

# NINTH DAY

---

---

TUESDAY, FEBRUARY 1, 2005

---

---

## PROCEEDINGS

---

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: Armbrister, Averitt, Barrientos, Brimer, Carona, Deuell, Duncan, Ellis, Eltife, Estes, Fraser, Gallegos, Harris, Hinojosa, Jackson, Janek, Lindsay, Lucio, Madla, Nelson, Ogden, Seliger, Shapiro, Shapleigh, Staples, Van de Putte, Wentworth, West, Whitmire, Williams, Zaffirini.

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

The Most Reverend James Tamayo, Diocese of Laredo, offered the invocation as follows:

Heavenly Father, Your spoken word brought forth the heavens and the Earth. By Your word, man and woman were created in Your most holy image. You spoke and there was beauty and order, unity and peace. And You said, "It is good." With the beginning of each new day, You call us to be stewards of Your creation. May Your holy wisdom guide the men and women of the 79th Texas Legislature, and in particular this Senate Chamber. May these servant leaders be conscious of the impact their words have in addressing the needs of all people in Texas. Guide the words spoken in committee, the words used in debate on this floor, and the words printed in the Senate bills so that they speak words that uplift and strengthen the spirit of the people of Texas. Then will these legislators hear Your word when at the end of the day You say, "Well done, good and faithful servant." 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.

### **CO-AUTHOR OF SENATE BILL 86**

On motion of Senator Ellis, Senator Barrientos will be shown as Co-author of **SB 86**.

### **PHYSICIAN OF THE DAY**

Senator Armbrister was recognized and presented Dr. Henry Boehm, Jr., of Brenham as the Physician of the Day.

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

### **GUESTS PRESENTED**

Senator Lindsay was recognized and introduced to the Senate representatives of the Alliance of North Houston Chambers of Commerce from the Community Chamber of Commerce, the Cy-Fair Houston Chamber of Commerce, the Houston Northwest Chamber of Commerce, the Humble Area Chamber of Commerce, the North Houston Association, the North Houston Greenspoint Chamber of Commerce, and the Tomball Area Chamber of Commerce.

The Senate welcomed its guests.

### **GUESTS PRESENTED**

Senator Lucio was recognized and introduced to the Senate a delegation from 2005 Leadership Harlingen.

The Senate welcomed its guests.

### **SENATE RESOLUTION 62**

Senator Zaffirini offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to welcome the Catholic Charities delegation on the occasion of Texas Catholic Advocacy Day at the State Capitol on February 1, 2005, and to salute the members of the organization for their many good works; and

WHEREAS, Catholic Charities works in the Archdiocese of San Antonio as well as in dioceses across the entire state, extending to people from all walks of life the healing power of faith and material assistance to help them attain self-sufficiency; and

WHEREAS, The organization provides a wealth of programs, including adoption services, child and foster care services, disaster response, basic living needs, counseling, education, housing, health and immigration services and social support; in 2004, the organization assisted 267,924 individuals; and

WHEREAS, Committed to ensuring the basic human dignity of all people, Catholic Charities serves as an advocate of social justice and seeks to empower communities through action and education; and

WHEREAS, In concert with health and human services agencies, Catholic Charities offers many Texans the support they need to secure a brighter future, and the organization's humanitarian endeavors enrich us all; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 79th Legislature, hereby commend all those associated with the Catholic Charities organization for making a positive difference in the lives of others and extend a warm welcome to the visiting delegation; and, be it further

RESOLVED, That a copy of this Resolution be prepared for Catholic Charities as an expression of high regard from the Texas Senate.

**SR 62** was read and was adopted without objection.

**GUESTS PRESENTED**

Senator Zaffirini was recognized and introduced to the Senate a delegation representing Texas Catholic Advocacy Day at the State Capitol.

The Senate welcomed its guests.

