

# THIRTIETH DAY

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WEDNESDAY, MARCH 9, 2005

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## PROCEEDINGS

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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 Ronnie L. Daniell, First Baptist Church, Canton, offered the invocation as follows:

Our Father in heaven, I thank You for the opportunity to stand in this place and call on Your holy name. I come invoking Your blessings upon this the 79th Texas Legislature. I ask Your hand to guide in every decision made by the ladies and gentlemen who have been elected to serve the wonderful citizens of this great state. I ask that You grant Governor Perry, Lieutenant Governor Dewhurst, and each Senator the knowledge and wisdom to enact and pass bills that will make our state a safer and more prosperous place in which to live, work, and raise our families. I pray You will be with our military personnel serving in harm's way today. Dear God, place Your hedge of protection around them, keep them from harm, and return them home safe and soon. Be ever present with their loved ones as they await their return. Guide President Bush and our Congress as they lead this great nation. Dear God, I ask You to forgive us of our sins and cause us to seek Your face in all we do. May You continue to bless this state and the United States of America, in my prayer. In Your holy name I pray. 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 272**

On motion of Senator Williams, Senator Lucio will be shown as Co-author of **SB 272**.

**CO-AUTHOR OF SENATE BILL 351**

On motion of Senator Van de Putte, Senator Ellis will be shown as Co-author of **SB 351**.

**CO-AUTHOR OF SENATE BILL 455**

On motion of Senator Armbrister, Senator Lucio will be shown as Co-author of **SB 455**.

**PHYSICIAN OF THE DAY**

Senator Barrientos was recognized and presented Dr. Ajay Kumar Gupta of Austin as the Physician of the Day.

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

**SENATE RESOLUTION 336**

Senator Zaffirini offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to welcome the citizens of San Patricio County and to recognize March 9, 2005, as San Patricio County Day at the State Capitol; and

WHEREAS, San Patricio County covers a 693-square mile area in the Coastal Prairies Region; its colonization began in the early 1800s, and the county was established in 1836 by the Congress of the new Republic of Texas; in 1894, Sinton, the site of a railroad stop, became the county seat; located in the center of the county, Sinton is referred to as the "Gateway to the Gulf Coast"; and

WHEREAS, Ranching was the foundation of the county's early economy, and the area's mild, moist climate made it a prime region for agribusiness; the arrival of the railroad in 1885 and the discovery of oil and gas in the early 1900s further gave rise to a more diversified economy; and

WHEREAS, San Patricio County supports a wide variety of wildlife species, and the Rob and Bessie Welder Wildlife Foundation and Refuge provides opportunities for research and education in wildlife conservation; the county is the site of numerous events and festivals, including the annual World Champion Rattlesnake Races held in San Patricio; and

WHEREAS, San Patricio County Day at the State Capitol provides an opportunity for families and friends to honor the county's history and to celebrate its many assets, which are enjoyed today by its residents and vacationers of all ages; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 79th Legislature, hereby declare March 9, 2005, San Patricio County Day at the State Capitol and extend best wishes to all attending this event; and, be it further

RESOLVED, That a copy of this Resolution be prepared for the residents of San Patricio County as a memento of this occasion.

**SR 336** was read and was adopted without objection.

### GUESTS PRESENTED

Senator Zaffirini was recognized and introduced to the Senate San Patricio County Judge Terry Simpson and County Commissioners Nina Trevino, Fred Nardini, Pedro Rodriguez, and Jim Price, accompanied by a delegation of citizens from San Patricio County.

The Senate welcomed its guests.

