

TWENTY-FIRST DAY

TUESDAY, FEBRUARY 22, 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 Reverend David Taylor, New Life Christian Center, Lockhart, offered the invocation as follows:

Heavenly Father, in the name of Your son, I ask You to provide divine protection, peace, and prosperity over this body and the great State of Texas. May Your wisdom and sovereignty guide every decision to be made upon this day. I pray health and success over these great leaders and ask that Your favor rest upon each individual. To You be the glory and honor. In his 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.

CO-AUTHORS OF SENATE BILL 85

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

CO-AUTHOR OF SENATE BILL 244

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

CO-AUTHOR OF SENATE BILL 270

On motion of Senator Madla, Senator Gallegos will be shown as Co-author of **SB 270**.

CO-AUTHORS OF SENATE BILL 376

On motion of Senator Madla, Senators Ellis and Lindsay will be shown as Co-authors of **SB 376**.

CO-AUTHOR OF SENATE RESOLUTION 203

On motion of Senator Lindsay, Senator Wentworth will be shown as Co-author of **SR 203**.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

February 22, 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 72, Designating February 22, 2005, as Panola County Day at the Capitol.

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

PHYSICIAN OF THE DAY

Senator Wentworth was recognized and presented Dr. Francisco Barrera of San Antonio as the Physician of the Day.

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

SENATE RESOLUTION 203

Senator Lindsay offered the following resolution:

WHEREAS, The Texas Senate takes pride in honoring Children's Advocacy Centers of Texas, Incorporated, and recognizing February 23, 2005, as Children's Advocacy Centers of Texas Day at the Capitol; and

WHEREAS, Children's Advocacy Centers of Texas, Incorporated, was founded with a charter membership of 13 local advocacy centers and has grown to include 59 local centers throughout the state, which makes it the largest organization of children's advocacy centers in the nation; and

WHEREAS, The local advocacy centers work to restore normalcy in the lives of abused children and create partnerships with communities and agencies to foster the investigation and prosecution of child abuse cases; and

WHEREAS, Child abuse and neglect continue to occur with devastating consequences; studies indicate that abused and neglected children are more likely to be arrested for a juvenile crime and more likely to be arrested as an adult; and

WHEREAS, This invaluable organization utilizes four diverse disciplines, law enforcement, criminal justice, social work, and medical and mental health, to create a collaborative model to address the issue of child abuse; this collaboration results in prompt, efficient, and comprehensive sharing of information and evidence and diminishes the often traumatic investigative process; and

WHEREAS, Child abuse and neglect remain pressing issues that should concern all the citizens of the state; local advocacy centers offer abused children a safe haven with accessible information and therapeutic services to engender healing; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 79th Legislature, hereby commend Children's Advocacy Centers, Incorporated, for their contributions to communities across the state and honor their worthy achievements on Children's Advocacy Centers of Texas Day; and, be it further

RESOLVED, That a copy of this Resolution be prepared as an expression of esteem from the Texas Senate.

LINDSAY	JACKSON	SELIGER
AVERITT	LUCIO	SHAPIRO
DEUELL	MADLA	STAPLES
ELTIFE	NELSON	WILLIAMS
GALLEGOS	OGDEN	ZAFFIRINI
HARRIS		

SR 203 was read and was adopted without objection.

GUESTS PRESENTED

Senator Lindsay was recognized and introduced to the Senate representatives of Children's Advocacy Centers of Texas, Incorporated: Marti Quisling, Board President; Nancy Hagan, Board Public Policy Chair; and Karen Kalergis, Executive Director.

The Senate welcomed its guests.

BIRTHDAY GREETINGS EXTENDED

Senator Brimer was recognized and, on behalf of the Senate, extended birthday greetings to Senator Harris.