**SENATE RESOLUTION 58**

Senator Nelson offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to recognize Northwest High School Principal Jim Chadwell, who has been named the 2004 Texas High School Principal of the Year by the Texas Association of Secondary School Principals; and

WHEREAS, Earning the title of Principal of the Year is a distinct honor that demonstrates Jim Chadwell's extraordinary leadership, his commitment to his students and staff, and his service to the Northwest Independent School District community; and

WHEREAS, Jim was nominated by his peers and selected by the Education Service Center, Region XI; he was one of 20 high school principals honored by their local service centers; and

WHEREAS, He was one of three finalists who were then interviewed by the Texas Association of Secondary School Principals in Austin; as the top Texas high school principal, he is now eligible to advance to the national competition; and

WHEREAS, Admired and respected by Northwest High School's students, faculty, and staff, Jim is an innovative, resourceful, and hardworking administrator who has contributed significantly to the educational system of this state; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 79th Legislature, hereby commend Jim Chadwell for his outstanding educational leadership and extend to him congratulations on his selection as the 2004 Texas High School Principal of the Year; and, be it further

RESOLVED, That a copy of this Resolution be prepared for him as an expression of high regard from the Texas Senate.

**SR 58** was read and was adopted without objection.

**GUEST PRESENTED**

Senator Nelson was recognized and introduced to the Senate Jim Chadwell, 2004 Texas High School Principal of the Year.

The Senate welcomed its guest.

**SENATE RESOLUTION 77**

Senator Zaffirini offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to recognize the members of the Washington's Birthday Celebration Association and the association's president, Thomas A. Gates, on their successful annual planning of the celebration of Washington's Birthday in Laredo; and

WHEREAS, Every year, the citizens of Laredo celebrate the birthday of the Father of Our Country; the Washington's Birthday Celebration Association sponsors the celebration to pay tribute to the memory of George Washington and to his virtues and his patriotism; the 108th Celebration will take place from January 29 through February 20, 2005; and

WHEREAS, Since its beginning as a two-day event in 1898, the Washington's Birthday Celebration gradually has evolved into a grand celebration entailing numerous events in the United States and in Mexico; spectators and participants enjoy marching bands and floats, spectacular fireworks displays, food, games and entertainers from both sides of the border; and

WHEREAS, The yearly celebrations exemplify the spirit and enthusiasm of Laredoans and the pride they take in their city and country; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 79th Legislature, hereby commend the members of the Washington's Birthday Celebration Association on their patriotism and their dedication and extend best wishes to them for a joyous 108th birthday celebration; and, be it further

RESOLVED, That a copy of this Resolution be prepared for the association as an expression of highest regard from the Texas Senate.

**SR 77** was read and was adopted without objection.

#### **GUESTS PRESENTED**

Senator Zaffirini was recognized and introduced to the Senate Tom Gates, President of the Washington's Birthday Celebration Association; Richard Haynes; Anita Dodier; Katie Schwarz; and Michael Martin; accompanied by a delegation of members from Laredo.

The Senate welcomed its guests.

#### **RESOLUTION SIGNED**

The President announced the signing of the following enrolled resolution in the presence of the Senate: **HCR 39**.

#### **MESSAGE FROM THE GOVERNOR**

The following Message from the Governor was read and was referred to the Committee on Nominations:

Austin, Texas  
February 1, 2005

TO THE SENATE OF THE SEVENTY-NINTH LEGISLATURE, REGULAR SESSION:

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

To be Commissioner of the Railroad Commission of Texas for a term until the next General Election and until her successor shall be duly elected and qualified:

Elizabeth Ames Jones  
San Antonio, Texas

(Ms. Jones is replacing Commissioner Charles Matthews who resigned)

Respectfully submitted,

/s/Rick Perry  
Governor

**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.

**SENATE RESOLUTION 75**

Senator Zaffirini offered the following resolution:

WHEREAS, Aggies and Longhorns will unite today at the State Capitol to celebrate Orange and Maroon Legislative Day 2005 and to promote higher education in the State of Texas; and

WHEREAS, Delegates from The Association of Former Students and the Texas Exes—the two alumni associations for Texas A&M University and The University of Texas at Austin—have set aside the longstanding rivalry between these two outstanding institutions in a symbolic gesture of unity and state pride; and

WHEREAS, Alumni from the two schools total 647,000 and A&M and UT have a combined annual enrollment of more than 95,000 students, with nearly 21,000 students receiving degrees each year; the schools boast superb museums and libraries, including the George Bush Presidential Library and the Lyndon Baines Johnson Library and Museum, and both universities are renowned for their exceptional research; and

WHEREAS, A&M and UT help prepare Texas youth for higher education through the universities' six outreach centers located throughout the state, and more than 90 percent of the centers' participants have successfully pursued higher education; and

