

SENATE JOURNAL

EIGHTIETH LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

TWENTY-EIGHTH DAY

(Monday, March 19, 2007)

The Senate met at 1:43 p.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, West, Whitmire, Williams, Zaffirini.

Absent-excused: Gallegos, Wentworth.

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

The Reverend David Valentine, First Baptist Church, Huntsville, offered the invocation as follows:

Our Father, I thank You for the opportunity to be before You today with my leaders. I thank You for the privilege to pray for my leaders as they come together seeking the best interests of our families, friends, and fellow Texans. I ask that You would grant each Senator wisdom and discernment in leading this great state. Father, I cannot imagine the incredible burdens they carry today as they face so many complicated issues with no easy solution. Bestow upon them Your peace and Your guidance for the difficulties of today, Your power to make the right decision, and Your compassion to love and lead Your people. Fill them with Your holy presence as they follow You. Protect and provide for their families as they are here in Austin doing Your will, I ask this in the powerful name of Jesus. Amen.

Senator Whitmire moved that the reading of the Journal of the proceedings of Thursday, March 15, 2007, be dispensed with and the Journal be approved as printed.

The motion prevailed without objection.

LEAVES OF ABSENCE

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

On motion of Senator Whitmire, Senator Wentworth was granted leave of absence for today on account of important business.

CO-AUTHOR OF SENATE BILL 74

On motion of Senator Lucio, Senator Van de Putte will be shown as Co-author of **SB 74**.

CO-AUTHORS OF SENATE BILL 247

On motion of Senator Ellis, Senators Janek and Whitmire will be shown as Co-authors of **SB 247**.

CO-AUTHOR OF SENATE BILL 308

On motion of Senator Deuell, Senator West will be shown as Co-author of **SB 308**.

CO-AUTHOR OF SENATE BILL 318

On motion of Senator Deuell, Senator Zaffirini will be shown as Co-author of **SB 318**.

CO-AUTHOR OF SENATE BILL 338

On motion of Senator Van de Putte, Senator West will be shown as Co-author of **SB 338**.

CO-AUTHOR OF SENATE BILL 448

On motion of Senator Uresti, Senator Ellis will be shown as Co-author of **SB 448**.

CO-AUTHOR OF SENATE BILL 640

On motion of Senator West, Senator Ellis will be shown as Co-author of **SB 640**.

CO-AUTHOR OF SENATE BILL 1095

On motion of Senator Uresti, Senator Janek will be shown as Co-author of **SB 1095**.

CO-AUTHOR OF SENATE BILL 1096

On motion of Senator Janek, Senator Eltife will be shown as Co-author of **SB 1096**.

CO-AUTHOR OF SENATE BILL 1176

On motion of Senator Ellis, Senator Watson will be shown as Co-author of **SB 1176**.

CO-AUTHOR OF SENATE BILL 1263

On motion of Senator Brimer, Senator Van de Putte will be shown as Co-author of **SB 1263**.

CO-AUTHOR OF SENATE JOINT RESOLUTION 35

On motion of Senator Gallegos, Senator Whitmire will be shown as Co-author of **SJR 35**.

PHYSICIAN OF THE DAY

Senator Ogden was recognized and presented Dr. David Knuth of Huntsville as the Physician of the Day.

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

SENATE RESOLUTION 521

Senator Ellis offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to recognize Governor Bill Richardson, of the State of New Mexico, for his many accomplishments and takes pleasure in welcoming him to the capital of the Lone Star State; and

WHEREAS, Recently reelected to a second term as governor of his state by the largest margin of victory in New Mexico's history, Governor Richardson has enjoyed an exceptionally productive and fulfilling career in public service, in addition to his successful work in former positions in academia and the private sector; and

WHEREAS, Governor Richardson has led New Mexico to a position of national leadership in job growth and economic momentum; under his leadership, the state has attained a balanced budget and has the highest budget reserves in the state's history; and