SENATE RESOLUTION 60

Senator Wentworth offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to recognize Rotary International, the world's first service club, on the grand occasion of its 100th anniversary; and

WHEREAS, Rotary International began on February 23, 1905, when Paul P. Harris, a Chicago attorney, invited three friends to his office to discuss forming a club fostering professional and social interests; the members coined the name "Rotary" after rotating meetings between different members' offices; and

WHEREAS, Rotary's popularity spread throughout the United States, and clubs were chartered from San Francisco to New York; Rotary clubs existed on six continents by 1921, and the organization adopted the name Rotary International a year later; and

WHEREAS, As Rotary International grew, its mission expanded to serving communities in need; its motto, "Service Above Self" expresses Rotary's ideal; and

WHEREAS, An endowment fund set up in 1917 "for doing good in the world" became the nonprofit Rotary Foundation in 1928, which today provides more than \$80 million annually for a wide range of humanitarian grants and educational programs; and

WHEREAS, Rotary International's interest and encouragement of international understanding between nations started during World War II; it began promoting the United Nations and attending their conferences; over the years, Rotary has continued to meet the changing needs of society, addressing such vital issues as the eradication of polio, environmental degradation, illiteracy, world hunger, and children at risk; and

WHEREAS, Women were admitted to Rotary International in 1989, and today its membership has grown to more than one million men and women around the globe, with 31,000 Rotary clubs in 166 countries; its members have made significant contributions to creating a better and safer world; and

WHEREAS, Rotarians in Texas exemplify the spirit, enthusiasm, and principles of Rotary International; under the outstanding leadership of its district governors, Rick Akins, Charles Cotten, Tom Sheriff, Gilbert Brown, Benjamin Agnor, John Peterson, Gene Davenport, D'Lisa Simmons, Emken Linton, and George Dawson, Rotary clubs in Texas have shown their commitment to service and to the creation of a more peaceful world; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 79th Legislature, hereby commend Rotarians in Texas and Rotary International for their service to the citizens of Texas and the world and extend to them best wishes for an outstanding centennial celebration; and, be it further

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

SR 60 was again read.

The resolution was previously adopted on Thursday, January 27, 2005.

GUESTS PRESENTED

Senator Wentworth was recognized and introduced to the Senate the following Rotary International district governors: Charles Cotten, Panhandle; Gilbert Brown, Dallas North Central; Benjamin Agnor, Texarkana; John Peterson, Texas Hill Country; Gene Davenport, Central Texas; D'Lisa Simmons, Texas Gulf Coast; Emken Linton, South East Texas; and George Dawson, South Texas.

The Senate welcomed its guests.

GUEST PRESENTED

Senator Ellis was recognized and introduced to the Senate his daughter, Nicole Ellis.

The Senate welcomed its guest.

SENATE RESOLUTION 176

Senator Shapleigh offered the following resolution:

WHEREAS, The Senate of the State of Texas takes great pleasure in joining the citizens of El Paso in recognizing February 22 and 23, 2005, as Mission Valley Days in Austin; and

WHEREAS, The Mission Valley area is central to the rich culture and history of El Paso; the Ysleta Mission and the Socorro Mission, dating from the 15th century, and San Elizario Chapel, established a century later, were placed on the National Register of Historic Places in 1972; and

WHEREAS, The area contains many other historic sites, notably the Mission Trail, a section of the fabled Camino Real; this region contributes a unique shopping and dining experience to El Paso; and

WHEREAS, The people of Mission Valley are actively working to preserve the history and culture of the region, as well as to inform the citizens of El Paso about their rich heritage; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 79th Legislature, hereby express appreciation to the people of Mission Valley for the preservation of its priceless historic heritage and extend best wishes to them on Mission Valley Days; and, be it further

RESOLVED, That a copy of this Resolution be prepared as a memento of these special days.

SR 176 was read and was adopted without objection.

GUESTS PRESENTED

Senator Shapleigh was recognized and introduced to the Senate Trini Lopez and Gary Gandara, Socorro City Councilmembers, and Rosemary Castillo, Executive Director of Bienvivir Senior Health Services.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Armbrister was recognized and introduced to the Senate Goliad Mayor Bill Schaefer, Goliad County Sheriff Robert De La Garza, Goliad County Judge Harold Gleinser, Goliad County Treasurer June Bethke, and Constable Michael DeLaGarza representing Goliad County Day at the Capitol.

The Senate welcomed its guests.

