Session, 2003, That Senate Rule 12.03 be suspended in part as provided by Senate Rule 12.08 to enable the conference committee appointed to resolve the differences on HB 28, relating to state and local government fiscal management, including various matters related to increasing administrative efficiency in state government; making related appropriations, to consider and take action on the following matters:

(1) Senate Rule 12.03(1) is suspended to permit the committee to alter text in the article of the bill that provides for the repayment of cash transferred from funds outside of the state treasury, so that Section 4.02 of the bill reads as follows:

SECTION 4.02. Not more than $5,000,000 of the appropriation made by Section 4.01 of this Act may be used to allocate earned interest to a fund outside the state treasury under Section 403.092(a), Government Code.

Explanation: It is necessary to replace a reference to Section 1 of the Act with a reference to Section 4.01 of the Act so that the reference is correct.

(2) Senate Rules 12.03(3) and (4) are suspended to permit the committee to add a new Article 8 to the bill to read as follows:
ARTICLE 8. B-ON-TIME PROGRAM

SECTION 8.01. (a) Section 56.465(a), Education Code, as added by Chapter 779, Acts of the 78th Legislature, Regular Session, 2003, is amended to read as follows:

(a) The governing board of each institution of higher education shall cause to be set aside five percent of the amount of the tuition charged to a resident undergraduate student at the institution under Section 54.0513 [that is] in excess of $46 per semester credit hour. The amount of a student’s tuition set aside under this subsection is considered a part of the amount required to be set aside from that tuition under Section 56.011 [the amount that would have been charged to the student under that section for the same semester or term in the 2002-2003 academic year].

(b) The change in law made by this section to Section 56.465(a), Education Code, applies only to a semester or term that begins on or after the effective date of this Act.

SECTION 8.02. Section 8.02, Chapter 1266, Acts of the 78th Legislature, Regular Session, 2003, is amended by adding Subsection (f-1) to read as follows:

(f-1) In its review, the committee shall evaluate whether students enrolled in private and independent institutions of higher education should remain eligible to receive Texas B-On-time loans under Subchapter Q, Chapter 56, Education Code. The committee shall include the results of its evaluation in the report required by Subsection (i) of this section.

Explanation: It is necessary to add this article to make necessary changes regarding financing and evaluating the B-On-time loan program.

(3) Senate Rules 12.03(3) and (4) are suspended to permit the committee to add a new Article 9 to the bill to read as follows:

ARTICLE 9. FINANCING PROVIDED UNDER PRODUCT DEVELOPMENT AND SMALL BUSINESS INCUBATOR PROGRAM

SECTION 9.01. Section 489.213, Government Code, as added by Chapter 814, Acts of the 78th Legislature, Regular Session, 2003, is amended by amending Subsections (b) and (e) and adding Subsection (h) to read as follows:

(b) In determining eligible products and [small] businesses, the bank shall give special preference to products or businesses in the areas of semiconductors, nanotechnology, biotechnology, and biomedicine that have the greatest likelihood of commercial success, job creation, and job retention in this state. The bank shall give further preference to providing financing to projects or businesses that are:

(1) grantees under the small business innovation research program established under 15 U.S.C. Section 638, as amended;

(2) companies formed in this state to commercialize research funded at least in part with state funds;

(3) applicants that have acquired other sources of financing;

(4) companies formed in this state and receiving assistance from designated state small business development centers; or

(5) applicants who are residents of this state doing business in this state and performing financed activities predominantly in this state.
(e) The board may appoint an advisory committee of experts in the areas of semiconductors, nanotechnology, biotechnology, and biomedicine to review projects and businesses seeking financing from the bank.

(h) Any business in this state is eligible for funding distributed through the small business incubator fund if it is determined that the business is substantially likely to develop and expand the opportunities for small businesses in the semiconductor, nanotechnology, biotechnology, or biomedicine industry in this state.

SECTION 9.02. Section 489.213(f), Government Code, as added by Chapter 814, Acts of the 78th Legislature, Regular Session, 2003, is repealed.

