

FIFTY-FIFTH DAY

(CONTINUED)

TUESDAY, APRIL 26, 2005

PROCEEDINGS

AFTER RECESS

The Senate met at 8:00 a.m. and was called to order by Senator Estes.

SENATOR ANNOUNCED PRESENT

Senator Van de Putte, who had previously been recorded as "Absent-excused," was announced "Present."

SESSION HELD FOR LOCAL AND UNCONTESTED CALENDAR

The Presiding Officer announced that the time had arrived to consider bills and resolutions placed on the Local and Uncontested Calendar. Notice of consideration of the local calendar was given by Senator Harris yesterday.

Pursuant to Senate Rule 9.03(d), the following bills and resolutions were laid before the Senate in the order listed, read second time, amended where applicable, passed to engrossment or third reading, read third time, and passed. The votes on passage to engrossment or third reading, suspension of the Constitutional Three-day Rule, and final passage are indicated after each caption. All Members are deemed to have voted "Yea" on viva voce votes unless otherwise indicated.

CSSB 66 (Nelson)

Relating to the establishment of certain programs and initiatives designed to prevent the manufacture and use of methamphetamine; providing a penalty.

(viva voce vote) (31-0) (31-0)

(Senator Hinojosa in Chair)

CSSB 99 (Ellis)

Relating to the extension of credit to a victim of identity theft.

(viva voce vote) (31-0) (31-0)

CSSB 247 (West)

Relating to permitting samples of produce at certain municipally owned farmers' markets.

(viva voce vote) (31-0) (31-0)

CSSB 411 (Whitmire)

Relating to the regulation of barbers and cosmetologists by the Texas Department of Licensing and Regulation and the abolition of the State Board of Barber Examiners and the Texas Cosmetology Commission.

(viva voce vote) (31-0) (31-0)

CSSB 419 (Nelson)

Relating to the continuation and functions of the Texas State Board of Medical Examiners, Texas State Board of Physician Assistant Examiners, and Texas State Board of Acupuncture Examiners and the regulation of health care professions regulated by those state agencies; providing administrative penalties.

(viva voce vote) (31-0) (31-0)

CSSB 448 (Zaffirini)

Relating to the Texas Academy of International Studies at Texas A&M International University.

(viva voce vote) (31-0) (31-0)

SB 465 (West)

Relating to the administration of psychoactive medication to certain patients.

(viva voce vote) (31-0) (31-0)

SB 737 (Brimer)

Relating to the prosecution of offenses involving the operating or loading of an overweight vehicle in violation of certain laws.

(viva voce vote) (31-0) (31-0)

CSSB 912 (Shapiro)

Relating to the civil commitment of sexually violent predators.

(viva voce vote) (31-0) (31-0)

SB 920 (Van de Putte)

Relating to creating the Texas Treasure Award to honor businesses that have existed in Texas for 50 years or more.

(viva voce vote) (31-0) (31-0)

SB 928 (Ellis)

Relating to the effect of annexation of territory on the terms of members of the governing boards of certain junior college districts.

(viva voce vote) (31-0) (31-0)

SB 929 (Ellis)

Relating to the service area of the Houston Community College System District.

(viva voce vote) (31-0) (31-0)

SB 998 (Madla)

Relating to contracts with local workforce development boards.

(viva voce vote) (31-0) (31-0)

CSSB 1005 (Carona)

Relating to the suspension of sentence and the deferral of final disposition for a defendant younger than 25 in certain misdemeanor traffic cases.

(viva voce vote) (31-0) (31-0)

CSSB 1055 (Janek)

Relating to an alternative method of satisfying certain licensing requirements for assisted living facilities.

(viva voce vote) (31-0) (31-0)

CSSB 1113 (Gallegos)

Relating to allowing a hospital to release protected health information of a patient to emergency medical services providers for treatment, payment, and health care operations.

(viva voce vote) (31-0) (31-0)

SB 1118 (Ellis)

Relating to the authority to change the name of component institutions of The Texas A&M University System.

(viva voce vote) (31-0) (31-0)

SB 1139 (Eltife)

Relating to monitoring by the Texas Building and Procurement Commission and the Legislative Budget Board of the transfer of surplus or salvage property by state agencies.

(viva voce vote) (31-0) (31-0)

CSSB 1143 (Carona)

Relating to a loan secured by personal property with limited recourse against the borrower.

(viva voce vote) (31-0) (31-0)

CSSB 1153 (Harris)

Relating to suits affecting the parent-child relationship, including proceedings for the establishment, modification, and enforcement of child support; providing a civil penalty.

(viva voce vote) (31-0) (31-0)

SB 1185 (West)

Relating to the qualifications of and training and continuing education for certain officials and personnel of career schools or colleges.

(viva voce vote) (31-0) (31-0)

CSSB 1188 (Nelson)

Relating to the medical assistance program and the provision of related services.

