

SENATE JOURNAL

EIGHTIETH LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

TWENTY-SECOND DAY

(Tuesday, March 6, 2007)

The Senate met at 10:10 a.m. pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Averitt, Brimer, Carona, Deuell, Duncan, Ellis, Eltife, Estes, Fraser, Harris, Hegar, Hinojosa, Jackson, Janek, Lucio, Nelson, Nichols, Ogden, Patrick, Seliger, Shapiro, Shapleigh, Uresti, Van de Putte, Watson, Wentworth, West, Whitmire, Williams, Zaffirini.

Absent-excused: Gallegos.

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

The Reverend Samuel G. Ortiz, The New Beacon Hill Baptist Church, San Antonio, offered the invocation as follows:

Father God, I come before You in Your son's name and through His agent and as Your servant to plea mercy and grace upon today's session and upon every Senator that has been placed in this office through their constituents and Your sovereignty, that every matter that is placed on the agenda to be discussed or voted upon be made with a clean conscience and without partisanship, that it will bring justice and fairness to all the residents of this great State of Texas. Be with their families and loved ones. I pray blessings and wisdom upon Governor Rick Perry, Lieutenant Governor David Dewhurst, and Speaker of the House Tom Craddick, that any confusion and disturbance be blotted out so clarity of mind will reign throughout this day, that harmony, peace, and serenity govern this body of legislators. 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.

LEAVE OF ABSENCE

On motion of Senator Whitmire, Senator Gallegos was granted leave of absence for today on account of illness.

CO-AUTHOR OF SENATE BILL 168

On motion of Senator Ellis, Senator Watson will be shown as Co-author of **SB 168**.

CO-AUTHOR OF SENATE BILL 369

On motion of Senator Williams, Senator Seliger will be shown as Co-author of **SB 369**.

CO-AUTHOR OF SENATE BILL 807

On motion of Senator Whitmire, Senator Harris will be shown as Co-author of **SB 807**.

CO-AUTHORS OF SENATE JOINT RESOLUTION 28

On motion of Senator Wentworth, Senators Deuell and Harris will be shown as Co-authors of **SJR 28**.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas
March 6, 2007

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:

HB 2061, Relating to the acquisition or disclosure of the social security number of a living person by a governmental body, including by a district or county clerk.

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

GUESTS PRESENTED

Senator Carona was recognized and introduced to the Senate a group from the Texas Motion Picture Alliance representing Texas Film Industry Day at the State Capitol.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Zaffirini was recognized and introduced to the Senate Gene "Scooter" Long and his parents, Ralph and Linda Long.

Senator Zaffirini was again recognized and introduced to the Senate a delegation from the Texas Medical Association.

The Senate welcomed its guests.

SENATE RESOLUTION 392

Senator Seliger offered the following resolution:

SR 392, In memory of Matthew DeWayne Myrick of Hereford.

The resolution was read.

Senator Seliger was recognized and introduced to the Senate family members of Matthew DeWayne Myrick: his wife, Christy Myrick; his daughter, Matilyn; his son, Tate; his father-in-law, Ted Butler; and his mother-in-law, Peggy Butler.

The Senate welcomed its guests and extended its sympathy.

On motion of Senator Hinojosa and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Seliger, **SR 392** was adopted by a rising vote of the Senate.

In honor of the memory of Matthew DeWayne Myrick of Hereford, the text of the resolution is printed at the end of today's *Senate Journal*.

PHYSICIAN OF THE DAY

Senator Lucio was recognized and presented Dr. Audrey Jones of Alamo as the Physician of the Day.

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

RESOLUTION SIGNED

The President announced the signing of the following enrolled resolution in the presence of the Senate: **SCR 29**.

GUESTS PRESENTED

Senator Wentworth was recognized and introduced to the Senate a group of students representing the Youth Leadership Class of New Braunfels.

The Senate welcomed its guests.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

March 6, 2007

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 135, Commending Special Olympics Texas and welcoming its athletes to the Capitol.

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

SENATE RESOLUTION 387

Senator Hinojosa offered the following resolution:

SR 387, In memory of Eduardo Chavez of Edinburg.

The resolution was read.

Senator Hinojosa was recognized and introduced to the Senate family members of Eduardo Chavez: his wife, Iliana Chavez; his mother, Isabel Chavez; his son, Eduardo Chavez, Jr.; his sister, Monica Chavez; his brother, Enrique Chavez; and his mother-in-law, Anita Rosel.

The Senate welcomed its guests and extended its sympathy.

On motion of Senator Seliger and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Hinojosa, **SR 387** was adopted by a rising vote of the Senate.

In honor of the memory of Eduardo Chavez of Edinburg, the text of the resolution is printed at the end of today's *Senate Journal*.

(Senator Williams in Chair)

SENATE RESOLUTION 404

Senator Nelson offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to welcome the registered nurses and licensed vocational nurses who are visiting the State Capitol on the occasion of Nurse Day at the Capitol 2007; and

WHEREAS, The 150,000 registered nurses and 64,000 licensed vocational nurses caring for Texans every day in hospitals, nursing homes, home health agencies, and other settings are critical to the quality of health care provided in our state; and

WHEREAS, Texas has a severe shortage of nurses, and this legislature is faced with the challenge of ensuring that Texas nursing schools have the necessary resources to prepare the nurses that Texas needs; and

WHEREAS, This year is the centennial birthday of Texas' oldest nursing association, the Texas Nurses Association; and

WHEREAS, Nurses are consistently rated by national polls as among the highest of professionals in honesty and ethics and are indeed deserving of our respect and admiration; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 80th Legislature, hereby proclaim March 6, 2007, Nurse Day at the Capitol and commend all nurses for their invaluable service to this state; and, be it further

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

SR 404 was read and was adopted without objection.

GUESTS PRESENTED

Senator Nelson was recognized and introduced to the Senate a delegation of nurses representing Nurse Day at the Capitol.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Ogden was recognized and introduced to the Senate students from Thorndale Middle School in Thorndale, accompanied by their principal and teachers.

The Senate welcomed its guests.

SENATE RESOLUTION 415

Senator Lucio offered the following resolution:

SR 415, In memory of Lance Corporal Julio C. Cisneros-Alvarez of Pharr.

The resolution was read.

Senator Lucio was recognized and introduced to the Senate family members of Julio C. Cisneros-Alvarez: his mother, Senovia Alvarez, and his brother, Santos Alvarez.

The Senate welcomed its guests and extended its sympathy.

On motion of Senator Ogden and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Lucio, **SR 415** was adopted by a rising vote of the Senate.

In honor of the memory of Lance Corporal Julio C. Cisneros-Alvarez of Pharr, the text of the resolution is printed at the end of today's *Senate Journal*.