WHEREAS, Prior to his election as governor, he served the citizens of northern New Mexico for 15 years as a representative of the 3rd Congressional District, one of the most ethnically diverse in the nation; during his tenure in the United States Congress, he served as a special envoy on numerous sensitive international missions, including successfully winning the release of hostages and American servicemen in North Korea, Iraq, and Cuba; and

WHEREAS, In 1997, Governor Richardson was appointed United States Ambassador to the United Nations; while serving in that position, he addressed many difficult challenges around the world; he served as an advocate for universal human rights, fought to increase awareness of the status of women in places such as Afghanistan, staunchly stood for international fair labor standards, and addressed such issues as global warming; in recognition of his concern for human rights abuses and his diplomatic work, he has been nominated several times for the Nobel Peace Prize; and

WHEREAS, In 1998, Governor Richardson was unanimously confirmed by the United States Senate as Secretary of Energy, a position in which he championed environmental responsibility and clean and renewable technologies that will reduce our reliance on foreign resources; he also created a better working environment and further accountability at the Department of Energy; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 80th Legislature, hereby commend Governor Bill Richardson for his exceptional accomplishments on behalf of the citizens of New Mexico and the United States and extend to him a heartfelt welcome to Austin; and, be it further

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

ELLIS
SHAPLEIGH
VAN DE PUTTE

SR 521 was read and was adopted without objection.

GUEST PRESENTED

Senator Ellis was recognized and introduced to the Senate Governor Bill Richardson of New Mexico.

The Senate welcomed its guest.

INTRODUCTION OF BILLS AND RESOLUTIONS POSTPONED

The President 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.

CONCLUSION OF MORNING CALL

The President at 1:59 p.m. announced the conclusion of morning call.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER
Austin, Texas
March 19, 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 35, Relating to a prohibition on linking the compensation of the chief appraiser of an appraisal district to an increase in the total value of property in the district.

HB 84, Relating to issuance and renewal of a driver's license of an elderly person.

HB 117, Relating to the authority of certain counties to regulate certain subdivision planning.

HB 194, Relating to the dismissal of a charge for failure to carry and exhibit a driver's license.

HB 208, Relating to the eligibility of students enrolled in joint credit or concurrent enrollment programs for extracurricular activities and University Interscholastic League competitions.

- HB 290**, Relating to the fee charged for depositing a will during a testator's life.
- HB 368**, Relating to disposition of surplus computer equipment and the grant of money by the Office of Court Administration.
- HB 373**, Relating to the imposition of the sales and use tax on certain sales made by individuals.
- HB 417**, Relating to guardianship matters and proceedings.
- HB 484**, Relating to the designation of a portion of United States Highway 287 as the Dr. Martin Luther King, Jr., Freeway.
- HB 486**, Relating to the continuing education requirements for chiefs of police.
- HB 487**, Relating to the continuing education requirements for constables.
- HB 496**, Relating to mileage reimbursement for soil and water conservation district directors and delegates.
- HB 564**, Relating to the administration and operation of certain trusts and other property interests held for the benefit of another.
- HB 622**, Relating to the application of the professional prosecutors law to the district attorney for the 46th Judicial District.
- HB 632**, Relating to the appointment of bailiffs for the 415th District Court.
- HB 679**, Relating to the validation of governmental acts and proceedings of the Downtown Midland Management District.
- HB 680**, Relating to the sale of certain small municipal parks.
- HB 708**, Relating to Celebrate Freedom Week in public schools.
- HB 923**, Relating to the persons to whom an assessor for a taxing unit is required to mail an ad valorem tax bill.
- HB 930**, Relating to certain orders rendered by an associate judge under the Family Code.
- HB 937**, Relating to the definition of certain authorized emergency vehicles and to an exemption from the payment of a toll for those vehicles.
- HB 978**, Relating to publication of the annual financial statement by a school district.
- HB 989**, Relating to the filing for record of a plat or replat of a subdivision of real property.
- HB 1009**, Relating to the use of state hotel occupancy tax revenue to clean and maintain beaches in certain municipalities.
- HB 1092**, Relating to the prosecution of the offense of criminal trespass.
- HB 1138**, Relating to the authority of the General Land Office to accept grants.
- HB 1141**, Relating to the confidentiality of certain home address information in local tax appraisal records regarding an employee of a prosecutor's office or of certain offices with jurisdiction over child protective services matters.
- HB 1204**, Relating to donations of juror reimbursements.