(viva voce vote) (31-0) (31-0)

CSSB 1205 (Madla)

Relating to allowing the creation of multi-jurisdictional library districts; authorizing taxes and bonds.

(viva voce vote) (31-0) (31-0)

SB 1226 (Shapiro)

Relating to a study of the reporting requirements imposed on public institutions of higher education.

(viva voce vote) (31-0) (31-0)

Senator Shapiro offered the following committee amendment to the bill:

Committee Amendment No. 1

Section 1 of **SB 1226** is amended as follows:

(1) On page 1, line 22, strike "January 1, 2007" and substitute "December 1, 2006"

(2) On page 1, line 24, insert the following after "to" and before "the lieutenant governor": "the governor,"

The amendment to **SB 1226** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Committee Amendment No. 1.

On motion of Senator Shapiro and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

SB 1230 (Fraser)

Relating to the authority of the state to fund the operations of the unemployment compensation system.

(viva voce vote) (31-0) (31-0)

SB 1247 (West)

Relating to admission to the Joint Admission Medical Program.

(viva voce vote) (31-0) (31-0)

CSSB 1318 (Staples)

Relating to projects that may be undertaken by or supported by the tax proceeds of certain development corporations.

(viva voce vote) (31-0) (31-0)

CSSB 1336 (Madla)

Relating to a requirement that the Texas Department of Transportation sell or convey the Presidio International Bridge.

(viva voce vote) (31-0) (31-0)

CSSB 1340 (Madla)

Relating to the regulation and reimbursement of health care services provided through telemedicine or telepsychiatry under the state Medicaid program.

(viva voce vote) (31-0) (31-0)

SB 1374 (Staples)

Relating to notice regarding an exception from elementary school class size limits.

(viva voce vote) (31-0) (31-0)

Senator Staples offered the following committee amendment to the bill:

Committee Amendment No. 1

Amend **SB 1374** as follows:

(1) In amended Subsection (a), Section 25.113, Education Code (introduced version, page 1, line 7), strike "obtaining" and substitute "applying for".

(2) Strike amended Subsection (b), Section 25.113, Education Code (introduced version, page 1, line 21, through page 2, line 3), and substitute the following:

(b) A school district may not submit an application for an exception to the commissioner before the 10th business day after the date the district provides the [The] notice required by Subsection (a) [must be provided not later than the 31st day after:

~~[(1) the first day of the school year; or~~

~~[(2) the date the exception is granted, if the exception is granted after the beginning of the school year].~~

The amendment to **SB 1374** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Committee Amendment No. 1.

On motion of Senator Staples and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

CSSB 1393 (Shapiro)

Relating to the accountability of regional education service centers.

(viva voce vote) (31-0) (31-0)

SB 1457 (Wentworth)

Relating to the authority of certain general-law municipalities to annex certain areas.

(viva voce vote) (31-0) (31-0)

CSSB 1498 (Fraser)

Relating to the requirement for water district consent to certain actions by municipalities that provide law enforcement or fire protection services.

(viva voce vote) (31-0) (31-0)

CSSB 1533 (Barrientos)

Relating to parking by state employees in state-owned garages.

(viva voce vote) (31-0) (31-0)

CSSB 1555 (Gallegos)

Relating to taxes, assessments, and impact fees imposed on residential property by the Greater East End Management District.

(viva voce vote) (31-0) (31-0)

SB 1583 (Zaffirini)

Relating to notification of immunization requirements applicable to public school students.

(viva voce vote) (31-0) (31-0)

SB 1590 (Carona)

Relating to use of electronically readable information from a driver's license or personal identification certificate by a commercial business.

(viva voce vote) (31-0) (31-0)

CSSB 1663 (Eltife)

Relating to emergency communication district participation in state travel services contracts.

(viva voce vote) (31-0) (31-0)

SB 1670 (Staples)

Relating to a motor vehicle financial responsibility verification program; providing a penalty.

(viva voce vote) (31-0) (31-0)

SB 1792 (Wentworth)

Relating to the South Buda Water Control and Improvement District No. 1.

(viva voce vote) (31-0) (31-0)

**BILLS REMOVED FROM
LOCAL AND UNCONTESTED CALENDAR**

Senator Harris, author of the bill, requested in writing that **SB 1009** be removed from the Local and Uncontested Calendar.

Senator Harris, author of the bill, requested in writing that **SB 1010** be removed from the Local and Uncontested Calendar.

Senator Harris, author of the bill, requested in writing that **SB 1011** be removed from the Local and Uncontested Calendar.

Senator Harris, author of the bill, requested in writing that **SB 1161** be removed from the Local and Uncontested Calendar.

ADJOURNMENT

Pursuant to a previously adopted motion, the Senate at 8:21 a.m. adjourned until 11:00 a.m. today.