SENATE RESOLUTION 416

Senator Lucio offered the following resolution:

SR 416, In memory of the life of Sergeant Juan Calderon, Jr., of Weslaco.

The resolution was read.

Senator Lucio was recognized and introduced to the Senate the parents of Juan Calderon, Jr., Mr. and Mrs. Jose Calderon.

The Senate welcomed its guests and extended its sympathy.

On motion of Senator Ogden and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Lucio, **SR 416** was adopted by a rising vote of the Senate.

In honor of the memory of the life of Sergeant Juan Calderon, Jr., of Weslaco, the text of the resolution is printed at the end of today's *Senate Journal*.

SENATE RESOLUTION 417

Senator Lucio offered the following resolution:

SR 417, In memory of the life of Sergeant Tomas Garces of Weslaco.

The resolution was read.

Senator Lucio was recognized and introduced to the Senate the parents of Tomas Garces, Rafael and Sonia Garces; his brother, Tomas; and his sister, Mari Cruz.

The Senate welcomed its guests and extended its sympathy.

On motion of Senator Ogden and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Lucio, **SR 417** was adopted by a rising vote of the Senate.

In honor of the memory of the life of Sergeant Tomas Garces of Weslaco, the text of the resolution is printed at the end of today's *Senate Journal*.

SENATE RESOLUTION 418

Senator Hinojosa offered the following resolution:

SR 418, In memory of Sergeant Javier Marin, Jr., of Mission.

The resolution was read.

Senator Hinojosa was recognized and introduced to the Senate Nancy Chapa, cousin of Javier Marin, Jr., and his friend, Rick Silva.

The Senate welcomed its guests and extended its sympathy.

On motion of Senator Ogden and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Hinojosa, **SR 418** was adopted by a rising vote of the Senate.

In honor of the memory of Sergeant Javier Marin, Jr., of Mission, the text of the resolution is printed at the end of today's *Senate Journal*.

SENATE RESOLUTION 419

Senator Hinojosa offered the following resolution:

SR 419, In memory of Lance Corporal Benito A. Ramirez of Edinburg.

The resolution was read.

Senator Hinojosa was recognized and introduced to the Senate family members of Benito A. Ramirez: his parents, Felipe and Maria Ramirez, and his brothers, Alan and Efrain Ramirez.

The Senate welcomed its guests and extended its sympathy.

On motion of Senator Ogden and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Hinojosa, **SR 419** was adopted by a rising vote of the Senate.

In honor of the memory of Lance Corporal Benito A. Ramirez of Edinburg, the text of the resolution is printed at the end of today's *Senate Journal*.

SENATE RESOLUTION 420

Senator Hinojosa offered the following resolution:

SR 420, In memory of Staff Sergeant Omar D. Flores of Mission.

The resolution was read.

Senator Hinojosa was recognized and introduced to the Senate family members of Omar D. Flores: Emilio de los Santos, Hida Caceres, and Elliot Moore.

The Senate welcomed its guests and extended its sympathy.

On motion of Senator Ogden and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Hinojosa, **SR 420** was adopted by a rising vote of the Senate.

In honor of the memory of Staff Sergeant Omar D. Flores of Mission, the text of the resolution is printed at the end of today's *Senate Journal*.

GUESTS PRESENTED

Senator Hegar was recognized and introduced to the Senate a delegation of citizens and county officials from Goliad County.

The Senate welcomed its guests.

HOUSE CONCURRENT RESOLUTION 135

The Presiding Officer, Senator Williams in Chair, laid before the Senate the following resolution:

WHEREAS, Special Olympics Texas has nurtured the athletic capacity, the self-confidence, and the leadership skills of its participants for nearly four decades, and many of its athletes are visiting the Capitol on March 6, 2007; and

WHEREAS, Founded in 1969, Special Olympics Texas organized the first Summer Games that same year, and soon the annual event was attracting thousands of athletes; the 1980s saw the creation of the Law Enforcement Torch Run, a fund-raiser for the Special Olympics movement in which law enforcement officers run the Flame of Hope to opening ceremonies, and the following decade brought about the addition of the Winter Games; and

WHEREAS, In the ensuing years, Special Olympics Texas has grown to encompass some 25,000 athletes participating in more than 200 annual competitions at area, regional, and state levels, making it one of the largest Special Olympics programs in the world; a Texas team traveled abroad for the first time for the 2003 Special Olympics World Summer Games in Dublin, Ireland, with more than 55

athletes participating, and two years later, the state was represented in the 2005 Special Olympics World Winter Games in Nagano, Japan; in October 2007, some 60 athletes will compete in the World Summer Games in Shanghai, China; and

WHEREAS, Special Olympics Texas showcases and celebrates the talent, drive, and dedication of those individuals with intellectual disabilities, and, in so doing, empowers its participants to share in the joys of competition and teamwork; now, therefore, be it

RESOLVED, That the 80th Legislature of the State of Texas hereby commend Special Olympics Texas for its exceptional programs and extend to the athletes here today a warm welcome to the Capitol; and, be it further

RESOLVED, That an official copy of this resolution be prepared for Special Olympics Texas as an expression of high regard by the Texas House of Representatives and Senate.

BRIMER

HCR 135 was read.

On motion of Senator Brimer 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 except as follows:

Absent-excused: Gallegos.

GUESTS PRESENTED

Senator Brimer was recognized and introduced to the Senate representatives of Special Olympics Texas.

The Senate welcomed its guests.

SENATE RESOLUTION 410

Senator Zaffirini offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to recognize for the sixth year the outstanding contributions of the Texas Exes to their alma mater and to welcome the Mexican and Spanish students who are enrolled at The University of Texas at Austin; and

WHEREAS, Students from Mexico have studied at The University of Texas at Austin since 1940; the university and Mexico have historic ties due to shared academic endeavors, and the university's Graduate School of Business has developed joint degree programs with Mexican institutions; and

WHEREAS, In 1991, the Texas Legislature established a tuition assistance program to encourage students from Mexico with limited financial resources to study in our state, thus making Texas a responsive educational partner to Mexico; there are now 320 students from Mexico enrolled at the university, including 185 undergraduates and 135 graduate and professional degree candidates; and

WHEREAS, Universities in Spain and The University of Texas have had ongoing relationships since before the 1980s; there are 44 students from Spain enrolled at The University of Texas, including 23 undergraduates and 21 graduate and

professional degree candidates; with 437 students from Texas studying in Spain each year, Spain is now the country of choice for University of Texas students studying abroad; and

WHEREAS, The generosity of the Texas Exes and the Laredo National Bank/BBVA Group and their active participation in the university's community attest to their commitment to the university, and the school's distinguished record of educating Mexican and Spanish students is indicative of the successful collaboration between Texas and Mexico and Texas and Spain; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 80th Legislature, hereby commend the Texas Exes, the Laredo National Bank/BBVA Group, and the Mexican and Spanish students at The University of Texas at Austin for their special and unique contributions to the school and to our state; and, be it further

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

SR 410 was read and was adopted without objection.