Explanation: It is necessary to add this article to give appropriate support to the semiconductor and nanotechnology industries under the product development and small business incubator program and to remove a restriction that limited the amount a recipient may receive under the program to 10 percent of the amount of bonds issued.

(4) Senate Rules 12.03(3) and (4) are suspended to permit the committee to add a new Article 10 to the bill to read as follows:

ARTICLE 10. REVENUE BONDS FOR TEXAS TECH UNIVERSITY
HEALTH SCIENCES CENTER

SECTION 10.01. Subchapter B, Chapter 55, Education Code, is amended by adding Section 55.1749 to read as follows:

Sec. 55.1749. TEXAS TECH UNIVERSITY SYSTEM; ADDITIONAL
REVENUE BONDS. (a) In addition to the other authority granted by this subchapter, the board of regents of the Texas Tech University System may acquire, purchase, construct, improve, renovate, enlarge, or equip property, buildings, structures, or other facilities, including roads and related infrastructure, for the Texas Tech University Health Sciences Center for an academic building to support the center's educational programs in the city of El Paso, to be financed by the issuance of bonds in accordance with this subchapter, including bonds issued in accordance with a systemwide revenue financing program and secured as provided by that program, in an aggregate principal amount not to exceed $45 million.

(b) The board may pledge irrevocably to the payment of the bonds authorized by Subsection (a) all or any part of the revenue funds of Texas Tech University or the Texas Tech University Health Sciences Center, including student tuition charges. The amount of a pledge made under this subsection may not be reduced or abrogated while the bonds for which the pledge is made, or bonds issued to refund those bonds, are outstanding.

(c) If sufficient funds are not available to the board to meet its obligations under this section, the board may transfer funds between Texas Tech University and the Texas Tech University Health Sciences Center to ensure the most equitable and efficient allocation of available resources for Texas Tech University and the Texas Tech University Health Sciences Center to carry out their duties and purposes.

(d) Any portion of the proceeds of bonds authorized by this section that is not required for the academic building described by Subsection (a) may be used by the Texas Tech University System to renovate existing structures and facilities of the Texas Tech University Health Sciences Center.
Explanation: It is necessary to add this article to provide necessary revenue bonding authority to the Texas Tech University System in connection with its El Paso facilities.

(5) Senate Rules 12.03(3) and (4) are suspended to permit the committee to add a new Article 11 to the bill to read as follows:

ARTICLE 11. REVENUE BONDS FOR TEXAS SOUTHERN UNIVERSITY; RECOVERY FROM TROPICAL STORM ALLISON

SECTION 11.01. Subchapter B, Chapter 55, Education Code, is amended by adding Section 55.17491 to read as follows:

Sec. 55.17491. TEXAS SOUTHERN UNIVERSITY; TROPICAL STORM ALLISON. (a) In addition to the other authority granted by this subchapter, the board of regents of Texas Southern University may restore facilities and related infrastructure at Texas Southern University damaged by Tropical Storm Allison, to be financed by the issuance of bonds in accordance with this subchapter in an aggregate principal amount not to exceed $3,510,000.

(b) The board may pledge irrevocably to the payment of those bonds all or any part of the revenue funds of Texas Southern University, including student tuition charges. The amount of a pledge made under this subsection may not be reduced or abrogated while the bonds for which the pledge is made, or bonds issued to refund those bonds, are outstanding.

Explanation: It is necessary to add this article to provide necessary revenue bonding authority to Texas Southern University in connection with the university's recovery from Tropical Storm Allison.

(6) Senate Rules 12.03(3) and (4) are suspended to permit the committee to add a new Article 12 to the bill to read as follows:

ARTICLE 12. PAYMENT OF JUDICIAL SALARIES BY COMMISSIONERS COURTS OF ELLIS, HILL, AND WILLIAMSON COUNTIES

SECTION 12.01. Subchapter A, Chapter 32, Government Code, is amended by adding Section 32.070 to read as follows:

Sec. 32.070. ELLIS COUNTY. (a) Notwithstanding Section 659.012, the Commissioners Court of Ellis County may budget for and pay the judges of the district courts having jurisdiction in the county an annual salary paid by the commissioners court for services rendered and for performing administrative duties.

