

TWENTIETH DAY

MONDAY, FEBRUARY 21, 2005

PROCEEDINGS

The Senate met at 1:30 p.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 Reverend James Shupp, Glen Meadows Baptist Church, San Angelo, offered the invocation as follows:

Father God, I lift up these elected servants to You this afternoon. The decisions that they make here affect the lives of citizens all over the State of Texas. You have declared that if any person lacks wisdom, all they have to do is ask for it and You will give an abundant supply. So I pray that You help these legislators seek Your wisdom and Your understanding before each vote is cast. Please give them insight and direction to act according to Your perfect will.

Lord, I pray for their unity. Let them enjoy a spirit and climate of cooperation during this session. Allow them to be of one purpose today. Help them to understand each other's viewpoints. Grant each man and woman Your conscience and the conviction to act upon it. Guide them in their desire to help every citizen under their watchcare. Because Your word proclaims that You govern the affairs of man, allow them to govern this state as You govern the universe: with love, mercy, and justice.

Holy Father, many from our state are serving around the world in harm's way. We pray that You protect our soldiers who are protecting our freedom. We ask that You cover them with a shield that no enemy can penetrate. We humbly and desperately pray that You end the chaos of terrorism and replace hate with freedom. Please deliver us from evil and the evil one. We seek and yearn for a peace that only You can bring. God, You are our only hope. Our trust is in You. Thank You for hearing our prayer. I pray these things in the name of Jesus Christ. Amen.

Senator Whitmire moved that the reading of the Journal of the proceedings of Thursday, February 17, 2005, be dispensed with and the Journal be approved as printed.

The motion prevailed without objection.

CO-AUTHORS OF SENATE BILL 85

On motion of Senator Ellis, Senators Gallegos and Madla will be shown as Co-authors of **SB 85**.

CO-AUTHOR OF SENATE BILL 122

On motion of Senator Hinojosa, Senator Gallegos will be shown as Co-author of **SB 122**.

CO-AUTHOR OF SENATE BILL 127

On motion of Senator Lindsay, Senator Van de Putte will be shown as Co-author of **SB 127**.

CO-AUTHOR OF SENATE BILL 368

On motion of Senator Duncan, Senator Ogden will be shown as Co-author of **SB 368**.

CO-AUTHOR OF SENATE BILL 376

On motion of Senator Madla, Senator Van de Putte will be shown as Co-author of **SB 376**.

CO-AUTHOR OF SENATE BILL 388

On motion of Senator Wentworth, Senator Van de Putte will be shown as Co-author of **SB 388**.

CO-AUTHOR OF SENATE BILL 389

On motion of Senator Wentworth, Senator Van de Putte will be shown as Co-author of **SB 389**.

PHYSICIAN OF THE DAY

Senator Estes was recognized and presented Dr. Medhat Michael of Wichita Falls as the Physician of the Day.

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

MESSAGE FROM THE HOUSE

HOUSE CHAMBER
Austin, Texas
February 21, 2005

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 65, Designating February 2005 as Black History Month in Texas.

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

MESSAGES FROM THE GOVERNOR

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

Austin, Texas
February 18, 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 appointments:

To be members of the Texas Residential Construction Commission for terms to expire February 1, 2011:

Art Cuevas
Lubbock, Texas

J. Paulo Flores
Dallas, Texas

Lewis Brown
The Woodlands, Texas

(The individuals above are being reappointed)

Respectfully submitted,

/s/Rick Perry
Governor

Austin, Texas
February 21, 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 appointments:

To be Chair of the State Board of Education for a term to expire February 1, 2007:

Geraldine "Tincy" Miller
Dallas, Texas 75205

(Ms. Miller is being reappointed)

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

Olen U. Underwood

Spring, Texas

(Judge Underwood is being reappointed)

Respectfully submitted,

/s/Rick Perry

Governor

RESOLUTIONS SIGNED

The President announced the signing of the following enrolled resolutions in the presence of the Senate: **HCR 50, HCR 58, HCR 68.**

ESCORT COMMITTEE APPOINTED

In accordance with the provisions of **HCR 33**, the President announced the appointment of the following as a Committee to Escort the Honorable Wallace B. Jefferson, Chief Justice of the Supreme Court of Texas, to the Joint Session: Senators Wentworth, Chair; Gallegos, Averitt, Duncan, Harris, Hinojosa, and West.

RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

Memorial Resolutions

SR 179 by Hinojosa, In memory of Javier Marin, Jr., of the Rio Grande Valley.

SR 181 by Hinojosa, In memory of Joseph E. Rodriguez.

SR 183 by Hinojosa, In memory of Julio Cesar Cisneros Alvarez of Mission.

SR 184 by Hinojosa, In memory of Paul Christopher "Chris" Alaniz.

Congratulatory Resolutions

SR 182 by Hinojosa, Recognizing Camerina Lopez of Edinburg on the occasion of her 100th birthday.

SR 190 by Ellis, Recognizing Barbara McKensie on the occasion of her retirement.

SR 192 by Fraser, Recognizing North's Funeral Home in Abilene on the occasion of its 100th anniversary.

SR 193 by Whitmire, Commending Anthony Stanley "Trey" Prye III for achieving the rank of Eagle Scout.

SR 196 by Wentworth, Congratulating the band of Winston Churchill High School in San Antonio for its selection for the 2005 Tournament of Roses Parade.

SR 198 by Nelson, Recognizing Marlin Price on the occasion of his retirement as the Chief of Police in Southlake.

SR 199 by Nelson, Recognizing Young Conservatives of Texas on the occasion of its 25th anniversary.

Official Designation Resolution

SR 191 by Ellis, Recognizing February 23, 2005, as TEXAS Grant Day at the Capitol.

ADJOURNMENT

On motion of Senator Whitmire, the Senate at 1:58 p.m. adjourned, in memory of Grady Burke of Houston, until 11:00 a.m. tomorrow.