GUESTS PRESENTED

Senator Zaffirini was recognized and introduced to the Senate Sonia Perez, President, Texas Exes; Jerry Wilcox, Director, International Office, The University of Texas at Austin; Pablo Alonso-Garcia, Oviedo, Asturias, Spain; and Cesar Martinez Espinosa, Mexico City, Mexico.

The Senate welcomed its guests.

INTRODUCTION OF BILLS AND RESOLUTIONS POSTPONED

The Presiding Officer 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.

REPORT OF COMMITTEE ON NOMINATIONS

Senator Jackson 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:

Members, Crime Stoppers Advisory Council: Nelda L. Garcia, Jim Wells County; Melvin Ray Joyner, Jr., Wichita County; Emerson Frederick Lane, Jr., Victoria County; Dorothy Jon Flores Spinks, Blanco County; Brian Thomas, Potter County.

District Attorney, 29th Judicial District, Palo Pinto County: Michael Kent Burns, Palo Pinto County.

Commissioner, Division of Workers' Compensation, Texas Department of Insurance: Albert Betts, Jr., Travis County.

Member, Employees Retirement System of Texas Board of Trustees: Ira Craig Hester, Travis County.

Members, Finance Commission of Texas: Mike Bradford, Midland County; Vidal Gonzalez, Bexar County; Johnny Lewis "John" Snider, Shelby County.

Members, Texas School for the Blind and Visually Impaired Board: Caroline Kupstas Daley, Harris County; Michelle DeAnn Goodwin, Tarrant County; Deborah Louder, Tom Green County; Robert K. Peters, Smith County.

Director, North Texas Tollway Authority Board of Directors: Robert Kelly Shepard, Parker County.

Public Counsel, Office of Injured Employee Counsel: Norman W. Darwin, Parker County.

Members, State Bar of Texas Board of Directors: Bill Burch, Tarrant County; Rodolfo Garcia, Presidio County; Lloyd M. Garland, Lubbock County; Sandy Stewart, Smith County.

Members, Texas Board of Orthotics and Prosthetics: Rebecca Hill Brou, Aransas County; Roy D. McCoy, Williamson County; Miguel Mojica, Dallas County; James C. Wendlandt, Travis County.

Members, Texas Council on Purchasing from People with Disabilities: Chuck Brewton, Bexar County; Scott D. Burford, Travis County; James Michael Daugherty, Dallas County; Margaret Morgan "Meg" Pfluger, CPA, Lubbock County.

Member, Texas Growth Fund Board of Trustees: Robert J. Ellis, Travis County.

Members, Texas Mutual Insurance Company Board of Directors: Richard A. Cooper, Lubbock County; Jacob M. Monty, Harris County; Delia M. Reyes, Denton County.

Members, Texas State Board of Pharmacy: Rosemary Combs, El Paso County; Alice G. Mendoza, R.Ph., Kleberg County; Jeanne D. Waggener, McLennan County.

Members, Texas State Library and Archives Commission: Sharon T. Carr, El Paso County; Sally Ann Reynolds, Aransas County.

NOTICE OF CONSIDERATION OF NOMINATIONS

Senator Jackson 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.

CONCLUSION OF MORNING CALL

The Presiding Officer, Senator Williams in Chair, at 11:28 a.m. announced the conclusion of morning call.

COMMITTEE SUBSTITUTE SENATE BILL 112 ON SECOND READING

Senator Carona moved that Senate Rule 7.13, Senate Rule 7.07(a), and the regular order of business be suspended and that **CSSB 112** be taken up for consideration at this time on its second reading:

CSSB 112, Relating to the confiscation of firearms and ammunition during a state of disaster.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Gallegos.

The bill was read second time and was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment except as follows:

Absent-excused: Gallegos.

**COMMITTEE SUBSTITUTE
SENATE BILL 112 ON THIRD READING**

Senator Carona moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 112** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Nays: Wentworth.

Absent-excused: Gallegos.

Reason for Vote

Senator Wentworth submitted the following reason for vote on suspension of the Constitutional Three-day Rule:

I cast a "No" vote on the procedural motion to suspend the Constitutional Rule requiring that bills be read on three several days in order to take up and consider **CSSB 112**, because in my judgment no circumstance exists in this case to justify the extraordinary act of suspending a requirement of the Texas Constitution. The suspension of this Constitutional Rule has the direct and immediate effect of denying the people of Texas knowledge and notice of the passage of this measure until it has already been finally passed on third reading. Were we to have followed the requirement of the Texas Constitution, third reading and a vote on **CSSB 112** would have occurred on the next legislative day, allowing for Texans to have learned through news reports of our second reading vote exactly what we had tentatively passed. Third reading and a vote on the next legislative day would also have allowed our professional staff an opportunity overnight to make sure any amendments passed on second reading are technically correct.

/s/Jeff Wentworth
Senator, District 25

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0.

Absent-excused: Gallegos.

SENATE BILL 135 ON SECOND READING

Senator Wentworth moved that Senate Rule 7.13, Senate Rule 7.07(a), and the regular order of business be suspended and that **SB 135** be taken up for consideration at this time on its second reading:

SB 135, Relating to the ability of public school employees to communicate with members of a school district board of trustees.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Gallegos.

The bill was read second time.

Senator Wentworth offered the following amendment to the bill:

Floor Amendment No. 1

Amend **SB 135** (Senate committee printing) in SECTION 1 of the bill by striking added Subsection (f), Section 11.163, Education Code (page 1, lines 13-26), and substituting the following:

(f) The employment policy may not restrict the ability of a school district employee to communicate directly with a member of the board of trustees regarding a matter relating to the operation of the district, except that the policy may prohibit ex parte communication relating to:

(1) a hearing under Subchapter E or F, Chapter 21; and

(2) another appeal or hearing in which ex parte communication would be inappropriate pending a final decision by a school district board of trustees.

The amendment to **SB 135** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of the Floor Amendment No. 1 except as follows:

Absent-excused: Gallegos.

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

SB 135 as amended was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment except as follows:

Absent-excused: Gallegos.

SENATE BILL 113 ON SECOND READING

Senator Van de Putte moved that Senate Rule 7.13, Senate Rule 7.07(a), and the regular order of business be suspended and that **SB 113** be taken up for consideration at this time on its second reading:

SB 113, Relating to the eligibility of certain foster care children to attend prekindergarten classes.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Gallegos.