### RESOLUTIONS SIGNED

The President announced the signing of the following enrolled resolutions in the presence of the Senate: **HCR 20, HCR 92.**

#### SENATE RESOLUTION 320

Senator Barrientos offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to recognize Communities In Schools of Texas, an exemplary dropout prevention program, for its outstanding achievements in helping students to stay in school and prepare for life; and

WHEREAS, Communities In Schools of Texas, through partnerships with local school districts, businesses, and the community, provides services for students in kindergarten through the 12th grade in 26 areas across the state; the organization serves over 418,000 students and provides intensive case management services to over 68,000 students who are at risk of dropping out of school; and

WHEREAS, Texas youths face a multitude of challenges to staying in school; Communities In Schools of Texas addresses these challenges and gives students the opportunity to focus on learning; without an education, the lives of young people become even more difficult and ultimately cost the state billions of dollars; we are proud to have Communities In Schools of Texas as the state's leading program in combating the dropout problem; and

WHEREAS, Dropout prevention is not just a school problem—it is a community responsibility; ensuring the education of all young Texans is critical to having competent workforce, a stable economy, and less crime; it is important for the citizens of our state to assist Communities In Schools of Texas in its efforts to help our children to succeed in school and prepare for life; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 79th Legislature, hereby pay tribute to Communities In Schools of Texas for its excellent work and declare March 9, 2005, Communities In Schools Day at the Capitol and March of 2005, Communities In Schools Month; and, be it further

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

**SR 320** was read and was adopted without objection.

### GUESTS PRESENTED

Senator Barrientos was recognized and introduced to the Senate William E. Milliken, founder of Communities In Schools National; Nellie Reyes, State Director; and Staff Sergeant Daniel Allen, Dominique Allen, and David Allen, a family representing Communities In Schools; accompanied by a delegation of participants in Communities In Schools.

The Senate welcomed its guests.

### GUESTS PRESENTED

Senator Zaffirini was recognized and introduced to the Senate a delegation of students from Moreno Junior High School in Beeville.

The Senate welcomed its guests.

### SENATE RESOLUTION 332

Senator Zaffirini offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to recognize March 9, 2005, as Communities In Schools of Laredo Capitol Day and to pay tribute to the organization on the occasion of its 15th anniversary; and

WHEREAS, Communities In Schools is a nationwide program that was created with the goal of helping young people to stay in school; the organization provides services for students in kindergarten through 12th grade; and

WHEREAS, Communities In Schools of Laredo has successfully built partnerships with schools, law enforcement agencies, social service organizations, civic groups and health providers, and it champions the use of these groups to help young people learn, stay in school and prepare for life; and

WHEREAS, Collaborating with these community groups has allowed Communities In Schools of Laredo to provide a wide array of benefits and services to area students, including scholarships, leadership training and mentoring, life medical skills training and free eye examinations and treatment; and

WHEREAS, Due to the dedication and outstanding leadership of the board of directors and of Executive Director José Luís Gutierrez, Communities In Schools of Laredo has helped many students to stay in school and to make positive contributions to their communities; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 79th Legislature, hereby commend Communities In Schools of Laredo for its valuable contributions to the young people of our state and congratulate the organization on the occasion of its 15th anniversary; and, be it further

RESOLVED, That a copy of this Resolution be prepared as a memento of Communities In Schools of Laredo Capitol Day.

**SR 332** was read and was adopted without objection.

**GUESTS PRESENTED**

Senator Zaffirini was recognized and introduced to the Senate Communities In Schools Laredo board members Tina Trevino, Peggy Newman, and Karen Mejia; Jose Luis Gutierrez, Executive Director; and Mike Smith, Senior Program Coordinator; accompanied by a delegation of Communities In Schools representatives from Laredo.

The Senate welcomed its guests.

**(Senator Shapiro in Chair)**

**SENATE RESOLUTION 311**

Senator Armbrister offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to join the proud citizens of Victoria in celebrating Victoria Day at the State Capitol on Wednesday, March 9, 2005; and

WHEREAS, The City of Victoria and Victoria County have a rich history; one of the historical highlights was when the Republic of Mexico approved Don Martin DeLeon's request for a large land grant on the lower Guadalupe River in 1824; and

WHEREAS, A highly respected Mexican citizen, Don Martin DeLeon received permission to establish a town at a site known earlier as Cypress Grove; established with 41 families, the town would become known as Victoria, named after Guadalupe Victoria, the president of Mexico; and

WHEREAS, Victoria's Main Street today was known then as La Calle de los Diez Amigos, or The Street of the Ten Friends; the town was incorporated under the Republic of Texas in 1839 and the first property taxes were assessed in 1843; and