SENATE RESOLUTION 149

Senator Barrientos offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to recognize Donald M. Loving, who is retiring after 14 years of outstanding service as executive director of Communities In Schools-Central Texas, Incorporated, and a distinguished 38-year career in human services; and

WHEREAS, Donald Loving earned a master's degree in social work from Tulane University and began his career in human services as a child protective services worker in rural Texas; and

WHEREAS, Over the years, his leadership positions have included serving as executive director of Youth Alternatives in New Orleans, as director of the Arkansas Youth Training Institute, and as executive director of The Children's Center in Galveston; and

WHEREAS, During his tenure with Communities In Schools-Central Texas, Incorporated, Mr. Loving led the organization through a period of exceptional growth; today, the agency has a staff of over 200 and has expanded onto 44 school campuses in seven Central Texas school districts; the agency serves students from prekindergarten to twelfth grade; and

WHEREAS, Mr. Loving's impressive list of accomplishments includes establishing the National Network for Youth and serving as chairman of its board of directors; he has served as president of the United Way Executives' Council and as president of Communities In Schools of Texas, Incorporated; he has chaired the Austin Area Human Services Association and has served as an adjunct professor at the School of Social Work at The University of Texas at Austin; and

WHEREAS, Throughout his exemplary career, Mr. Loving has demonstrated an exceptional dedication and commitment to service; he is admired and respected by his colleagues and has made a positive impact on the lives of many young people; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 79th Legislature, hereby commend Donald M. Loving for his many contributions in the field of social work and to the educational system of this state and extend to him best wishes in his future endeavors; and, be it further

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

SR 149 was read.

SENATE RESOLUTION 150

Senator Barrientos offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to recognize Communities In Schools-Central Texas, Incorporated, on the occasion of its 20th anniversary; and

WHEREAS, Communities In Schools-Central Texas was created in 1985 by a group of business, education, and community leaders; it was founded with the goal of providing dropout prevention and social services to the youth of Central Texas; and

WHEREAS, Initially, the nonprofit organization operated in Austin on a minimal budget with eight staff members who offered counseling in five public high schools; and

WHEREAS, Communities In Schools-Central Texas now operates with a \$5 million budget and a staff of over 200; the agency provides programs in preemployment skills training, academic development, and health and human services to the students of 44 elementary, middle, and high school campuses in Travis, Hays, Caldwell, and Williamson Counties; and

WHEREAS, While Communities In Schools-Central Texas works with students most at risk of dropping out of school, it has been shown that 97 percent of the young people involved with the program remain in school, and 88 percent have shown marked improvement in grades, attendance, and behavior; and

WHEREAS, Due to the outstanding leadership of its director, Donald Loving, and the excellent work of its counselors and staff, Communities In Schools-Central Texas has helped many young people stay in school, prepare for successful lives as adults, and contribute to their communities; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 79th Legislature, hereby commend all those involved with Communities In Schools-Central Texas for their exceptional work and extend to them congratulations on the occasion of the organization's 20th anniversary; and, be it further

RESOLVED, That a copy of this Resolution be prepared for Communities In Schools-Central Texas as an expression of esteem from the Texas Senate.

SR 150 was read.

SR 149 and **SR 150** were adopted without objection.

GUESTS PRESENTED

Senator Barrientos was recognized and introduced to the Senate Don Loving, Executive Director, Communities In Schools-Central Texas, Incorporated, and Judy Osborn, President, Board of Directors, Communities In Schools-Central Texas, Incorporated.

The Senate welcomed its guests.

GUEST PRESENTED

Senator Duncan was recognized and introduced to the Senate former Speaker of the Colorado House of Representatives, Lola Spradley.

The Senate welcomed its guest.

HOUSE CONCURRENT RESOLUTION 72

The President laid before the Senate the following resolution:

WHEREAS, Residents of Panola County are gathering at the State Capitol on February 22, 2005, to celebrate the indelible role their county has played in the history of our great state; and

WHEREAS, The First Legislature of Texas officially created Panola County on March 30, 1846; Judge John Allison, a prominent civic leader, suggested the name Panola, which is derived from the Cherokee word for cotton, "ponolo"; the region reaped the rewards of its cotton-friendly soil, and it soon became the county's main cash crop; today, Panola County enjoys a diversified economy, primarily based in oil and gas, coal, agriculture, and timber; and

WHEREAS, Located in the Timberlands region of Northeast Texas bordering Louisiana, Panola County has a dense, attractive landscape that consists of more than 800 square miles of gentle plains and scenic woodlands; the county is a desirable destination for visitors who enjoy the splendid benefits of nature and outdoor recreational activities, such as fishing in freshwater lakes; and