HB 1221, Relating to the manner of recording documents filed with a county clerk.

HB 1379, Relating to human papillomavirus education programs.

HB 1382, Relating to authorizing the sale of certain real property held by the Department of Public Safety.

HB 1491, Relating to disclosure of certain relationships with local government officers.

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

**COMMITTEE SUBSTITUTE
SENATE BILL 311 ON SECOND READING**

On motion of Senator Van de Putte and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 311** at this time on its second reading:

CSSB 311, Relating to reemployment rights of certain members of the National Guard.

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, Wentworth.

**COMMITTEE SUBSTITUTE
SENATE BILL 311 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 **CSSB 311** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent-excused: Gallegos, Wentworth.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
SENATE BILL 7 ON SECOND READING**

On motion of Senator Hinojosa and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 7** at this time on its second reading:

CSSB 7, Relating to instruction in cardiopulmonary resuscitation and the availability and use of automated external defibrillators at public school campuses and certain athletic events.

The bill was read second time.

Senator Hinojosa offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 7** (Senate committee printing) as follows:

(1) In SECTION 2 of the bill, in added Section 22.902(b), Education Code (page 1, line 36), strike ", or by the University Interscholastic League".

(2) In SECTION 5 of the bill, in added Section 38.017(a), Education Code (page 2, line 15), after "campus.", insert the following:

In determining the location at which to store a campus defibrillator, the principal of the campus shall consider the primary location on campus where students engage in athletic activities.

(3) In SECTION 5 of the bill, in added Section 38.017, Education Code (page 2, lines 16 through 25), strike added Subsection (b) and substitute the following:

(b) To the extent practicable, each school district, in cooperation with the University Interscholastic League, shall make reasonable efforts to ensure that an automated external defibrillator is available at each University Interscholastic League athletic practice held at a district campus. If a school district is not able to make an automated external defibrillator available in the manner provided by this subsection, the district shall determine the extent to which an automated external defibrillator must be available at each University Interscholastic League athletic practice held at a district campus. The determination must be based, in addition to any other appropriate considerations, on relevant medical information.

(c) Each school district, in cooperation with the University Interscholastic League, shall determine the extent to which an automated external defibrillator must be available at each University Interscholastic League athletic competition held at a location other than a district campus. The determination must be based, in addition to any other appropriate considerations, on relevant medical information and whether emergency services personnel are present at the athletic competition under a contract with the school district.

(4) In SECTION 5 of the bill, in added Section 38.017, Education Code (page 2, line 26), strike "(c)" and substitute "(d)".

(5) In SECTION 5 of the bill, in added Section 38.017, Education Code (page 2, line 28), strike "(a) or (b)" and substitute "(a), (b), or (c)".

(6) In SECTION 5 of the bill, in added Section 38.017, Education Code (page 2, line 32), strike "(d)" and substitute "(e)".

(7) In SECTION 5 of the bill, in added Section 38.017, Education Code (page 2, between lines 34 and 35), insert the following:

(f) This section does not:

(1) waive any liability or immunity of a school district or its officers or employees; or

(2) create any liability for or a cause of action against a school district or its officers or employees.

(8) In SECTION 6 of the bill, in added Section 44.047, Education Code (page 2, line 49), strike "delivers a voltage approved" and substitute "meets standards established".

The amendment to **CSSB 7** was read and was adopted by a viva voce vote.