(b) The salary is in addition to the salary paid by the state and other authorized compensation.

(c) This section expires September 1, 2007.

SECTION 12.02. Subchapter A, Chapter 32, Government Code, is amended by adding Section 32.109 to read as follows:

Sec. 32.109. HILL COUNTY. (a) Notwithstanding Section 659.012, the Commissioners Court of Hill County may budget for and pay the judges of the district courts having jurisdiction in the county an annual salary paid by the commissioners court for services rendered and for performing administrative duties.

(b) The salary is in addition to the salary paid by the state and other authorized compensation.

(c) This section expires September 1, 2007.
SECTION 12.03. Subchapter A, Chapter 32, Government Code, is amended by adding Section 32.246 to read as follows:

Sec. 32.246. WILLIAMSON COUNTY. (a) Notwithstanding Section 659.012, the Commissioners Court of Williamson County may budget for and pay the judges of the district courts having jurisdiction in the county an annual salary paid by the commissioners court for services rendered and for performing administrative duties.

(b) The salary is in addition to the salary paid by the state and other authorized compensation.

(c) This section expires September 1, 2007.

SECTION 12.04. A committee of the house of representatives designated by the speaker and a committee of the senate designated by the lieutenant governor, or a joint committee named by the speaker and the lieutenant governor, shall study and report to the 79th and 80th legislatures on the advisability of continuing in effect Sections 32.070, 32.109, and 32.246, Government Code, as added by this Act.

SECTION 12.05. This article takes effect on the 91st day after the last day of the legislative session.

Explanation: It is necessary to add this article to give the commissioners courts of Ellis, Hill, and Williamson counties the authority to supplement the salaries of the district judges in the respective counties without regard to the limitations prescribed by Section 659.012, Government Code.

(7) Senate Rules 12.03(3) and (4) are suspended to permit the committee to add a new Article 13 to the bill to read as follows:

ARTICLE 13. ELECTRONIC BENEFITS AND ENROLLMENT SYSTEM

SECTION 13.01. Subchapter F, Chapter 2054, Government Code, is amended by adding Section 2054.131 to read as follows:

Sec. 2054.131. ELECTRONIC BENEFITS ENROLLMENT AND ADMINISTRATION SYSTEM. (a) In this section, "work site benefits plan" means a plan or other arrangement to provide to officers, employees, or former officers or employees:

(1) insurance, including health, life, and disability insurance and health benefits plans;

(2) flexible spending accounts; or

(3) savings or retirement benefits.

(b) If the State Council on Competitive Government and the Legislative Budget Board each determine that a cost savings may be realized through a private vendor selected under this section, the State Council on Competitive Government may implement a project that establishes a common electronic infrastructure through which each state agency, including any retirement system created by statute or by the constitution, shall:

(1) require its work site benefits plan participants to electronically:

(A) enroll in any work site benefits plans provided to the person by the state or a state agency;

(B) add, change, or delete benefits;

(C) sign any payroll deduction agreements to implement a contribution made to a plan in which the participant enrolls;