WHEREAS, The area's historic sites and cultural attractions also draw many visitors to Carthage, the county seat, as well as to other charming towns, such as Beckville, Bethany, Clayton, Gary, DeBerry, Pulaski, and Fairplay, the oldest community in the county; Carthage also boasts the Texas Country Music Hall of Fame, the Tex Ritter Museum, and the Jim Reeves Memorial; and

WHEREAS, The residents of this historic Texas county have played an important part in preserving their region's past, and it is a pleasure to pay tribute to Panola County and its citizens on this special day; now, therefore, be it

RESOLVED, That the 79th Legislature of the State of Texas hereby designate February 22, 2005, Panola County Day at the State Capitol and extend to the delegation here today sincere best wishes for an enjoyable visit.

ELTIFE

HCR 72 was read.

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

All Members are deemed to have voted "Yea" on the adoption of the resolution.

GUESTS PRESENTED

Senator Eltife was recognized and introduced to the Senate a delegation of citizens from Panola County.

The Senate welcomed its guests.

SENATE RESOLUTION 194

Senator Janek offered the following resolution:

WHEREAS, Anesthesiology is the practice of medicine dedicated to the relief of pain and total care of the surgical patient before, during, and after surgery; and

WHEREAS, Texas is well-served by the more than 2,000 physician members of the Texas Society of Anesthesiologists; organized in 1936 and incorporated in 1969, this voluntary, nonprofit association has taken as its mission the advancement, promotion, and support of the practice of the medical specialty of anesthesiology in the State of Texas; the organization is ably led by president David C. Powell, M.D., of Beaumont and president-elect James F. Arens, M.D., of Houston; and

WHEREAS, After graduating from college, today's anesthesiologists are required to complete four years of medical school and four additional years of anesthesiology residency; they apply their vast knowledge of medicine to fulfill their primary role in the operating room, which is not only to ensure the comfort of the patient during surgery, but also to make informed medical judgments to protect the patient; they are also responsible for diagnosing and treating any medical problems that might arise during surgery or the recovery period; and

WHEREAS, The role of anesthesiologists extends beyond the operating room; they work in intensive care units to help restore critically ill patients to stable conditions, manage the care of the mother and baby in childbirth, and specialize in pain management, diagnosing and treating acute and chronic conditions; and

WHEREAS, The myriad contributions of the state's anesthesiologists are most deserving of the admiration of their fellow Texans, and it is appropriate to take this opportunity to call attention to the vital services these dedicated doctors provide; now, therefore, be it

RESOLVED, That the Senate of the 79th Texas Legislature hereby recognize February 22, 2005, as Anesthesia Day at the State Capitol and commend the anesthesiologists of Texas on their important work; and, be it further

RESOLVED, That an official copy of this resolution be prepared for the Texas Society of Anesthesiologists as an expression of high regard by the Texas Senate.

SR 194 was read and was adopted without objection.

GUESTS PRESENTED

Senator Janek was recognized and introduced to the Senate Patrick Giam, Clinical Assistant Professor at Baylor College of Medicine, and James Arens, President-elect, Texas Society of Anesthesiologists.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Ogden was recognized and introduced to the Senate a delegation of citizens from Mexia.

The Senate welcomed its guests.

SENATE RESOLUTION 214

Senator Staples offered the following resolution:

WHEREAS, Residents from the Cedar Creek Lake area of Henderson County are gathering in Austin on February 22, 2005, to celebrate Cedar Creek Lake Area Day at the Capitol; and

WHEREAS, More than 50,000 Texans reside near Cedar Creek Lake, which encompasses 38,000 acres and features 328 miles of picturesque shoreline; locals and tourists alike take advantage of the state's largest residential lake by engaging in a wide range of outdoor activities, including boating, fishing, swimming, camping, and golf; and

WHEREAS, With a healthy blend of residential and business interests, the region has much to offer citizens of growing communities such as Gun Barrel City, Eustace, Mabank, Seven Points, and Tool; and

WHEREAS, Area towns, while proud of their individual identities, also share the values and ideals of a caring, close-knit community; and

WHEREAS, Cedar Creek Lake is one of our state's true treasures, and residents justifiably take great pride in the beauty and character of the area; now, therefore, be it

RESOLVED, That the Senate of the 79th Texas Legislature hereby recognize February 22, 2005, as Cedar Creek Lake Area Day at the State Capitol and extend to the delegation here today sincere best wishes for an enjoyable and memorable visit.