WHEREAS, The universities' faculties feature Nobel laureates and nationally recognized scholars, and the student body includes national merit scholars, gold-medal winning Olympians, and many of the Lone Star State's most promising young people; in addition, the schools offer an amazing range of postgraduate opportunities with nearly 300 graduate degree programs; and

WHEREAS, Texas A&M and The University of Texas at Austin have established themselves as preeminent institutions of higher education on the state, national, and international levels, and Texans are fortunate to have access to these two exceptional state university systems; now, therefore, be it

RESOLVED, That the Senate of the 79th Texas Legislature hereby recognize February 1, 2005, as Orange and Maroon Legislative Day and commend alumni from A&M and UT for their commitment to promoting higher education in the Lone Star State.

ZAFFIRINI  
BARRIENTOS  
OGDEN  
WENTWORTH

**SR 75** was read and was adopted without objection.

### GUESTS PRESENTED

Senator Zaffirini, joined by Senators Barrientos, Ogden, and Wentworth, was recognized and introduced to the Senate Hector De Leon, President, Texas Exes; Jim Boon, Executive Director, Texas Exes; Richard Kardys, President, The Association of Former Students; and Porter Garner, Executive Director, The Association of Former Students; accompanied by a delegation of students from Texas A&M University and The University of Texas.

The Senate welcomed its guests.

### MOTION TO ADJOURN

On motion of Senator Whitmire and by unanimous consent, the Senate at 11:59 a.m. agreed to adjourn, in memory of the astronauts of the space shuttle *Columbia*, upon completion of the introduction of bills and resolutions on first reading, until 11:00 a.m. tomorrow.

(Senator Shapiro in Chair)

### SENATE BILLS AND RESOLUTIONS ON FIRST READING

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

**SB 5** by Staples, Nelson

Relating to the continuation and operation of the workers' compensation system of this state, including changing the name of the Texas Workers' Compensation Commission to the Texas Department of Workers' Compensation, the powers and duties of the governing authority of that department, the provision of workers' compensation benefits to injured employees, and the regulation of workers' compensation insurers.

To Committee on State Affairs.

**SB 101** by Van de Putte

Relating to electronically monitoring certain veterans' and dependents' tuition exemptions.

To Committee on Veteran Affairs and Military Installations.

**SB 102** by Zaffirini

Relating to the purposes for which the system benefit fund may be used.

To Committee on Business and Commerce.

**SB 103** by Zaffirini

Relating to the priority given to the hearing by trial courts of certain ad valorem tax matters.

To Committee on Jurisprudence.

**SB 104** by Zaffirini

Relating to requiring warning labels for certain buckets.

To Committee on Health and Human Services.

**SB 106** by Lucio

Relating to the number of days and hours of annual instruction for public school students.

To Committee on Education.

**SB 107** by Estes

Relating to prohibiting over-the-counter sales of certain forms of pseudoephedrine; providing administrative penalties.

To Committee on Health and Human Services.

**SB 108** by Estes

Relating to enhancing the penalty for manufacture or delivery of methamphetamine.

To Committee on Criminal Justice.

**SB 109** by Estes

Relating to enhancing the penalty for the manufacture of methamphetamine if a child is present on the premises where the offense is committed.

To Committee on Criminal Justice.

**SB 110** by Estes

Relating to the punishment for the offense of criminal conspiracy to manufacture certain controlled substances.

To Committee on Criminal Justice.

**SB 111** by Shapleigh

Relating to undergraduate course credit granted by certain public institutions of higher education for completion of the international baccalaureate diploma program.

To Committee on Education.

**SB 112** by Van de Putte

Relating to the civil and criminal consequences of engaging in certain conduct related to the manufacture of methamphetamine and to the distribution and retail sales of pseudoephedrine; providing penalties.

To Committee on Criminal Justice.

**SB 113** by Van de Putte

Relating to prohibiting certain health care providers from promoting infant formula.

To Committee on Health and Human Services.

**SB 114** by Van de Putte

Relating to the removal of a member of a junior college district board of trustees for failure to attend board meetings.

To Committee on Education.

**SB 115** by Van de Putte

Relating to the removal of a member of a school district board of trustees for failure to attend board meetings.

To Committee on Education.