(D) terminate participation in a voluntary plan;
(E) initiate account investment changes and withdrawals in a retirement plan;
(F) obtain information regarding plan benefits; and
(G) communicate with the plan administrator; and
(2) administer its work site benefits plans electronically by using the project to:
(A) enroll new plan participants and, when appropriate, terminate plan participation;
(B) generate eligibility and enrollment reports for plan participants;
(C) link plan administration with payroll administration to facilitate payroll deductions for a plan;
(D) facilitate single-source billing arrangements between the agency and a plan provider; and
(E) transmit and receive information regarding the plan.
(c) The electronic infrastructure established under Subsection (a) may include TexasOnline, the Internet, intranets, extranets, and wide area networks.
(d) If the State Council on Competitive Government implements an electronic infrastructure project under this section, the State Council on Competitive Government shall select and contract with a single private vendor to implement the project. The contract must require the application of the project to all state agencies without cost to the state until the project is initially implemented.
(e) The private vendor selected under Subsection (d) must offer existing information resources technology for use in the project that:
(1) will be available to all state agencies, including retirement systems;
(2) includes each agency’s work site benefits plan participants;
(3) will use, to the extent possible, the department’s information technology standards, including information security, privacy and disaster recovery, and Internet-based technology standards;
(4) includes applications and a supporting platform that are already developed and used in connection with the electronic enrollment of work site benefits plans offered by other multiple plan providers;
(5) is available for use with a wide variety of plan and benefit providers;
(6) can be easily modified to permit changes in benefits offered by the state or a state agency;
(7) provides a solution to overcome limitations caused by the incompatibility of different legacy systems used by different state agencies and plan providers;
(8) is available for use over the Internet through existing or new websites or portals; and
(9) is supported, to the extent necessary, by:
(A) laptop and desktop enrollment and administration capabilities; and
(B) a telephone call center.
SECTION 13.02. If the electronic infrastructure under Section 2054.131, Government Code, as added by this Act, is established, the State Council on Competitive Government as soon as reasonably possible shall develop a timetable and
procedures under which each state agency shall implement the electronic infrastructure project for use by all work site benefits plan participants, including officers and employees and former officers and employees.

Explanation: It is necessary to add this article to allow for the establishment, if cost savings will result, of a single common electronic infrastructure for all state agencies that administer a work site benefits plan, including retirement system agencies, through which the participants in a benefits plan administered by any retirement system or other state agency will conduct business with the appropriate retirement system or other state agency that administers the benefits plan.

(8) Senate Rule 12.03(1) is suspended to permit the committee to alter text in the article of the bill that provides for an effective date for the bill so that the article reads as follows:

ARTICLE 14. EFFECTIVE DATE

SECTION 14.01. Except as otherwise provided by this Act, this Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect on the 91st day after the last day of the legislative session.

Explanation: It is necessary to alter the effective date article to conform to the separate effective date provision found in Article 12 of the bill.

The resolution was read and was adopted by the following vote: Yeas 31, Nays 0.

CONFERENCE COMMITTEE REPORT ON
HOUSE BILL 28

Senator Bivins called from the President's table the Conference Committee Report on HB 28. The Conference Committee Report was filed with the Senate on Thursday, October 9, 2003.

On motion of Senator Bivins and by unanimous consent, further consideration of the Conference Committee Committee Report on HB 28 was postponed to a time certain of 8:15 p.m. today.

Question — Shall the Conference Committee Report on HB 28 be adopted?

SENATE RESOLUTION 132

Senator Ogden offered the following resolution:

BE IT RESOLVED by the Senate of the State of Texas, 78th Legislature, 3rd Called Session, 2003, That Senate Rule 12.03 be suspended in part as provided by Senate Rule 12.08 to enable the conference committee appointed to resolve the differences on HB 7, relating to the reorganization of, efficiency in, and other reform measures applying to governmental entities and certain regulatory practices, to consider and take action on the following matters:

(1) Senate Rules 12.03(3) and (4) are suspended to permit the committee to add a new article to the bill to read as follows:
ARTICLE ___. FINANCIAL DISCLOSURE FOR BOARDS OF
TRUSTEES OF CERTAIN SCHOOL DISTRICTS

SECTION __.01. Section 11.064, Education Code, as added by Chapter 249, Acts of the 78th Legislature, Regular Session, 2003, is amended by amending Subsections (a) and (c) and adding Subsections (a-1), (a-2), (a-3), and (a-4) to read as follows:

(a) The board of trustees [a trustee] of an independent school district by resolution adopted by majority vote may require each member of the board to [with an enrollment of at least 5,000 students shall] file the financial statement required of state officers under Subchapter B, Chapter 572, Government Code, with:

(1) the board of trustees; and
(2) the Texas Ethics Commission.

(a-1) Not later than the 15th day after the date a board of trustees adopts a resolution under Subsection (a), the board shall deliver a certified copy of the resolution to the Texas Ethics Commission.