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

Absent-excused: Gallegos, Wentworth.

Senator Ogden offered the following amendment to the bill:

Floor Amendment No. 2

Amend **CSSB 7** (Senate committee printing) as follows:

(1) Immediately before SECTION 1 of the bill (page 1, between lines 13 and 14), insert the following appropriately numbered SECTION and renumber the subsequent SECTIONS accordingly:

SECTION _____. Section 5.001, Education Code, is amended by adding Subdivision (6-a) to read as follows:

(6-a) "Private school" means a school that:

(A) offers a course of instruction for students in one or more grades from prekindergarten through grade 12; and

(B) is not operated by a governmental entity.

(2) In SECTION 2 of the bill, in added Section 22.902, Education Code (page 1, between lines 48 and 49), insert the following:

(e) This subsection applies only to a private school that receives an automated external defibrillator from the agency or receives funding from the agency to purchase or lease an automated external defibrillator. A private school shall adopt a policy under which the school makes available to school employees and volunteers instruction in the principles and techniques of cardiopulmonary resuscitation and the use of an automated external defibrillator. The policy must comply with the requirements prescribed by this section and commissioner rules adopted under this section, including the requirements prescribed by Subsection (c).

(3) In SECTION 3 of the bill, in added Section 28.0023, Education Code (page 1, between lines 59 and 60), insert the following:

(c) This subsection applies only to a private school that receives an automated external defibrillator from the agency or receives funding from the agency to purchase or lease an automated external defibrillator. A private school shall provide instruction to students in cardiopulmonary resuscitation and the use of an automated external defibrillator in a manner consistent with the requirements of this section and State Board of Education rules adopted under this section.

(4) In SECTION 5 of the bill, in added Section 38.017, Education Code (page 2, between lines 34 and 35), insert the following:

(e) This subsection applies only to a private school that receives an automated external defibrillator from the agency or receives funding from the agency to purchase or lease an automated external defibrillator. A private school shall:

(1) make available at the school at least one automated external defibrillator; and

(2) in coordination with the Texas Association of Private and Parochial Schools, adopt a policy concerning the availability of an automated external defibrillator at athletic competitions and practices in a manner consistent with the requirements prescribed by this section, including the training and maintenance requirements prescribed by this section.

(5) In SECTION 5 of the bill, in added Section 38.018, Education Code (page 2, lines 36 and 37), strike "Each school district shall develop safety procedures for a district employee or student" and substitute "(a) Each school district and private school shall develop safety procedures for a district or school employee or student".

(6) In SECTION 5 of the bill, in added Section 38.018, Education Code (page 2, between lines 42 and 43), insert the following:

(b) A private school is required to develop safety procedures under this section only if the school receives an automated external defibrillator from the agency or receives funding from the agency to purchase or lease an automated external defibrillator.

(7) In SECTION 6 of the bill, in added Section 44.047, Education Code (page 2, line 46), strike "A school district that purchases" and substitute "(a) A school district or private school that purchases".

(8) In SECTION 6 of the bill, in added Section 44.047, Education Code (page 2, between lines 50 and 51), insert the following:

(b) A private school that purchases or leases an automated external defibrillator is required to comply with the requirements of this section only if the school receives funding from the agency to purchase or lease the automated external defibrillator.

(9) In SECTION 8 of the bill, immediately following added Subsection (b) (page 2, between lines 62 and 63), insert the following:

(b-1) Each private school to which Section 28.0023(c), Education Code, as added by this Act, applies shall provide instruction in cardiopulmonary resuscitation and the use of an automated external defibrillator as required by that section beginning with the 2008-2009 school year.

The amendment to **CSSB 7** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 2 except as follows:

Absent-excused: Gallegos, Wentworth.