**SB 116** by Van de Putte

Relating to certain assessments on residential development in public school districts.

To Committee on Finance.

**SB 117** by Van de Putte

Relating to the timely transfer of student information to a school district in which the student enrolls.

To Committee on Education.

**SB 118** by Shapiro

Relating to the civil service status of certain fire department employees.

To Committee on Intergovernmental Relations.

**SB 119** by Shapiro

Relating to creation of a program to provide for timely replacement of child protective services caseworkers.

To Committee on Health and Human Services.

**SB 120** by Seliger

Relating to an offense of using a telephone while operating a motor vehicle by certain minors.

To Committee on Transportation and Homeland Security.

**SB 121** by Duncan

Relating to a requestor's right of access to investment information.

To Committee on State Affairs.

**SB 122** by Hinojosa

Relating to the prevention and punishment of identity theft and to assistance to certain victims of identify theft; providing penalties.

To Committee on Criminal Justice.

**SB 123** by Barrientos

Relating to air quality control measures proposed pursuant to an early action compact.

To Committee on Natural Resources.

**SB 124** by Shapiro

Relating to a review of the rule concerning the content of individualized education programs for students with autism or other pervasive developmental disorders.

To Committee on Education.

**SB 125** by Lindsay

Relating to items subject to inspection as a prerequisite for issuance of a vehicle inspection certificate.

To Committee on Transportation and Homeland Security.

**SB 126** by Lindsay

Relating to discipline of public school students.

To Committee on Education.

**SB 127** by Lindsay

Relating to disease control programs to reduce the risk of certain communicable diseases.

To Committee on Health and Human Services.



**SB 128** by Shapleigh

Relating to the use of certain human cells and tissue; providing penalties.  
To Committee on Health and Human Services.

**SB 129** by Barrientos

Relating to certain exceptions to the requirement that the operator of a motor vehicle operated on a turnpike project pay the proper toll or the full amount of the toll.  
To Committee on Transportation and Homeland Security.

**SB 130** by Nelson

Relating to the provision of health and human services in this state.  
To Committee on Health and Human Services.

**SB 131** by Nelson

Relating to the lease of equipment and hiring of employees by the Department of State Health Services for newborn screening.  
To Committee on Health and Human Services.

**SB 132** by Nelson

Relating to goals and strategies concerning the number of graduates from professional nursing education programs.  
To Committee on Education.

**SB 133** by Nelson

Relating to public school district eligibility for state assistance under the existing debt allotment.  
To Committee on Finance.

**SB 134** by Nelson

Relating to the new instructional facilities allotment for public schools.  
To Committee on Education.

**SB 135** by Nelson

Relating to regulating the sale of certain alcoholic beverages at drive-up windows.  
To Committee on Business and Commerce.

**SB 136** by Nelson

Relating to the establishment of a school of pharmacy at the University of North Texas Health Science Center at Fort Worth.  
To Subcommittee on Higher Education.

**SB 137** by Nelson

Relating to the adoption of a state scenic byways program.  
To Committee on Intergovernmental Relations.

**SB 138** by Nelson

Relating to the punishment for the offense of burglary of a vehicle.  
To Committee on Criminal Justice.

**SB 139** by Ellis

Relating to an offense of using a telephone while operating a motor vehicle.  
To Committee on Transportation and Homeland Security.

**SB 140** by Wentworth

Relating to changing the title of assistant secretary of state to deputy secretary of state.  
To Committee on Government Organization.

**SB 141** by Wentworth

Relating to the regulation of the subdivision of land under the jurisdiction of counties.  
To Committee on Natural Resources.

**SB 142** by Wentworth

Relating to the authority of a county to regulate land development after a local option election.  
To Committee on Intergovernmental Relations.

**SB 143** by Wentworth

Relating to the extension of certain deadlines for public school educators serving on active duty in the military.  
To Committee on Veteran Affairs and Military Installations.

**SB 144** by Wentworth

Relating to trustees of military reservation school districts.  
To Committee on Veteran Affairs and Military Installations.

**SB 145** by Wentworth

Relating to liquidated damages for violating certain requirements relating to executory contracts for the conveyance of certain real property.  
To Committee on Jurisprudence.

**SB 146** by Wentworth

Relating to an offense of using a telephone while operating a motor vehicle.  
To Committee on Transportation and Homeland Security.