The bill was read second time and was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment except as follows:

Absent-excused: Gallegos.

SENATE BILL 113 ON THIRD READING

Senator Van de Putte moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 113** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Nays: Wentworth.

Absent-excused: Gallegos.

Reason for Vote

Senator Wentworth submitted the following reason for vote on suspension of the Constitutional Three-day Rule:

I cast a "No" vote on the procedural motion to suspend the Constitutional Rule requiring that bills be read on three several days in order to take up and consider **SB 113**, because in my judgment no circumstance exists in this case to justify the extraordinary act of suspending a requirement of the Texas Constitution. The suspension of this Constitutional Rule has the direct and immediate effect of denying the people of Texas knowledge and notice of the passage of this measure until it has already been finally passed on third reading. Were we to have followed the requirement of the Texas Constitution, third reading and a vote on **SB 113** would have occurred on the next legislative day, allowing for Texans to have learned through news reports of our second reading vote exactly what we had tentatively passed. Third reading and a vote on the next legislative day would also have allowed our professional staff an opportunity overnight to make sure any amendments passed on second reading are technically correct.

/s/Jeff Wentworth
Senator, District 25

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0.

Absent-excused: Gallegos.

MOTION TO ADJOURN

On motion of Senator Wentworth and by unanimous consent, the Senate at 11:44 a.m. agreed to adjourn, in memory of Matthew DeWayne Myrick of Hereford; Eduardo Chavez of Edinburg; Sergeant Daniel Lee Galvan; Lance Corporal Julio C. Cisneros-Alvarez of Pharr; Sergeant Juan Calderon, Jr., of Weslaco; Sergeant Tomas Garces of Weslaco; Sergeant Javier Marin, Jr., of Mission; Lance Corporal Benito A. Ramirez of Edinburg; and Staff Sergeant Omar D. Flores of Mission, upon completion of the introduction of bills and resolutions on first reading, until 11:00 a.m. tomorrow.

SENATE BILLS AND RESOLUTIONS ON FIRST READING

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

SB 346 by Duncan

Relating to indemnification provisions in construction contracts.

To Committee on State Affairs.

SB 544 by Wentworth

Relating to authorized activities for the holder of a distiller's and rectifier's permit.

To Committee on Business and Commerce.

SB 576 by Nichols

Relating to prohibiting the use of eminent domain to take private property for recreational purposes.

To Committee on State Affairs.

SB 700 by Lucio

Relating to state agency rules affecting small businesses.

To Committee on State Affairs.

SB 701 by Van de Putte

Relating to the prosecution and punishment of dog fighting.

To Committee on Criminal Justice.

SB 702 by Van de Putte

Relating to the prosecution and punishment of certain offenses prohibiting animal fighting.

To Committee on Criminal Justice.

SB 703 by Deuell

Relating to the regulation of dyslexia practitioners and therapists; imposing penalties.

To Committee on Education.

SB 704 by Lucio, Ellis, Van de Putte, West

Relating to the small contractor participation assistance program for certain state construction projects.

To Committee on State Affairs.

SB 705 by Lucio

Relating to an annual report by the Office of Court Administration of the Texas Judicial System about jury charges and sentences in capital cases.

To Committee on Jurisprudence.

SB 706 by Lucio

Relating to the appointment of attorneys ad litem.

To Committee on Jurisprudence.

SB 707 by Lucio, Hinojosa

Relating to the powers and duties of the Rio Grande Regional Water Authority and the establishment of a member conference.

To Committee on Natural Resources.

SB 708 by Hegar

Relating to weight limitations for certain vehicles transporting agricultural products and equipment.

To Committee on Transportation and Homeland Security.

SB 709 by West

Relating to requiring notice of certain rental eligibility requirements in residential rental application transactions.

To Committee on Business and Commerce.

SB 710 by West

Relating to the designation of the structure on Interstate Highway 30 connecting the east and west levee of the Trinity River as the Margaret McDermott Bridge.

To Committee on Transportation and Homeland Security.

SB 711 by Shapleigh

Relating to the use of TexasOnline by businesses to apply and pay for certain permits.

To Committee on Government Organization.

SB 712 by Fraser

Relating to the regulation of quarries; providing penalties.

To Committee on Natural Resources.

SB 713 by Fraser

Relating to water rights Permit No. 5394A issued to the Upper Guadalupe River Authority.

To Committee on Natural Resources.

SB 714 by Fraser

Relating to the requirements applicable to a water well located in a groundwater conservation district and used in connection with certain oil or gas well operations.

To Committee on Natural Resources.

SB 715 by Fraser

Relating to notice of an application for a permit to dispose of oil and gas waste in a commercial disposal well; creating an offense.

To Committee on Natural Resources.

SB 716 by Fraser

Relating to the district attorney for the 33rd Judicial District.

To Committee on Jurisprudence.

SB 717 by Ellis

Relating to the selection by certain governmental entities of providers of landscape architectural services.

To Committee on Government Organization.

SB 718 by Ogden

Relating to the route selection for the Trans-Texas Corridor.

To Committee on Transportation and Homeland Security.

SB 719 by Ogden

Relating to prohibiting the Texas Department of Transportation from granting an interest in a state highway to an individual or nongovernmental entity.

To Committee on Transportation and Homeland Security.

SB 720 by Hegar

Relating to the continuing education requirements for chiefs of police.

To Committee on Criminal Justice.

SB 721 by Hegar

Relating to disciplinary action by the Commission on Law Enforcement Officer Standards and Education against certain officers elected under the Texas Constitution.

To Committee on Criminal Justice.

SB 722 by Hegar

Relating to summary destruction or summary forfeiture of controlled substance property or controlled substance plants.

To Committee on Criminal Justice.

SB 723 by Lucio

Relating to requiring that the Department of Family and Protective Services maintain and report certain information in connection with the placement of children.

To Committee on Health and Human Services.

SB 724 by Lucio

Relating to seat belts on buses that transport schoolchildren.

To Committee on Education.

SB 725 by Lucio

Relating to health benefit plan coverage for certain tests for the early detection of cardiovascular disease.

To Committee on State Affairs.

SB 726 by Nichols

Relating to the recovery of certain rate case expenses by a water and sewer utility.

To Committee on Natural Resources.

SB 727 by Nichols

Relating to the authority of a municipality to regulate the provision by a water and sewer utility of service in the municipality's extraterritorial jurisdiction.

To Committee on Intergovernmental Relations.