(a-2) A resolution adopted under Subsection (a) applies beginning on January 1 of the second year following the year in which the resolution is adopted. A member of a board of trustees that has adopted a resolution under Subsection (a) is not required to include, in a financial disclosure statement under this section, financial activity occurring before January 1 of the year following the year in which the resolution is adopted.

(a-3) The commissioner by order shall require the members of the board of trustees of an independent school district to file the financial statement required of state officers under Subchapter B, Chapter 572, Government Code, in the same manner as the members of a board of trustees that have adopted a resolution under Subsection (a) if the commissioner determines that:

(1) a board member has failed to comply with filing and recusal requirements applicable to the member under Chapter 171, Local Government Code;
(2) the district financial accounting practices are not adequate to safeguard state and district funds; or
(3) the district has not met a standard set by the commissioner in the financial accountability rating system.

(a-4) The commissioner may require filing financial statements under Subsection (a-3) covering not more than three fiscal years and beginning on January 1 of the second year following the date of the commissioner’s order. A member of a board of trustees subject to an order issued under Subsection (a-3) is not required to include, in a financial disclosure statement subject to this section, financial activity occurring before January 1 of the year following the year in which the order is issued. The commissioner may renew the requirement if the commissioner determines that a condition described by Subsection (c) continues to exist.

(c) A trustee serving in a school district that has adopted a resolution under Subsection (a) or that is subject to an order issued under Subsection (a-3) [subject to this section] commits an offense if the trustee fails to file the statement required by the resolution or order [this section]. An offense under this section is a Class B misdemeanor.
SECTION __.02. Section 6.08, Chapter 249, Acts of the 78th Legislature, Regular Session, 2003, is repealed.

SECTION __.03. This article takes effect immediately if this Act receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this article takes effect on the 91st day after the last day of the legislative session.

Explanation: It is necessary to add this article to add changes regarding ethics issues for members of the boards of trustees of certain independent school districts.

(2) Senate Rules 12.03(3) and (4) are suspended to permit the committee to add a new article to the bill to read as follows:

ARTICLE __. JUDICIAL DISTRICTS

SECTION __.01. Section 10, Chapter 1306, Acts of the 78th Legislature, Regular Session, 2003, is amended by amending Subsection (c) and adding Subsection (d) to read as follows:

(c) The [414th, 415th, 419th, 420th, 421st, and 422nd judicial districts are created January 15, 2004 [September 1, 2005].

(d) The 414th and 419th judicial districts are created September 1, 2005.

SECTION __.02. Section 11, Chapter 1306, Acts of the 78th Legislature, Regular Session, 2003, is amended by amending Subsection (c) and adding Subsection (d) to read as follows:

(c) Sections [2, 3, 6, 7], 8, and 9 of this Act take effect January 15, 2004 [September 1, 2005].

(d) Sections 2 and 6 of this Act take effect September 1, 2005.

Explanation: It is necessary to add this article to revise the effective date regarding the creation, composition, and funding of certain judicial districts for certain counties.

(3) Senate Rules 12.03(3) and (4) are suspended to permit the committee to add a new article to the bill to read as follows:

ARTICLE __. SALE OR LEASE OF CERTAIN VACANT PUBLIC LAND

SECTION __.01. Section 51.178(a), Natural Resources Code, is amended to read as follows:

(a) A person may apply for good-faith-claimant status not later than the 90th day after:

(1) the date of a final order by the commissioner finding that a vacancy exists [at the time an application is filed under Section 51.176]; or

(2) the date of final judgment by a court that a vacancy exists, if the commissioner does not find that a vacancy exists [not later than the 60th day after the date notice of acceptance is published as required under Section 51.179(d)].

SECTION __.02. The changes in law made by this article apply only to a vacancy application existing or made on or after the effective date of this Act.

Explanation: It is necessary to add this article to modify the time frame to determine when a person may apply for good-faith-claimant status for the sale or lease of vacant public land.

The resolution was read and was adopted by the following vote: Yeas 30, Nays 1.

Nays: Ellis.
CONFERENCE COMMITTEE REPORT ON
HOUSE BILL 7 ADOPTED

Senator Ogden called from the President’s table the Conference Committee Report on HB 7. The Conference Committee Report was filed with the Senate on Thursday, October 9, 2003.