**SB 147** by Wentworth

Relating to the exception from required disclosure under the public information law of certain audit working papers.  
To Committee on State Affairs.

**SB 148** by Wentworth

Relating to the exception from required public disclosure of a photograph of a peace officer.  
To Committee on State Affairs.

**SB 149** by Wentworth

Relating to recording of aircraft repair and maintenance liens.  
To Committee on Jurisprudence.

**SB 151** by Zaffirini

Relating to students enrolled in courses for which students may receive both high school and higher education academic credit.  
To Committee on Education.

**SB 152** by Zaffirini

Relating to prevention of and education concerning bullying in public schools.  
To Committee on Education.

**SB 153** by Zaffirini

Relating to use of safety belts and child passenger safety seat systems.  
To Committee on Transportation and Homeland Security.

**SB 154** by Zaffirini

Relating to the authority to require a convicted person to perform manual labor for a nonprofit organization.  
To Committee on Criminal Justice.

**SB 155** by Shapiro

Relating to the quality assurance accreditation process for certain entities that offer health benefit plans.  
To Committee on State Affairs.

**SB 156** by Fraser

Relating to authorizing the issuance of revenue bonds for Texas A&M University–Central Texas.  
To Committee on Finance.

**SB 157** by Fraser

Relating to the student enrollment required for the operation of Texas A&M University–Central Texas as an independent general academic teaching institution.  
To Subcommittee on Higher Education.

**SB 158** by Fraser

Relating to the authority of another institution of higher education to conduct vocational or technical courses in the service area of a junior college district.  
To Subcommittee on Higher Education.

**SB 159** by Eltife

Relating to the authority to require a convicted person to perform manual labor for a nonprofit organization.  
To Committee on Criminal Justice.

**SB 160** by Shapleigh

Relating to the creation of an address confidentiality program to assist victims of family violence in maintaining confidential addresses.  
To Committee on State Affairs.

**SB 161** by Jackson

Relating to the food and fibers research grant program.  
To Subcommittee on Agriculture and Coastal Resources.

**SB 162** by Zaffirini

Relating to the compulsory school attendance age.  
To Committee on Education.

**SB 163** by Barrientos

Relating to the inclusion in the cost of education index of social security contributions paid by a school district.  
To Committee on Education.

**SB 164** by Wentworth

Relating to the statutory requirements for the term and residency of the land commissioner.

To Committee on Government Organization.

**SB 165** by Wentworth

Relating to the regulation of private process servers; providing penalties.

To Committee on Jurisprudence.

**SB 166** by West

Relating to the effect of an expunction.

To Committee on Criminal Justice.

**SB 167** by Ellis, Barrientos, Gallegos, Hinojosa, Lucio, Madla, West, Zaffirini

Relating to the use of credit scoring in certain lines of personal insurance.

To Committee on Business and Commerce.

**SB 168** by Wentworth

Relating to the funding of alternative dispute resolution systems.

To Committee on Jurisprudence.

**SB 169** by Shapleigh

Relating to a refund of state sales and use taxes for certain companies that provide group health benefit plans to their employees.

To Committee on Finance.

**SB 170** by Harris

Relating to the designation of the portion of Interstate Highway 20 inside Dallas and Tarrant Counties as the Ronald Reagan Memorial Highway.

To Committee on Transportation and Homeland Security.

**SB 171** by Harris

Relating to the emergency service fee rate in certain 9-1-1 emergency service districts.

To Committee on Business and Commerce.

**SB 172** by Harris

Relating to the offense of cruelty to animals.

To Committee on Criminal Justice.

**SB 173** by Harris

Relating to banning handguns and certain other weapons from parking areas associated with schools or educational institutions; providing criminal penalties.

To Committee on Criminal Justice.

**SB 174** by Brimer

Relating to the collection of municipal hotel occupancy taxes.

To Committee on Intergovernmental Relations.

**SB 175** by Brimer

Relating to possession of certain devices affecting operation of a traffic-control signal; providing a criminal penalty.

To Committee on Criminal Justice.

**SB 176** by Brimer

Relating to the required use of towing safety chains on certain vehicles.  
To Committee on Transportation and Homeland Security.

**SB 177** by Brimer

Relating to the composition of a board of adjustment in certain municipalities.  
To Committee on Intergovernmental Relations.