STAPLES
DEUELL

SR 214 was read and was adopted without objection.

GUESTS PRESENTED

Senator Staples, joined by Senator Deuell, was recognized and introduced to the Senate a delegation of citizens from the Cedar Creek Lake area.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Deuell was recognized and introduced to the Senate representatives of the American Heart Association.

The Senate welcomed its guests.

**SENATE RULE 11.10(a) SUSPENDED
(Public Notice of Committee Meetings)**

On motion of Senator Shapiro and by unanimous consent, Senate Rule 11.10(a) was suspended in order that the Committee on Education might meet today.

REPORT OF COMMITTEE ON NOMINATIONS

Senator Lindsay submitted the following report from the Committee on Nominations:

We, your Committee on Nominations, to which were referred the following appointments, have had same under consideration and report them back to the Senate with a recommendation that they be confirmed:

Justice, Court of Appeals, Ninth Court of Appeals District: Henry Hollis Horton III, Jefferson County.

Member, Texas Lottery Commission: J. Rolando Olvera, Jr., Cameron County.

Members, Texas Alcoholic Beverage Commission: Jose Cuevas, Jr., Midland County; John Thomas Steen, Jr., Bexar County.

Members, Texas Building and Procurement Commission: James Stewart Duncan, Harris County; Victor E. Leal, Bailey County; Brenda Pejovich, Dallas County; Betty Pinckard Reinbeck, Austin County.

Judge, 224th Judicial District Court, Bexar County: O. Rene Diaz, Bexar County.

Presiding Judge, Sixth Administrative Judicial Region: Stephen B. Ables, Kerr County.

Presiding Judge, Ninth Administrative Judicial Region: Kelly G. Moore, Terry County.

Presiding Judge, First Administrative Judicial Region: John David Ovard, Dallas County.

Presiding Judge, Fourth Administrative Judicial Region: David Peeples, Bexar County.

Members, Texas State Board of Examiners of Dietitians: Linda Whitnell Dickerson, R.D.H., Brazoria County; Georgiana S. Gross, Bexar County.

Member, Texas State Board of Medical Examiners District Two Review Committee: Janet Tornelli-Mitchell, M.D., Dallas County.

Member, Texas Board of Licensure for Professional Medical Physicists in the Texas Department of Health: Walter Grant III, Harris County.

Members, State Pension Review Board: Paul A. Braden, El Paso County; Roy Valentine Casanova, Jr., Bexar County; Richard Earl McElreath, Randall County; Norman W. Parrish, Montgomery County; Frederick E. Rowe, Jr., Dallas County; Shari Oualline Shivers, Travis County.

Members, Polygraph Examiners Board: Priscilla Jane Kleinpeter, Randall County; Lawrence D. Mann, Collin County; Hugh Douglas Sutton, Lubbock County.

Members, Texas State Board of Examiners of Psychologists: Betty Lou "Penny" Angelo, Midland County; Gary R. Elkins, Ph.D., Bell County; Catherine Bernell Estrada, Dallas County; Carl E. Settles, Bell County.

Members, Texas Council on Purchasing from People with Disabilities: Howard Keith Karnes, Dallas County; John W. Luna, Tarrant County; Floyd Glen Self, Jr., Hays County; Wanda White Stovall, Tarrant County.

Members, Texas State Board of Social Worker Examiners: Timothy Martel Brown, Brazos County; Jeannie McGuire, L.B.S.W., Brazos County; Matt Shaheen, Collin County; Carrie Yeats, Lubbock County.

NOTICE OF CONSIDERATION OF NOMINATIONS

Senator Lindsay gave notice that he would tomorrow at the conclusion of morning call submit to the Senate for consideration nominations to agencies, boards, and commissions of the state.

MOTION TO ADJOURN

On motion of Senator Whitmire and by unanimous consent, the Senate at 12:07 p.m. agreed to adjourn, in memory of James "Bill" Van Burkleo of Mercedes, upon completion of the introduction of bills and resolutions on first reading, until 10:00 a.m. tomorrow.

(Senator Wentworth in Chair)

SENATE BILLS ON FIRST READING

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

SB 412 by Nelson

Relating to the governmental entities subject to the sunset review process.
To Committee on Government Organization.