SB 728 by Van de Putte

Relating to incentives offered in relation to certain health benefit plans for participation in programs promoting disease prevention, wellness, and health.

To Committee on State Affairs.

SB 729 by West

Relating to the issuance and use of private activity bonds by the Texas State Affordable Housing Corporation and housing finance corporations.

To Committee on Finance.

SB 730 by Carona

Relating to a study concerning maximum lifetime benefit limits under health benefit plan coverage applicable to hemophilia-related services, supplies, pharmaceuticals, and biologics.

To Committee on State Affairs.

SB 731 by Carona

Relating to the eligibility of an establishment to be included on a specific information logo sign along a highway.

To Committee on Transportation and Homeland Security.

SB 732 by Ellis

Relating to the insanity defense in a criminal case.

To Committee on Criminal Justice.

SB 733 by Carona

Relating to the exemption from ad valorem taxation of rent-to-own property not held by the lessee primarily to produce income and to the method to be used to depreciate taxable rent-to-own property for tax appraisal purposes.

To Committee on Finance.

SB 734 by Harris

Relating to circumstances under which court reporting firms, shorthand reporting firms, and affiliate offices are considered to provide services in this state.

To Committee on Jurisprudence.

SB 735 by Hegar

Relating to the conversion of a two-way frontage road to a one-way frontage road by the Texas Department of Transportation.

To Committee on Transportation and Homeland Security.

SB 736 by Williams

Relating to the exemption from ad valorem taxation of passenger cars or light trucks owned by an individual and used in the course of the owner's occupation or profession and also for personal activities of the owner.

To Committee on Finance.

SB 737 by Williams

Relating to the amount of hazardous duty pay for certain state employees.

To Committee on Finance.

SB 738 by Williams

Relating to long-term care insurance and a partnership for long-term care program.

To Committee on State Affairs.

SB 739 by Williams

Relating to the rights and liabilities of an employer with respect to the carrying of a concealed handgun.

To Committee on Criminal Justice.

SB 740 by Whitmire

Relating to personnel records of commissioned officers of the Department of Public Safety.

To Committee on Criminal Justice.

SB 741 by Carona

Relating to imposition of local sales and use taxes on certain taxable items shipped outside a transit authority.

To Committee on Finance.

SB 742 by Eltife

Relating to the authority of a gas utility to receive an interim adjustment for certain infrastructure projects.

To Committee on Business and Commerce.

SB 743 by Carona

Relating to the requirements for an appointment as a special commissioner in a condemnation proceeding.

To Committee on State Affairs.

SB 744 by Seliger

Relating to retaliation for reports of possible abuse, neglect, or exploitation of certain persons receiving home and community-based services.

To Committee on Health and Human Services.

SB 745 by Seliger

Relating to the eligibility requirements for the renewal of a license to carry a concealed handgun.

To Committee on Criminal Justice.

SB 746 by Seliger

Relating to the continuation of the Texas Economic Development Act and to the duties of the comptroller of public accounts and the Texas Education Agency under that Act.

To Committee on Finance.

SB 747 by Watson

Relating to the authority of the Barton Springs-Edwards Aquifer Conservation District to charge certain fees and limit groundwater production during a drought.

To Committee on Natural Resources.

SB 748 by Hegar

Relating to the dissolution of the Aransas County Conservation and Reclamation District.

To Committee on Natural Resources.

SB 749 by Janek

Relating to multidistrict litigation proceedings in cases involving claims for asbestos-related or silica-related injuries.

To Committee on State Affairs.

SB 751 by Jackson

Relating to the management of coastal public land.

To Subcommittee on Agriculture, Rural Affairs, and Coastal Resources.

SB 752 by Jackson

Relating to the punishment for the offense of theft committed during a natural disaster.

To Committee on Criminal Justice.

SB 753 by Shapleigh

Relating to the regulation of a person who offers, services, or brokers a deferred presentment transaction.

To Committee on State Affairs.

SB 754 by Ellis

Relating to the credits to be applied to certain taxes for payments made for improvements to certain roadways.

To Committee on Finance.

SB 755 by Ellis

Relating to certain motor fuel exemptions.

To Committee on Finance.

SB 756 by West

Relating to relocating or adjusting certain utility facilities.

To Committee on Transportation and Homeland Security.

SB 757 by Hegar

Relating to the planning and management of state telecommunications services by the Department of Information Resources.

To Committee on Government Organization.

SB 758 by Nelson

Relating to child protective services.

To Committee on Health and Human Services.

SB 759 by Nelson

Relating to certain requirements relating to permanency hearings and placement review hearings for children under the care of the Department of Family and Protective Services.

To Committee on Health and Human Services.

SB 760 by Nelson

Relating to participation and reimbursement of telemedicine medical service providers under the Medicaid program.

To Committee on Health and Human Services.

SB 761 by Nelson

Relating to reports by nurses of certain conduct and protection from retaliation for those nurses.

To Committee on Health and Human Services.

SB 762 by Nelson

Relating to the certification of mammography systems.
To Committee on Health and Human Services.

SB 763 by Duncan

Relating to the affidavit required to prove expenses in a civil action.
To Committee on Jurisprudence.

SB 764 by Shapleigh

Relating to the deceptive trade practice of charging exorbitant or excessive prices for fuel during a disaster.
To Committee on State Affairs.

SB 765 by Eltife

Relating to the use of municipal hotel occupancy taxes for the enhancement and upgrading of sports facilities and fields by certain municipalities.
To Subcommittee on Emerging Technologies and Economic Development.

SB 766 by Ogden

Relating to the transfer of powers and duties for accident reports from the Department of Public Safety to the Texas Department of Transportation.
To Committee on Transportation and Homeland Security.

SB 767 by Ogden

Relating to jurisdiction over and punishment of certain misdemeanor offenses.
To Committee on Criminal Justice.

SB 768 by Ogden

Relating to the requirement that certain persons appear at an administrative hearing regarding the automatic suspension of a person's driver's license.
To Committee on Criminal Justice.

SB 769 by Zaffirini, Brimer, Deuell, Janek, Ogden, Shapleigh, West

Relating to contracting issues of state agencies, including ethics issues related to state contracting.
To Committee on Finance.

SB 770 by Van de Putte

Relating to the creation of a lottery game to benefit the permanent fund for veterans' assistance.
To Committee on State Affairs.

SB 771 by Van de Putte

Relating to exempting certain state agencies from certain laws relating to real property transactions.
To Committee on Natural Resources.

SB 772 by Van de Putte

Relating to conditions of employment for certain police officers.
To Committee on Intergovernmental Relations.

SB 773 by Patrick

Relating to the creation of the offense of criminal trespass by illegal aliens and to certain procedures for arresting illegal aliens suspected of committing criminal offenses.