**SB 178** by Brimer

Relating to regulation of rebates offered by premium finance companies and certain related persons or entities.  
To Committee on Business and Commerce.

**SB 179** by Wentworth

Relating to retirement benefits for visiting judges.  
To Committee on State Affairs.

**SB 180** by Janek

Relating to certain continuing education requirements for plumbers.  
To Committee on Business and Commerce.

**SB 181** by Janek

Relating to appeals to small claims courts of certain ad valorem tax determinations.  
To Committee on Jurisprudence.

**SB 182** by Barrientos, Wentworth

Relating to the board of directors of an intermunicipal commuter rail district.  
To Committee on State Affairs.

**SB 183** by Lucio, Shapleigh, Zaffirini

Relating to the appointment, operation, and recommendations of the Border Trade Advisory Committee.  
To Committee on International Relations and Trade.

**SB 184** by Janek

Relating to an exemption for certain physicians from the requirement to pay a registration fee.  
To Committee on Health and Human Services.

**SB 185** by Lucio, Shapleigh, Zaffirini

Relating to the powers and duties of the border commerce coordinator.  
To Committee on International Relations and Trade.

**SB 186** by Lindsay

Relating to suspension of a provisional license for certain offenses.  
To Committee on Transportation and Homeland Security.

**SB 187** by Zaffirini

Relating to permissible uses of money in the comprehensive rehabilitation fund.  
To Committee on Finance.

**SB 188** by Zaffirini

Relating to a memorandum of understanding between the Texas School for the Blind and Visually Impaired and the Texas Education Agency.

To Committee on Education.

**SB 189** by Zaffirini

Relating to the operation of the Texas School for the Blind and Visually Impaired.

To Committee on Education.

**SB 190** by Zaffirini

Relating to the operation of the Texas School for the Deaf.

To Committee on Education.

**SB 191** by Gallegos

Relating to the name of the license holder as it appears on a driver's license.

To Committee on Transportation and Homeland Security.

**SB 192** by Gallegos

Relating to the expiration of or a fee charged in relation to a gift certificate.

To Committee on Business and Commerce.

**SB 193** by Gallegos

Relating to the publication of mobile service customer telephone numbers by commercial mobile service providers.

To Committee on Business and Commerce.

**SB 194** by Nelson

Relating to local delivery of aging, disability, behavioral health, and mental retardation services.

To Committee on Health and Human Services.

**SB 195** by Nelson

Relating to a nurse or nurse aide employed by a temporary nursing service agency to provide hospice services to patients; providing a penalty.

To Committee on Health and Human Services.

**SB 196** by Nelson

Relating to the provision of voluntary charity care by certain retired dentists.

To Committee on Health and Human Services.

**SB 197** by Barrientos

Relating to the use of preferential voting in certain elections.

To Committee on State Affairs.

**SB 198** by Gallegos

Relating to the authority of a county to provide hazardous materials services.

To Committee on Natural Resources.

**SB 199** by Gallegos

Relating to the personal needs allowance for certain Medicaid recipients who are residents of long-term care facilities.

To Committee on Health and Human Services.

**SB 200** by Gallegos

Relating to county authority to regulate vehicular or pedestrian gates to gated communities.

To Committee on Intergovernmental Relations.

**SCR 1** by Madla

Requesting the lieutenant governor and speaker of the house of representatives to create a joint committee to conduct a study regarding the use of mandatory assessment instruments in public education.

To Committee on Education.

**SJR 6** by Carona

Proposing a constitutional amendment to require a house or committee of the legislature to take a record vote on certain legislative measures and actions.

To Committee on Administration.

**SJR 7** by Carona

Proposing a constitutional amendment authorizing line-of-credit advances under a reverse mortgage.

To Committee on Business and Commerce.

**RESOLUTION OF RECOGNITION**

The following resolution was adopted by the Senate:

**Congratulatory Resolution**

**SR 76** by Seliger, Recognizing District 5730 of Rotary International on the occasion of its 100th anniversary.

**ADJOURNMENT**

Pursuant to a previously adopted motion, the Senate at 12:12 p.m. adjourned, in memory of the astronauts of the space shuttle *Columbia*, 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:

February 1, 2005

ADMINISTRATION — **SB 21, SJR 5**