SB 413 by Shapleigh

Relating to the continuation and functions of the Texas State Board of Examiners of Dietitians.

To Committee on Government Organization.

SB 414 by Carona

Relating to the continuation and functions of the Texas State Board of Examiners of Professional Counselors; providing an administrative penalty.

To Committee on Government Organization.

SB 415 by Shapleigh

Relating to continuation and functions of the Texas State Board of Social Worker Examiners.

To Committee on Government Organization.

SB 451 by Wentworth

Relating to the qualifications for service as a grand or petit juror and challenges for cause.

To Committee on Jurisprudence.

SB 452 by Wentworth

Relating to transferring the duties of the Texas Building and Procurement Commission under the public information law to the attorney general.

To Committee on Government Organization.

SB 453 by Armbrister

Relating to the disposition of an abandoned watercraft.

To Subcommittee on Agriculture and Coastal Resources.

SB 454 by Armbrister

Relating to commercial shrimp boat licenses and to the creation of a gulf shrimp license management program.

To Subcommittee on Agriculture and Coastal Resources.

SB 455 by Armbrister

Relating to the construction of artificial reefs.

To Subcommittee on Agriculture and Coastal Resources.

SB 456 by Fraser

Relating to transportation of loose materials.

To Committee on Transportation and Homeland Security.

SB 457 by Fraser

Relating to procedures for providing notice of intent to obtain certain permits issued by the Texas Commission on Environmental Quality.

To Committee on Natural Resources.

SB 458 by Fraser

Relating to governmental contingent fee contracts for legal services entered into by a local governmental entity.

To Committee on State Affairs.

SB 459 by Staples

Relating to the valuation of state-owned real property.

To Committee on Natural Resources.

SB 460 by Armbrister

Relating to the regulation of podiatry.

To Committee on Health and Human Services.

SB 461 by Madla

Relating to the confidentiality of and access to certain personal information in instruments recorded with a county clerk.

To Committee on Intergovernmental Relations.

SB 462 by Eltife

Relating to the issuance of revenue bonds for Texas A&M University–Texarkana.

To Committee on Finance.

SB 463 by Shapleigh

Relating to the discharge of certain costs and fines in a criminal case.

To Committee on Criminal Justice.

SB 464 by Ellis

Relating to the duration of judgment liens in favor of the state.

To Committee on Government Organization.

SB 465 by West

Relating to the administration of psychoactive medication to certain patients.

To Committee on Health and Human Services.

SB 466 by Fraser

Relating to the creation and authority of municipal development districts.

To Committee on Intergovernmental Relations.

SB 467 by Lucio, Hinojosa

Relating to a risk assessment for Type 2 diabetes.

To Committee on Education.

SB 468 by Deuell

Relating to the depository designated by the Hunt Memorial Hospital District.

To Committee on Intergovernmental Relations.

SB 469 by Averitt

Relating to time and cost limitations in certain contracts offered by a health maintenance organization.

To Committee on State Affairs.

SB 470 by Averitt

Relating to the portion of designated tuition set aside to fund financial assistance for resident undergraduate and graduate students at public institutions of higher education.

To Committee on Finance.

SB 471 by Hinojosa

Relating to the Texas Coastal Ocean Observation Network.

To Subcommittee on Agriculture and Coastal Resources.

SB 472 by Hinojosa

Relating to the abolition of certain water control and improvement districts.
To Committee on Natural Resources.

SB 473 by Jackson

Relating to a prohibition on the regulation of emissions from residential water heaters.
To Committee on Natural Resources.

SB 474 by Barrientos, West

Relating to safety regulations for certain extracurricular school activities.
To Committee on Education.

SB 475 by Ellis

Relating to the offense of tampering with a direct recording electronic voting machine; providing criminal penalties.
To Committee on State Affairs.

SB 476 by Ellis

Relating to the payment of child support obligations on behalf of persons wrongfully imprisoned.
To Committee on Criminal Justice.

SB 477 by Wentworth

Relating to emergency contraception drug therapy initiated and distributed by a pharmacist to a patient in accordance with drug therapy protocol.
To Committee on Health and Human Services.