To Committee on Transportation and Homeland Security.

SB 774 by Jackson

Relating to liability of a governmental unit for certain recreational activities.

To Committee on State Affairs.

SB 775 by Jackson

Relating to an interim study concerning this state's hunting and fishing license systems.

To Committee on Natural Resources.

SB 776 by Jackson

Relating to certain educational requirements applicable to the regulation of the practice of chiropractic.

To Committee on Health and Human Services.

SB 777 by Harris

Relating to the authority of certain judges in criminal cases to modify the amount or conditions of bail set by a justice of the peace or municipal court judge.

To Committee on Criminal Justice.

SB 778 by Harris

Relating to the use of an electronic broadcast system to conduct certain hearings regarding court-ordered mental health services.

To Committee on Jurisprudence.

SB 779 by Hegar

Relating to the appraisal of open-space land devoted principally to agricultural use.

To Committee on Intergovernmental Relations.

SB 780 by Shapleigh

Relating to the use of technology by public schools.

To Committee on Education.

SB 781 by Lucio

Relating to remedies available if a subdivider fails to provide water or sewer services in certain subdivisions near an international border.

To Committee on International Relations and Trade.

SB 782 by Deuell

Relating to incentives for the film, television, and multimedia production industries.

To Committee on Finance.

SB 783 by Eltife

Relating to the admissibility in certain proceedings of certain hearsay statements made by a young child or disabled individual.

To Committee on Criminal Justice.

SB 784 by Janek

Relating to the notice provided to certain crime victims before the release of certain defendants.

To Committee on Criminal Justice.

SB 785 by Shapiro

Relating to information related to the performance of an abortion; creating an offense.

To Committee on State Affairs.

SB 786 by Wentworth

Relating to the mitigation of the impact of residential development in public school districts.

To Committee on Education.

SB 787 by Hegar

Relating to the authority of political subdivisions to negotiate contracts for electricity.

To Committee on Business and Commerce.

SB 788 by Hegar

Relating to the prosecution and punishment of the offense of fraudulent use or possession of identifying information.

To Committee on Criminal Justice.

SB 789 by Hegar

Relating to findings required for the issuance of a protective order for a victim of sexual assault.

To Committee on Criminal Justice.

SB 790 by Duncan

Relating to amendments to regional water plans.

To Committee on Natural Resources.

SB 791 by Williams

Relating to classifying oysters as an inherently unsafe product for personal consumption.

To Committee on State Affairs.

SB 792 by Williams, Brimer, Carona, Deuell, Ellis, Gallegos, Jackson, Janek, Nelson, Patrick, Shapiro, West, Whitmire

Relating to the power of counties and certain other public entities with respect to certain transportation projects.

To Committee on Transportation and Homeland Security.

SB 793 by Van de Putte

Relating to an additional filing fee for civil cases filed in Bexar County.

To Committee on Jurisprudence.

SB 794 by Williams

Relating to the selection of the board of directors of an appraisal district.

To Committee on Intergovernmental Relations.

SB 795 by Janek

Relating to the creation of the offense of criminal trespass on a docking place.
To Committee on Criminal Justice.

SB 796 by Janek

Relating to the ability of a taxing unit to allow split payment of taxes.
To Committee on Finance.

SB 797 by Janek

Relating to the validity of an act or proceeding by a navigation district or port authority.
To Committee on Natural Resources.

SB 798 by Wentworth

Relating to the penalty for failure to yield the right-of-way.
To Committee on Transportation and Homeland Security.

SB 799 by Ellis

Relating to photograph and live lineup identification procedures in criminal cases.
To Committee on Criminal Justice.

SB 800 by Patrick

Relating to the delegation of certain medical acts by a physician to an advanced practice nurse or physician assistant.
To Committee on Health and Human Services.

SB 976 by Brimer

Relating to the public retirement system of certain municipalities.
To Committee on Intergovernmental Relations.

SJR 26 by Patrick

Proposing a constitutional amendment to permit the attorney general to prosecute offenses against public administration, including ethics offenses, and offenses involving insurance fraud.
To Committee on State Affairs.

SJR 27 by Deuell

Proposing a constitutional amendment authorizing the legislature to provide for a reduction of the limitation on the total amount of ad valorem taxes that may be imposed for public school purposes on the residence homesteads of the elderly or disabled to reflect any reduction in the rate of those taxes.
To Committee on Finance.

SJR 28 by Wentworth

Proposing a constitutional amendment to allow the legislature to override a veto of the governor following a legislative session.
To Committee on State Affairs.

SJR 29 by Carona, Van de Putte

Proposing a constitutional amendment authorizing the legislature to exempt all or part of the residence homesteads of certain totally disabled veterans from ad valorem taxation.

To Committee on Finance.

SJR 30 by Carona

Proposing a constitutional amendment authorizing the legislature to exempt from ad valorem taxation rent-to-own property not held by the lessee primarily to produce income and to prescribe the method to be used to depreciate taxable rent-to-own property for tax appraisal purposes.

To Committee on Finance.

SJR 31 by Williams

Proposing a constitutional amendment authorizing the legislature to exempt from ad valorem taxation one or more passenger cars or light trucks owned by an individual and used in the course of the owner's occupation or profession and also for personal activities of the owner.

To Committee on Finance.

SCR 27 by Watson

Requesting the lieutenant governor and speaker of the house of representatives to create a joint interim committee to study issues relating to the higher education system in Texas.

To Subcommittee on Higher Education.

RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

Memorial Resolutions

SR 395 by Uresti, In memory of Billy Jack "BJ" Zachary.

SR 412 by Hinojosa, In memory of Specialist James C. Kesinger of Orange Grove.

SR 414 by Hinojosa, In memory of the life of Sergeant Daniel Lee Galvan.

Official Designation Resolutions

SR 375 by Hinojosa and Duncan, Recognizing March 6, 2007, as Cotton Day at the State Capitol.

SR 409 by Hegar, Recognizing March 13, 2007, as Matagorda County Day at the Capitol.

SR 411 by Shapleigh, Declaring March 8, 2007, Communities In Schools Day at the Capitol and March, 2007, Communities In Schools Month.

SR 421 by Harris, Recognizing March 8, 2007, as Grand Prairie Day at the Capitol.

SR 422 by Carona and Deuell, Recognizing March 6, 2007, as Texas Film Industry Day at the State Capitol.