WHEREAS, Ranching was the first major enterprise in the area, and it brought in capital needed for development; commercial ventures became successful, and by 1917, paved streets were becoming common; by the end of World War II, Victoria had become one of the fastest-growing cities in Texas; and

WHEREAS, The city has a symphony orchestra, a fine arts association, museums, libraries, and the National Zoo of Texas, which is home to more than 200 native Texas animals and plants; and

WHEREAS, Three major highways, railroads, and commercial airlines make Victoria easily accessible to major businesses; it is also located on a barge canal which is connected to the Gulf Intracoastal Waterway; as the Victoria County seat, the city serves as the commercial center of this thriving area; and

WHEREAS, In the fall of 2004, in front of the sign at the entrance to The Street of the Ten Friends, the Victoria Chamber of Commerce and the Victoria Hispanic Chamber of Commerce announced their intent to merge their two successful organizations; today, the Victoria Chamber of Commerce is stronger for that union and better represents the business community that it serves; and

WHEREAS, Victoria is home to excellent public schools, a number of major employers, a university, and a community college; the city offers first-rate medical care, and it is an inviting city with an expanding economy; and

WHEREAS, The largest city in the "Golden Crescent Region," Victoria serves as the health, education, government, and retail service center for a five county market area with a population of over 185,000; the city thrives on the area's petrochemical industry, oil and gas exploration, retail trade, and agriculture; and

WHEREAS, Two of the city's qualities that appeal to all ages are big-city convenience and small-town friendliness; Victoria is an excellent town in which to live, work, and raise a family, and it is known for its appealing mix of history, natural attractions, and thriving art scene; and

WHEREAS, It is indeed a pleasure and a privilege for the Texas Senate to honor this outstanding city and its fine citizens on the occasion of Victoria Day at the State Capitol; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 79th Legislature, hereby express appreciation to the citizens of Victoria for their many contributions to our state; and, be it further

RESOLVED, That a copy of this Resolution be prepared for the city and Victoria County as a memento of this special day.

**SR 311** was read and was adopted without objection.

### **GUESTS PRESENTED**

Senator Armbrister was recognized and introduced to the Senate Will Armstrong, Mayor of Victoria; Victoria County Judge Donald R. Pozzi; Jennifer Yancey, Director of Institutional Advancement, Victoria College; County Commissioner Wayne Dierlam; and Shirley Buckert, City Councilmember; accompanied by a delegation of citizens from Victoria County.

The Senate welcomed its guests.

### **SENATE RESOLUTION 331**

Senator Averitt offered the following resolution:

WHEREAS, Many proud residents of Hill County are gathering in Austin to celebrate Hill County Day at the State Capitol on March 9, 2005; this festive event is indeed an appropriate occasion to pay special tribute to this unique Texas county; and

WHEREAS, On February 7, 1853, the Texas Legislature created Hill County from the western portion of Navarro County on petition from Dr. Josephus Murray Steiner, Elijah Sterling Clack Robertson, and various citizens of Navarro County; a few months later, county officials were elected in Lexington on Jack's Branch, currently Union Bluff; the region's name pays tribute to Dr. George Washington Hill, a former Indian agent, secretary of war and secretary of marine, and congress member of the Republic of Texas; and

WHEREAS, Throughout the years, Hill County has grown with the changing times while still maintaining the charm and friendliness of a small rural county; the county's citizens worked diligently to restore its historic 1890 courthouse when it was destroyed by a fire in 1993; they returned the courthouse to its former glory in 1999, and it continues today to function as the hub for all county business; and

WHEREAS, Each year the communities of Hill County, including Hillsboro, Hubbard, Itasca, and Whitney, host a number of gala events such as the county fair, the Go Texan/Cotton Pickin' Fair, the Cinco de Mayo Celebration, Pioneer Days, and

the Memorial Day Weekend Hubbard City Trade Days and Festivities; these events are ideal showcases for the county's hospitality, agricultural roots, scenic beauty, and heritage tourism attractions; and

WHEREAS, The residents of Hill County are justifiably proud of their fine county, their heritage, their hospitality, and the many special qualities that make it an outstanding place in which to live, work, and raise a family, and it is most fitting that Hill County be given special recognition at this time; now, therefore, be it

RESOLVED, That the Senate of the 79th Texas Legislature hereby recognize March 9, 2005, as Hill County Day at the State Capitol and extend to those citizens here today sincere best wishes for an enjoyable visit.

