

FIFTH DAY

MONDAY, JULY 11, 2005

PROCEEDINGS

The Senate met at 3:27 a.m. pursuant to adjournment and was called to order by the President.

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

Absent-excused: Carona, Staples, West.

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

The Honorable Craig Estes offered the invocation as follows:

Behold how good and how pleasant it is when brethren dwell together in unity. It is like the sacred oil poured on the head of Aaron that ran down his beard to the hem of his garments. It is like the dew on the mountain of Hermon. There the Lord commanded a blessing, even life for evermore. (Psalms 133) Heavenly Father, as we come to You at this late hour, let all of our deliberations and all of our debates be pleasing in Your sight and good for the people of Texas. We pray in Your holy name. Amen.

Senator Whitmire moved that the reading of the Journal of the proceedings of yesterday be dispensed with and the Journal be approved as printed.

The motion prevailed without objection.

LEAVES OF ABSENCE

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

On motion of Senator Whitmire, Senator Staples was granted leave of absence for today on account of an illness in the family.

On motion of Senator Whitmire, Senator West was granted leave of absence for today on account of illness.

SENATE BILLS AND RESOLUTION ON FIRST READING

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

SB 78 by Shapleigh

Relating to the use of the power of eminent domain.
To Committee on State Affairs.

SB 79 by Barrientos

Relating to the creation of the Bee Cave Development District; providing authority to impose a tax and issue a bond or similar obligation.
To Committee on Intergovernmental Relations.

SB 80 by Ogden

Relating to authorizing the issuance of revenue bonds or other obligations to fund capital projects at public institutions of higher education.
To Committee on Finance.

SJR 15 by Shapleigh

Proposing a constitutional amendment to prohibit taking of property through eminent domain for economic development, except in certain circumstances, or to raise certain revenue.
To Committee on State Affairs.

CONCLUSION OF MORNING CALL

The President at 3:32 a.m. announced the conclusion of morning call.

**COMMITTEE SUBSTITUTE
HOUSE BILL 3 ON THIRD READING**

Senator Ogden moved to suspend the regular order of business to take up for consideration **CSHB 3** at this time on its third reading and final passage:

CSHB 3, Relating to financing public schools in this state and reducing property taxes.

The motion prevailed by the following vote: Yeas 20, Nays 8.

Yeas: Armbrister, Averitt, Brimer, Deuell, Duncan, Eltife, Estes, Fraser, Harris, Hinojosa, Jackson, Janek, Lindsay, Lucio, Madla, Nelson, Ogden, Seliger, Shapiro, Wentworth.

Nays: Barrientos, Ellis, Gallegos, Shapleigh, Van de Putte, Whitmire, Williams, Zaffirini.

Absent-excused: Carona, Staples, West.

The bill was read third time and was passed by the following vote: Yeas 20, Nays 8. (Same as previous roll call)

RECESS

On motion of Senator Whitmire, the Senate at 3:36 a.m. recessed until 11:00 a.m. Tuesday, July 12, 2005.