ADJOURNMENT

Pursuant to a previously adopted motion, the Senate at 12:05 p.m. adjourned, in memory of Matthew DeWayne Myrick of Hereford; Eduardo Chavez of Edinburg; Sergeant Daniel Lee Galvan; Lance Corporal Julio C. Cisneros-Alvarez of Pharr; Sergeant Juan Calderon, Jr., of Weslaco; Sergeant Tomas Garces of Weslaco; Sergeant Javier Marin, Jr., of Mission; Lance Corporal Benito A. Ramirez of Edinburg; and Staff Sergeant Omar D. Flores of Mission, until 11:00 a.m. tomorrow.

APPENDIX

SENT TO SECRETARY OF STATEMarch 6, 2007**SCR 29**

In Memory
of
Matthew DeWayne Myrick
Senate Resolution 392

WHEREAS, The Senate of the State of Texas joins the citizens of Hereford in mourning the loss of Matthew DeWayne Myrick, who died January 20, 2006, at the age of 36; and

WHEREAS, Born June 8, 1969, Matt graduated from North Lamar High School in Paris, Texas, in 1987; he served his country in the United States Navy from 1989 until 1991; and

WHEREAS, Matt married Christy Alison Butler on January 2, 1993, in Austin; he earned a bachelor's degree in science from Texas Tech University in 1994 and later returned to the university, where he earned a master's degree in agriculture in 2000; and

WHEREAS, Matt became a trooper for the Texas Department of Public Safety in 2004, finding a home and a career with others who shared his commitment to discipline and service; he died in the line of duty, and his dedication to the department will long be remembered by his colleagues; and

WHEREAS, A devout Christian, Matt practiced his faith in his daily life; he belonged to the Hereford Church of the Nazarene, where he was a newly elected board member, prepared Sunday School lessons, and sang bass on the church's praise and worship team; and

WHEREAS, A man of courage, strength, and compassion, Matt gave generously of himself to others, and his wisdom, warmth, and valued counsel will not be forgotten by those who knew him; and

WHEREAS, Matt was a devoted husband and father, and he leaves behind memories that will be cherished forever by his family and many friends; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 80th Legislature, hereby extend sincere condolences to the bereaved family of Matthew DeWayne Myrick: his wife, Christy; his daughter, Matilyn; his sons, Tate, Luke, and Embry; his parents, Steve and Judy Myrick; his sister, Amanda Myrick; and his grandmothers, Nola Myrick and Hazel Burford; and, be it further

RESOLVED, That a copy of this Resolution be prepared for the members of his family as an expression of profound sympathy from the Texas Senate.

SELIGER

In Memory
of
Eduardo Chavez
Senate Resolution 387

WHEREAS, The Senate of the State of Texas honors and commemorates the life of Eduardo Chavez, who died May 2, 2006, at the age of 30; and

WHEREAS, A highway patrolman with the Texas Department of Public Safety, Trooper Chavez died while responding to a call to assist his brother, Trooper Enrique Chavez, on a narcotics arrest; he had joined the Texas Department of Public Safety in 2003 and was stationed in Palmview; and

WHEREAS, He had formerly served as a deputy with the Hidalgo County Sheriff's Department; in September of 2001, he risked his own life to save the life of a drowning child and to help a firefighter who was close to drowning; and

WHEREAS, Eduardo Chavez was born on December 1, 1975, in Reynosa, Tamaulipas, Mexico; he was a resident of Edinburg, Texas, for most of his life; a graduate of Edinburg High School, he attended South Texas Community College and The University of Texas-Pan American; and

WHEREAS, Eduardo Chavez had a special dedication to duty and strived for excellence in all of his endeavors; he had achieved a high level of expertise in the field of drug enforcement and was considered a true leader in his district; and

WHEREAS, State Trooper Eduardo Chavez was a courageous young man with spirit and enthusiasm who was dedicated to his work as a trooper and to protecting the citizens of this state; for his service and his sacrifice, Texas citizens are eternally grateful; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 80th Legislature, hereby pay tribute to the life of state trooper Eduardo Chavez and extend sincere condolences to his bereaved family: his wife, Iliana Chavez; his son, Eduardo Chavez, Jr.; his parents, Enrique Chavez, Sr., and Isabel Chavez; his brothers, Enrique Chavez and German Chavez; and his sister, Monica Chavez; and, be it further

RESOLVED, That a copy of this Resolution be prepared for the members of his family as an expression of deepest sympathy from the Texas Senate, and that when the Senate adjourns this day, it do so in memory of Eduardo Chavez.

HINOJOSA

In Memory
of
Julio C. Cisneros-Alvarez
Senate Resolution 415

WHEREAS, Words cannot express the heartache felt at the loss of U.S. Marine Lance Corporal Julio C. Cisneros-Alvarez of Pharr, who died in Iraq on January 6, 2005, at the age of 22; and

WHEREAS, Although he was mortally injured in an ambush in Al Anbar Province, Lance Corporal Cisneros-Alvarez acted in behalf of four fellow Marines, who were also wounded in the blast, and they credit his heroism for their survival; and

WHEREAS, Lance Corporal Cisneros-Alvarez joined the military in the hopes of one day becoming a doctor; an ambitious and diligent young man, he trained in a variety of roles, including drill instructor, machine gunner, assault man, and nurse's assistant; and

WHEREAS, Our state and nation are fortunate to have young men and women whose love of country leads them to military duty, and time can never diminish the profound debt that Americans owe to Julio Cisneros-Alvarez for the service he undertook and the sacrifice he rendered; the thoughts and prayers of many go out to the family of this beloved young man; he was a soldier of honor and valor, and those who were fortunate to share in the blessing of his life will forever carry him close in their hearts; now, therefore, be it

RESOLVED, That the Senate of the 80th Texas Legislature hereby honor the memory of Lance Corporal Julio C. Cisneros-Alvarez and extend sincere sympathy to all those who mourn his passing; and, be it further

RESOLVED, That an official copy of this resolution be prepared for his family and that when the Texas Senate adjourns this day, it do so in memory of Lance Corporal Julio C. Cisneros-Alvarez.