**SR 331** was read and was adopted without objection.

### **GUESTS PRESENTED**

Senator Averitt was recognized and introduced to the Senate Hill County Judge Kenneth Davis; County Commissioners James Buzbee, Bob Atwell, and Sam McClendon; and Marchel Eubank, Tax Assessor-Collector; accompanied by a delegation of citizens from Hill County.

The Senate welcomed its guests.

### **SENATE RESOLUTION 353**

Senator Eltife offered the following resolution:

WHEREAS, March 9, 2005, is Wood County Day at the State Capitol, and the Senate of the State of Texas is pleased to join the citizens of Wood County in honoring their county's important contributions to our state; and

WHEREAS, Located in Northeast Texas at the western edge of the pine belt, Wood County was created and organized from Van Zandt County in 1850 and named for Governor George T. Wood; hilly and heavily forested with sandy and alluvial soils, the county is drained by the Sabine River and its tributaries; and

WHEREAS, Before Anglo-American civilization, the area was home to the Caddo Indians; by the 1820s and 1830s, settlers began arriving, and in 1845, the village of Webster was established; the early arrivals were planters, but because it was difficult to transport cotton, ranching became the first profitable industry; and

WHEREAS, Railroads came to the area in the 1870s and 1880s, contributing to a growing population, as well as increasing demands on the area's lumber industry; specialized farming became a major industry after a sweet potato curing plant was established in 1913, and Christmas trees, hay, watermelons, poultry, and dairy products were soon added to the list of commodities being produced in the county; Jarvis Christian College was founded in Hawkins in 1912, and the discovery of oil near that community in 1940 brought still another lucrative business to the region; and

WHEREAS, This beautiful area of the state is one of the showplaces of East Texas and is best known as a recreational and retirement county; nicknamed "Lake Country" for the numerous aquatic recreational facilities in the county, Wood County attracts sportsmen from all over the world; the gigantic Lake Fork Reservoir is known as the "Best Big Bass Lake in the State," and a record-breaking largemouth bass was pulled from its waters in 1993; and

WHEREAS, The residents of Wood County are a lively and industrious people who are proud of their county's assets and of the communities they have built while maintaining the county's natural beauty; and

WHEREAS, These communities host year-round festivities honoring the county's heritage, crops, resources, and foliage; the festivals include the Quitman Dogwood Fiesta in March, as well as the Hawkins Pancake Festival, the Spring Trails in Winnsboro, the Fourth of July FreedomFest in Mineola, the Sweet Potato Festival in Golden, and the Winter Trails Christmas Parade in Winnsboro; and

WHEREAS, Governor Hogg Shrine State Park in Quitman recalls local and state history; it is named for the first native-born governor of Texas, James Stephen Hogg, who did much to strengthen public respect for law enforcement in the state and worked to establish the Texas Railroad Commission to enforce state antitrust laws and promote fair business practices; and

WHEREAS, Wood County Day is an appropriate occasion for the Texas Senate to recognize the county and to commend its residents for their achievements and the preservation of the county's many amenities; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 79th Legislature, hereby recognize March 9, 2005, as Wood County Day at the State Capitol and join its citizens as they celebrate their county's valuable assets; and, be it further

RESOLVED, That a copy of this Resolution be prepared in honor of this occasion.

**SR 353** was read and was adopted without objection.

#### **GUESTS PRESENTED**

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

The Senate welcomed its guests.