On motion of Senator Ogden, the Conference Committee Report was adopted by the following vote: Yeas 21, Nays 10.

Yeas: Armbrister, Averitt, Bivins, Brimer, Carona, Deuell, Duncan, Estes, Fraser, Harris, Jackson, Janek, Lindsay, Nelson, Ogden, Ratliff, Shapiro, Staples, Wentworth, Whitmire, Williams.

Nays: Barrientos, Ellis, Gallegos, Hinojosa, Lucio, Madla, Shapleigh, Van de Putte, West, Zaffirini.

STATEMENT OF LEGISLATIVE INTENT

Senator Janek submitted the following statement of legislative intent for HB 7:

Senator Janek: For the purpose of legislative intent, if a grease trap composting permit applicant becomes administratively complete by the June 1, 2004, deadline, and after the deadline is either identified as a bad actor or not actively seeking a permit, could the grease trap composting permit applicant continue operating indefinitely?

Senator Ogden: No, the intent of the statute is to allow responsible permit applicants to continue operating only while they are actively participating in the permitting process administered at the Texas Commission on Environmental Quality. At any time the grease trap composting permit applicant is found by TCEQ to not comply with TCEQ requirements or is no longer actively seeking a permit for composting the TCEQ could deny the permit and issue a cease and desist order on the facility.

AT EASE

The President at 6:25 p.m. announced the Senate would stand At Ease subject to the call of the Chair.

IN LEGISLATIVE SESSION

The President at 9:20 p.m. called the Senate to order as In Legislative Session.

AT EASE

The President at 9:20 p.m. announced the Senate would stand At Ease subject to the call of the Chair.

IN LEGISLATIVE SESSION

The President at 11:01 p.m. called the Senate to order as In Legislative Session.

CONFEREE COMMITTEE REPORTS POSTPONED

On motion of Senator Staples and by unanimous consent, further consideration of the Conference Committee Reports on HB 3, HB 24, and HB 28 was postponed to a time certain of 6:00 p.m. Sunday, October 12, 2003.
CONFERENCE COMMITTEE REPORT ON
HOUSE BILL 3

Senator Staples submitted the following Conference Committee Report:

Austin, Texas
October 9, 2003

Honorable David Dewhurst
President of the Senate

Honorable Tom Craddick
Speaker of the House of Representatives

Sirs:

We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on HB 3 have had the same under consideration, and beg to report it back with the recommendation that it do pass.

STAPLES          KING
LINDSAY          GRUSENDORF
NELSON           CRABB
DUNCAN           HAMRIC
WILSON

On the part of the Senate On the part of the House

The Conference Committee Report was filed with the Secretary of the Senate.

CONFERENCE COMMITTEE REPORT ON
HOUSE BILL 1

Senator Nelson submitted the following Conference Committee Report:

Austin, Texas
October 9, 2003

Honorable David Dewhurst
President of the Senate

Honorable Tom Craddick
Speaker of the House of Representatives

Sirs:

We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on HB 1 have had the same under consideration, and beg to report it back with the recommendation that it do pass.

NELSON          DENNY
DUNCAN          HARPER-BROWN
STAPLES         BOHAC

On the part of the Senate On the part of the House

The Conference Committee Report was filed with the Secretary of the Senate.
CONFERENCE COMMITTEE REPORT ON
HOUSE BILL 24

Senator Bivins submitted the following Conference Committee Report:

Austin, Texas
October 8, 2003

Honorable David Dewhurst
President of the Senate

Honorable Tom Craddick
Speaker of the House of Representatives

Sirs:

We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on HB 24 have had the same under consideration, and beg to report it back with the recommendation that it do pass.

BIVINS HEFLIN
JACKSON B. BROWN
STAPLES ELLIS
MADLA DRIVER
AVERITT

On the part of the Senate On the part of the House

The Conference Committee Report was filed with the Secretary of the Senate.