LUCIO

In Memory
of
Juan Calderon, Jr.
Senate Resolution 416

WHEREAS, The family and friends of U.S. Marine Sergeant Juan Calderon, Jr., of Weslaco suffered an immeasurable loss with the death of this valiant soldier on August 2, 2004, at the age of 26; and

WHEREAS, Assigned to the 3rd Battalion, 1st Marine Regiment, 1st Marine Division, I Marine Expeditionary Force, based at Camp Pendleton, California, Sergeant Calderon lost his life while bravely serving his country in Al Anbar Province, Iraq; and

WHEREAS, Sergeant Calderon joined the Marines shortly after graduating from Weslaco High School in 1997; he completed tours of duty in Bosnia and Japan before being deployed to Iraq in 2004; and

WHEREAS, Along with his wife, Ana, he was eagerly awaiting the birth of his first child, with whom he looked forward to sharing his love of the Dallas Cowboys; his son, Juan Andres, was born one month after his death; and

WHEREAS, Americans owe a profound debt to our nation's servicemen and servicewomen, whose courageous efforts and enormous sacrifices are deserving of their fellow citizens' deepest respect and gratitude; through his unwavering dedication to duty and honor, Juan Calderon, Jr., embodied the highest ideals of the United States Marine Corps, and memories of his love and friendship will forever be cherished by all those who held him dear; now, therefore, be it

RESOLVED, That the Senate of the 80th Texas Legislature hereby honor the memory of U.S. Marine Sergeant Juan Calderon, Jr., and extend sincere sympathy to all those who mourn his passing; and, be it further

RESOLVED, That an official copy of this resolution be prepared for his family and that when the Texas Senate adjourns this day, it do so in memory of Sergeant Juan Calderon, Jr.

LUCIO

In Memory
of
Tomas Garces
Senate Resolution 417

WHEREAS, The friends and family of Army National Guard Sergeant Tomas Garces suffered an immeasurable loss with the death of this valiant young man on September 6, 2004, at the age of 19; and

WHEREAS, A former student at Weslaco High School, Sergeant Garces was a champion wrestler who was known for his strength; he enjoyed playing the bass guitar for his church congregation and hoped to one day record gospel music; and

WHEREAS, Sergeant Garces was serving his second tour of duty in Iraq at the time of his death, and, despite the dangerous nature of his mission, he remained devoted to serving his country; and

WHEREAS, Exemplifying the highest ideals of the U.S. armed forces, Tomas Garces inspired others with his fortitude, tenacity, and courage; although his passing leaves a void in the lives of those who were fortunate to know him, they will forever carry memories of this heroic young Texan close in their hearts; now, therefore, be it

RESOLVED, That the Senate of the 80th Texas Legislature hereby pay tribute to the life of Army National Guard Sergeant Tomas Garces and extend deepest sympathy to all those who mourn his passing; and, be it further

RESOLVED, That an official copy of this resolution be prepared for his family and that when the Texas Senate adjourns this day, it do so in memory of Army National Guard Sergeant Tomas Garces.

LUCIO

In Memory
of
Javier Marin, Jr.
Senate Resolution 418

WHEREAS, U.S. Army Sergeant Javier Marin, Jr., of Mission was killed on January 24, 2005, while serving in Iraq, and he leaves behind a loving family and many friends; and

WHEREAS, Assigned to the 2nd Battalion, 2nd Infantry Regiment, 1st Infantry Division, Sergeant Marin served his country with distinction in Bosnia and Germany before his deployment to Iraq; a graduate of Mission High School, he aspired to one day become a U.S. Border Patrol agent; and

WHEREAS, Passionate in the performance of his duties and in his desire to help others, Javier Marin, Jr., embodied the qualities of selflessness, heroism, and valor, and the loved ones of this fine young man will forever carry him close in their hearts; now, therefore, be it

RESOLVED, That the Senate of the 80th Texas Legislature hereby pay tribute to the life of U.S. Army Sergeant Javier Marin, Jr., and extend deepest sympathy to all those who mourn his passing; and, be it further

RESOLVED, That an official copy of this resolution be prepared for his family and that when the Texas Senate adjourns this day, it do so in memory of U.S. Army Sergeant Javier Marin, Jr.

HINOJOSA

In Memory
of
Benito A. Ramirez
Senate Resolution 419

WHEREAS, Words cannot adequately express the sorrow felt at the loss of U.S. Marine Lance Corporal Benito A. Ramirez of Edinburg, who died on May 21, 2006, at the age of 21, while serving his country in Iraq; and

WHEREAS, A member of the 3rd Battalion, 5th Marine Regiment, 1st Marine Division, I Marine Expeditionary Force based at Camp Pendleton, California, Lance Corporal Ramirez was killed during combat operations in Al Anbar Province; and

WHEREAS, Lance Corporal Ramirez joined the Marines in December 2002 and was trained as a 0331 machine gunner; he completed two tours of duty in Operation Iraqi Freedom and embarked on his third in January 2006; and

WHEREAS, Highly decorated for his courageous service, Lance Corporal Ramirez earned the Purple Heart, the Marine Corps Good Conduct Medal, the Sea Service Deployment Ribbon with two bronze stars, the Iraqi Campaign Medal, the Combat Action Ribbon, the National Defense Service Medal, the Global War on Terrorism Expeditionary Medal, and the Global War on Terrorism Service Medal; and

WHEREAS, Exemplifying the highest ideals of the United States Marine Corps, Benito Ramirez inspired others with his courage; although his death leaves a void in the lives of his loved ones, they will forever carry memories of him close in their hearts; now, therefore, be it

RESOLVED, That the Senate of the 80th Texas Legislature hereby honor the memory of Lance Corporal Benito A. Ramirez and extend sincere sympathy to all those who mourn his passing; and, be it further

RESOLVED, That an official copy of this resolution be prepared for his family and that when the Texas Senate adjourns this day, it do so in memory of Lance Corporal Benito A. Ramirez.

HINOJOSA

In Memory
of
Omar D. Flores
Senate Resolution 420

WHEREAS, Words cannot adequately express the sorrow felt at the death of U.S. Army Staff Sergeant Omar D. Flores of Mission, who lost his life while serving his country in Iraq on July 8, 2006, at the age of 27; and

WHEREAS, A 10-year army veteran, Staff Sergeant Flores was assigned to the 54th Engineer Battalion, 130th Engineer Brigade; he followed in the footsteps of his older brother, joining the military after his graduation from La Joya High School; and

WHEREAS, Staff Sergeant Flores was studying at the University of Maryland before his deployment, and he hoped to one day become a JROTC instructor; he enjoyed competing, and his athletic skills led him to a number of volleyball championships, while his dedication to his profession twice earned him the title of NCO of the Year; and

WHEREAS, Our state and nation are fortunate to have men and women whose love for their country inspires them to take up military service, yet the tragic death of this exemplary soldier is a sobering reminder of the cost of war; Staff Sergeant Flores embodied the highest ideals of the U.S. armed forces, and those who knew and loved him will forever carry him close in their hearts; now, therefore, be it

RESOLVED, That the Senate of the 80th Texas Legislature hereby pay tribute to the life of U.S. Army Staff Sergeant Omar D. Flores and extend deepest sympathy to all those who mourn his passing; and, be it further

RESOLVED, That an official copy of this resolution be prepared for his family and that when the Texas Senate adjourns this day, it do so in memory of U.S. Army Staff Sergeant Omar D. Flores.

HINOJOSA