#### **SENATE RESOLUTION 334**

Senator Hinojosa offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to recognize March 9, 2005, as Mission Day at the Capitol and welcome the citizens of Mission who have traveled to Austin for this occasion; and

WHEREAS, The City of Mission was founded in 1908, the year the Missouri Pacific Railroad established a station in the area, and the city was named for La Lomita Mission, which was located nearby; since then, Mission has grown to be a thriving city with a population nearing 50,000; and

WHEREAS, The first citrus trees in the Rio Grande Valley were planted in the Mission area; today, the citrus industry is a multimillion-dollar business, which is celebrated each year at the Citrus Fiesta; and

WHEREAS, Mission was immortalized in Larry McMurtry's novel and miniseries, *Lonesome Dove*, and notable residents have included former United States Senator and Treasury Secretary Lloyd Bentsen and former United States Congressman and Agriculture Secretary Kika de la Garza; Mission was the childhood home of Tom Landry and a second home to Governor Allan Shivers and the illustrious William Jennings Bryan; and



WHEREAS, Mission Day at the Capitol provides an opportunity to honor the city's heritage and its many charms, which are enjoyed by residents and vacationers of all ages; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 79th Legislature, hereby join the citizens of Mission in paying tribute to this unique city and extend to them best wishes for an enjoyable Mission Day at the Capitol; and, be it further

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

**SR 334** was read and was adopted without objection.

#### **GUESTS PRESENTED**

Senator Hinojosa was recognized and introduced to the Senate Mayor of Mission Norberto "Beto" Salinas, Mayor Pro Tempore Gen Long, City Councilmember Armando O'Caná, 68th Queen Citrianna-Texas Citrus Fiesta Jessica Ruiz, and Texas Citrus Fiesta President Bill Filut, accompanied by a delegation of citizens from Mission.

The Senate welcomed its guests.

#### **GUESTS PRESENTED**

Senator Hinojosa was recognized and introduced to the Senate representatives of AVANCE.

The Senate welcomed its guests.

#### **SENATE RESOLUTION 344**

Senator Deuell offered the following resolution:

WHEREAS, Many citizens of Van Zandt County have come to the State Capitol on March 9, 2005, to celebrate the significant part they and their forebears have played in the development of the Lone Star State; and

WHEREAS, Created by an Act of the Texas Legislature on March 20, 1847, this Northeast Texas county was named for Isaac Van Zandt, a Republic of Texas lawyer, legislator, and diplomat; and

WHEREAS, Canton, the county seat, was laid out in 1850 and incorporated in 1919; recently named a Main Street City, it is home to the Van Zandt County Fair and First Monday Trade Days, one of the country's best-known flea markets; a library of genealogy and local history is also a popular attraction and preserves much of the county's notable heritage; and

WHEREAS, The development of this fascinating area can be traced in a number of other communities as well; Edgewood, settled in the 1840s, boasts the Edgewood Heritage Park Museum, a facility dedicated to the preservation of the rural culture and architectural history of our state; and

WHEREAS, Edom, established in 1856, is one of the oldest towns in the county, and its past is highlighted by 10 state historical markers, many of them researched by members of the Edom Historical Society; the residents of this small community also give vital support to an active civic theater; and

WHEREAS, Fruit cultivation prompted the naming of Fruitvale, where a nursery operated as early as the 1870s; several generations in this century-old town have treasured the Randall Store, a local institution since 1910; and

WHEREAS, Grand Saline, originally called Jordan's Saline, the first Van Zandt County seat, takes its name from an immense dome of pure salt lying beneath the city; more than a mile and a half wide and 20,000 feet thick, the deposit is presently mined by Morton Salt Company; the city celebrates salt with an annual Salt Festival; those exploring this 2004 Main Street City can tour the Salt Palace Museum, a unique structure built with rock salt crystal, stop by the historical marker that commemorates native son Wiley Post, the renowned pioneer aviator, and visit the new Veterans Memorial Wall Park, featuring a genuine U.S. Army tank; and

WHEREAS, Van, established in 1891, remained a quiet farming community until 1929, when the discovery of oil nearby transformed the village into a boomtown; the Van Area Oil and Historical Museum recaptures the excitement of that frenetic time and commemorates the discovery with an annual Oil Festival; and