SB 478 by Barrientos

Relating to the authority of certain counties to impose a local tax on the sale of gasoline and to the use of the tax revenue by a regional mobility authority.
To Committee on Finance.

SB 479 by Barrientos

Relating to protecting students and employees at an institution of higher education from threatened acts of violence.
To Subcommittee on Higher Education.

SB 480 by Hinojosa

Relating to the authority of a city to take certain actions with regard to certain pipelines.
To Committee on Natural Resources.

SB 481 by Wentworth

Relating to creating an offense for the unauthorized operation of a recording device in a motion picture theater.
To Committee on State Affairs.

SB 482 by Shapiro

Relating to the retirement benefits payable to retirees of the Teacher Retirement System of Texas who are employed as teacher mentors.
To Committee on Education.

SB 483 by Staples

Relating to allowing designated public school libraries to participate in group purchasing agreements with the TexShare Library Consortium.

To Committee on Government Organization.

SB 484 by Barrientos, Ellis

Relating to restrictions on the imposition of the operating permit fee under the Clean Air Act.

To Committee on Natural Resources.

SB 485 by Armbrister

Relating to the regulation of underground and aboveground storage tanks.

To Committee on Natural Resources.

SB 486 by Armbrister

Relating to participation and credit in, contributions to, and benefits and administration of the Texas County and District Retirement System.

To Committee on State Affairs.

SB 487 by Lucio

Relating to structures on coastal public land.

To Subcommittee on Agriculture and Coastal Resources.

SB 488 by Lucio, Madla, Van de Putte, West

Relating to certain low-interest home loan programs administered by the Texas State Affordable Housing Corporation.

To Committee on Intergovernmental Relations.

SB 489 by Estes

Relating to the license requirements of marine dealers, distributors, and manufacturers.

To Committee on Natural Resources.

SB 490 by Estes

Relating to an action for damages alleging professional negligence by a registered professional land surveyor.

To Committee on State Affairs.

SB 491 by Janek

Relating to the eligibility of certain community supervision and corrections department employees, retired employees, and dependents of employees and retired employees to participate in the group benefits program for state employees.

To Committee on Intergovernmental Relations.

SB 492 by Van de Putte

Relating to drug compounding by a pharmacy for a practitioner's office use and to distribution of compounded and repackaged drugs to pharmacies under common ownership.

To Committee on Health and Human Services.

SB 493 by Van de Putte

Relating to reducing paperwork required of school districts and school district employees.

To Committee on Education.

RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

Memorial Resolutions

SR 208 by Hinojosa, In memory of Mary Garza Guerra of Corpus Christi.

SR 217 by Lucio, In memory of Reynaldo Guerra Garza of Brownsville.

SR 218 by Ellis, In memory of Wolde-Michael Akalou of Houston.

Congratulatory Resolutions

SR 201 by Duncan, Recognizing Jerry D. Casstevens of Lubbock on the occasion of his retirement from the South Plains Association of Governments.

SR 204 by West, Recognizing Alice Ann Nye for being selected as a distinguished alumna of the University of North Texas.

SR 207 by Hinojosa, Congratulating Winston Ayala for his selection as the Central Baseball League's General Manager of the Year.

SR 209 by Hinojosa, Congratulating the Edinburg Roadrunners baseball team for winning the 2004 Central Baseball League Championship title.

SR 210 by Hinojosa, Recognizing the nine Fuentes brothers of Corpus Christi for their service to their country.

SR 211 by Hinojosa, Congratulating Summer Marie Flowers for her selection as Queen Citrianna LXIX.

SR 212 by Staples, Recognizing Bob and Doris Bowman of Lufkin for their service to the people of East Texas.

SR 216 by Lucio, Congratulating Lolita Ayala for her selection as the 2005 Mr. Amigo honoree.

SR 219 by Hinojosa, Congratulating Senator John Cornyn for his selection as 2005 Border Texan of the Year.

Official Designation Resolutions

SR 49 by Brimer, Averitt, and Harris, Proclaiming February 22, 2005, as Grand Prairie Day at the State Capitol.

HCR 65 (Ellis and West), Designating February 2005 as Black History Month in Texas.

ADJOURNMENT

Pursuant to a previously adopted motion, the Senate at 12:14 p.m. adjourned, in memory of James "Bill" Van Burkleeo of Mercedes, until 10:00 a.m. tomorrow.