CONFERENCE COMMITTEE REPORT ON
HOUSE BILL 28

Senator Bivins submitted the following Conference Committee Report:

Austin, Texas
October 9, 2003

Honorable David Dewhurst
President of the Senate

Honorable Tom Craddick
Speaker of the House of Representatives

Sirs:

We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on HB 28 have had the same under consideration, and beg to report it back with the recommendation that it do pass.

BIVINS HEFLIN
SHAPIRO GUTIERREZ
DUNCAN MCCALL
BARRIENTOS LUNA
HAMRIC

On the part of the Senate On the part of the House

The Conference Committee Report was filed with the Secretary of the Senate.
CONFERENCE COMMITTEE REPORT ON
HOUSE BILL 7

Senator Ogden submitted the following Conference Committee Report:

Austin, Texas
October 9, 2003

Honorable David Dewhurst
President of the Senate

Honorable Tom Craddick
Speaker of the House of Representatives

Sirs:

We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on HB 7 have had the same under consideration, and beg to report it back with the recommendation that it do pass.

OGDEN          SWINFORD
HARRIS          DELISI
WHITMIRE        ALLEN
WILLIAMS        PITTS
JANEK

On the part of the Senate
On the part of the House

The Conference Committee Report was filed with the Secretary of the Senate.

RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

Memorial Resolutions

SR 122 by Deuell, In memory of Walter Lewis Harrell of Winnsboro.
SR 136 by Van de Putte, In memory of Rudolph G. Quinones of San Antonio.
SR 138 by Van de Putte, In memory of Anne Marie Kuempel Johnson of San Antonio and Pflugerville.
HCR 20 (Brimer), In memory of Dovie Jean Webber of Fort Worth.
HCR 21 (Brimer), Honoring the life of Nadine Lois Spencer Cary of Fort Worth.
HCR 27 (Madla), Honoring the life of Henry F. Molina of San Antonio.

Congratulatory Resolutions

SR 118 by Averitt, Commending Helen Quiram of Waco for her service to the Republican Party in Texas.
SR 119 by Averitt, Commending Kay Sanders Walls on her selection for the 2003 Wall of Fame Award by the Cleburne High School Ex-Students Association.
SR 120 by Estes, Commending Charlye Ola Farris of Wichita Falls on the 50th anniversary of her earning a license to practice law in Texas.
SR 123 by Ellis, Commending Manson B. Johnson for his service to Holman Street Baptist Church in Houston.

SR 124 by Ellis, Congratulating PUREBEAUTY on the opening of its third emporium in Houston.

SR 126 by West, Commending Brian A. Williams of Dallas for achieving the rank of Eagle Scout.

SR 127 by Lindsay, Commending David Michael Abdullahad of Houston for achieving the rank of Eagle Scout.

SR 128 by Lindsay, Commending Christopher W. Peel of Tomball for achieving the rank of Eagle Scout.

SR 129 by Lindsay, Commending Ryan Micah Tabbert of Houston for achieving the rank of Eagle Scout.

SR 130 by Whitmire, Commending Joseph Hunt of Houston for achieving the rank of Eagle Scout.

SR 131 by Ogden, Recognizing the Madisonville Mushroom Festival on its second annual extravaganza.

SR 137 by Van de Putte, Commending the members of the Cortez family as citizens of the City of San Antonio.

HCR 14 (Madla), Honoring Allen Martin for his contributions to Texas music.

HCR 18 (Jackson), Honoring Fernando Elizondo Barragán, governor of the State of Nuevo León, Mexico.

HCR 22 (Brimer), Recognizing the creation of the Hazel Harvey Peace Professorship in children’s library services at the University of North Texas.

HCR 26 (Deuell), Declaring October 2, 2003, to be Lisa Marie Presley Day in Texas.

HCR 28 (Bivins), Honoring Sheriff Gary Painter of Midland for his exceptional public service.

HCR 29 (Shapiro), Honoring AAA Texas on the opening of its new Texas regional headquarters in Irving.

RECESS

On motion of Senator Whitmire, the Senate at 11:05 p.m. recessed, in memory of Vanessa Gonzales, until 6:00 p.m. Sunday, October 12, 2003.