WHEREAS, Wills Point, settled in 1873 and originally known as Iola, was renamed for William Wills, whose cabin served as a stopping place for those traveling between Shreveport and Dallas; the Wills cabin still stands, as does the Texas and Pacific Railroad depot, which houses the Historical Society Museum; Wills Point, which is officially the Bluebird Capital of Texas, hosts the annual Bluebird Festival; and

WHEREAS, Ben Wheeler, surrounded by natural springs and rich farmland, was named for Van Zandt County's first mail carrier, Benjamin R. Wheeler, in 1876; and

WHEREAS, Martins Mill, which got its name from Dan R. Martin's gristmill, was established in 1880 and is home to one of the largest dairies in East Texas; the community survived destruction by tornadoes and fires and today boasts a successful school district; and

WHEREAS, Major events in the county include the Texas State Bluegrass Festival, the Edom Arts Fair, and the Van Zandt County Relay for Life; for the outdoor enthusiast, the Neches and Sabine Rivers, Purtis Creek State Park, and Lake Tawakoni State Park offer wonderful opportunities for fishing, boating, swimming, and camping; and

WHEREAS, The home of nearly 50,000 people, Van Zandt County relies on tourism, oil, and agribusiness; the area is a major producer of hay, blueberries, sweet potatoes, and nursery crops, in addition to cattle, horses, hogs, and dairy products; and

WHEREAS, Present with us today in the Capitol are numerous residents of Van Zandt County, including the Van Zandt County Choir, city and county officials, members of Vision 2005, and members of the board of the Council of Van Zandt County Communities, the sponsors of the biennial visit to the state legislature that provides an occasion for focusing on legislation affecting Van Zandt County citizens; and

WHEREAS, The citizens of Van Zandt County take justifiable pride in the hard work and ready cooperation that have made their county strong, and it is a pleasure to join them in honoring the county they call home; now, therefore, be it

RESOLVED, That the Senate of the 79th Texas Legislature hereby recognize March 9, 2005, as Van Zandt County Day at the State Capitol and extend sincere best wishes to the visiting Van Zandt residents for an informative and memorable day.

**SR 344** was read and was adopted without objection.

### **GUESTS PRESENTED**

Senator Deuell was recognized and introduced to the Senate Rhita Koches, Van Zandt County Judge; R. P. "Pat" Burnett, Jr., Sheriff; Ronald Carroll, County Commissioner; Kelles Miller, County Commissioner; and Elizabeth Everitt, County Clerk; accompanied by a delegation of citizens from Van Zandt County.

The Senate welcomed its guests.

### **(President in Chair)**

### **MESSAGES FROM THE GOVERNOR**

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

Austin, Texas  
March 9, 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 Credit Union Commission for terms to expire as indicated:

To Expire February 15, 2007:

Thomas Felton Butler  
Deer Park, Texas

(replacing James Burnett of Lewisville who resigned)

To Expire February 15, 2011:

Henry E. "Pete" Snow  
Texarkana, Texas

(replacing Carlos Puente of Arlington whose term expired)

Barbara K. Sheffield  
Sugar Land, Texas

(Ms. Sheffield is being reappointed)

To be members of the Texas Private Security Board for terms to expire January 31, 2011:

Howard H. Johnsen  
Dallas, Texas

(replacing Charlene Ritchey of Valley View whose term expired)

Stella Caldera  
Houston, Texas  
(replacing Jacob Monty of Houston whose term expired)

Respectfully submitted,  
/s/Rick Perry  
Governor

### **SESSION TO CONSIDER EXECUTIVE APPOINTMENTS**

The President announced the time had arrived to consider executive appointments to agencies, boards, and commissions. Notice of submission of these names for consideration was given yesterday by Senator Lindsay.

Senator Lindsay moved confirmation of the nominees reported yesterday by the Committee on Nominations.

The President asked if there were requests to sever nominees.

There were no requests offered.

### **NOMINEES CONFIRMED**

The following nominees, as reported by the Committee on Nominations, were confirmed by the following vote: Yeas 31, Nays 0.

Chief Justice, Supreme Court of Texas: Wallace B. Jefferson, Bexar County.

Justice, Supreme Court of Texas: David Medina, Harris County.

Members, Texas Water Development Board: James Edward Herring, Randall County; Lucian J. "Jack" Hunt III, Harris County.

Members, Lower Colorado River Authority Board of Directors: Katura Morgan "Kay" Carlton, Fayette County; Ida A. Carter, Burnet County; Lucy Ortiz Cavazos, Kerr County; John C. Dickerson III, Matagorda County; Walter E. Garrett, Wharton County; Woodrow Francis McCasland, Llano County; Clayborne L. Nettleship, San Saba County; Linda Clapp Raun, Wharton County; B. R. "Skipper" Wallace, Lampasas County.

Presiding Judge, Second Administrative Judicial Region: Olen U. Underwood, Montgomery County.

District Attorney, 31st Judicial District: Sharon Lynn Switzer, Gray County.

Members, Board of Nurse Examiners: Joyce M. Adams, Ph.D., Harris County; Deborah H. Bell, Taylor County; George Buchenau, Jr., Potter County; Virginia Milam Campbell, Dallas County; Blanca Rosa Garcia, Ph.D., Nueces County; Richard Robert Gibbs, Dallas County; Rachel Gomez, Cameron County; Brenda S. Jackson, Ph.D., R.N., Bexar County; Beverley Jean Nutall, Brazos County; Anita Palmer, Young County; Phyllis Caves Rawley, El Paso County; Linda R. Rounds, Galveston County; Frank D. Sandoval, Jr., Bexar County.

Members, Texas State Board of Pharmacy: Kim A. Caldwell, R.Ph., Collin County; Wilson Benjamin "Ben" Fry, Cameron County; Marcelo Lajjas, Jr., Wilson County.

Members, School Land Board: Todd F. Barth, Harris County; David S. Herrmann, Bexar County.

Members, Commission on Jail Standards: Albert L. Black, Travis County; Stanley Dewayne "Stan" Egger, Taylor County; Mark D. Gilliam, Aransas County; Michael M. Seale, M.D., Harris County.

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

On motion of Senator Lucio and by unanimous consent, Senate Rule 11.10(a) was suspended in order that the Committee on International Relations and Trade might meet at 1:00 p.m. today.

**RESOLUTIONS OF RECOGNITION**

The following resolutions were adopted by the Senate:

**Memorial Resolutions**

**SR 342** by Gallegos, In memory of William Smith Cloud, Sr., of Galena Park.

**SR 347** by Staples, In memory of Willie Myers of Palestine.

**SR 348** by Staples, In memory of Paul Vernon Calhoun of Palestine.

**SR 349** by Staples, In memory of Clifford Lee of Jacksonville.

**Welcome and Congratulatory Resolutions**

**SR 343** by Whitmire, Commending Philip Hoang Vu for achieving the rank of Eagle Scout.

**SR 345** by Barrientos, Welcoming the German exchange students who are participating in the German-American Partnership Program to the Capitol.

**SR 346** by Barrientos, Recognizing Jean and Robert John Macdonald II on the occasion of their 50th anniversary.

**SR 350** by Staples, Congratulating Lucy and Lee Roy Mathis, Jr., for their selection as Patriots of the Year by The University of Texas at Tyler.

**SR 351** by Whitmire, Commending James Louis Fransaw, Jr., for achieving the rank of Eagle Scout.

**SR 352** by Whitmire, Commending Jaron Joseph Johnson for achieving the rank of Eagle Scout.

**SR 355** by Whitmire, Recognizing Bob Lanier of Houston on the occasion of his 80th birthday.

**ADJOURNMENT**

On motion of Senator Whitmire, the Senate at 12:06 p.m. adjourned until 10:00 a.m. tomorrow.

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**APPENDIX**

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**COMMITTEE REPORTS**

The following committee reports were received by the Secretary of the Senate in the order listed:

March 9, 2005

BUSINESS AND COMMERCE — **SCR 6, CSSB 334**

STATE AFFAIRS — **CSSB 5, CSSB 261, SB 490**

INTERGOVERNMENTAL RELATIONS — **SB 547**

STATE AFFAIRS — **CSSB 294**