Senator Janek offered the following amendment to the bill:

Floor Amendment No. 3

Amend **CSSB 7** (Senate committee printing) by adding the following appropriately numbered section and renumbering the subsequent sections accordingly: SECTION ____. Subchapter A, Chapter 38, Education Code, is amended by adding Section 38.019 to read as follows:

Sec. 38.019. CARDIOVASCULAR SCREENING PILOT PROGRAM. (a) In this section, "pilot program" means the cardiovascular screening pilot program.

(b) The commissioner shall establish a pilot program under which sixth grade students at participating campuses are administered a cardiovascular screening, including an electrocardiogram and an echocardiogram.

(c) The commissioner shall select campuses to participate in the pilot program. In selecting campuses, the commissioner shall ensure that the cardiovascular screening is administered to an ethnically diverse range of students.

(d) The commissioner may accept grants and donations for use in administering the pilot program.

(e) The commissioner shall require a participating campus to provide the results of a student's cardiovascular screening to the student's parent or guardian.

(f) Each campus selected to participate in the pilot program shall provide a summary of the results of the cardiovascular screenings to the commissioner in a manner that does not identify specific students. Not later than January 1, 2009, the commissioner shall prepare and deliver to each member of the legislature a report summarizing the results of the cardiovascular screenings. This subsection expires June 1, 2009.

(g) The commissioner may adopt rules necessary to administer this section.

The amendment to **CSSB 7** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 3 except as follows:

Absent-excused: Gallegos, Wentworth.

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

CSSB 7 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, Wentworth.

COMMITTEE SUBSTITUTE SENATE BILL 7 ON THIRD READING

Senator Hinojosa moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 7** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent-excused: Gallegos, Wentworth.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0. (Same as previous roll call)

GUESTS PRESENTED

Senator Jackson was recognized and introduced to the Senate a delegation representing the Greater Angleton Chamber of Commerce.

The Senate welcomed its guests.

BILL AND RESOLUTIONS SIGNED

The President announced the signing of the following enrolled bill and resolutions in the presence of the Senate after the caption had been read:

HB 542, HCR 133, HCR 147.

**COMMITTEE SUBSTITUTE
SENATE BILL 82 ON THIRD READING**

The President laid before the Senate **CSSB 82** by Senator Van de Putte on its third reading. The Constitutional Three-day Rule had been suspended and further consideration was postponed:

CSSB 82, Relating to safety regulations for certain public school extracurricular activities.

Question — Shall **CSSB 82** be read third time?

The bill was read third time.

Senator Van de Putte offered the following amendment to the bill:

Floor Amendment No. 1 on Third Reading

Amend **CSSB 82** on third reading (Senate committee printing) as follows:

(1) In added section 33.210, Education Code (page 3, lines 20-24), strike "Nothing in this subchapter shall be considered to limit the immunity from liability afforded under Section 22.0511. An action taken under this subchapter is not considered to be a ministerial act for purposes of Section 22.0511." and insert the following:

"This subchapter does not waive any liability or immunity of a school district or its officers or employees. This subchapter does not create any liability for or a cause of action against a school district or its officers or employees."

(2) (page 3, line 25) insert the following and adjust accordingly:

"LIMITATION ON LIABILITY. A person who volunteers to assist with an extracurricular activity is not liable for civil damages arising out of an act or omission relating to the requirements under Section 33.205 unless the act or omission is willfully or wantonly negligent."

The amendment to **CSSB 82** was read and was adopted by a viva voce vote.

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

Absent-excused: Gallegos, Wentworth.

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

CSSB 82 as amended was finally passed by the following vote: Yeas 29, Nays 0.

Absent-excused: Gallegos, Wentworth.

HOUSE BILL 2061 ON SECOND READING

On motion of Senator Williams and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 2061** at this time on its second reading:

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.

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

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

Absent-excused: Gallegos, Wentworth.

HOUSE BILL 2061 ON THIRD READING

Senator Williams moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 2061** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent-excused: Gallegos, Wentworth.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0. (Same as previous roll call)

SENATE BILL 1795 REREFERRED

Senator Ogden submitted a Motion In Writing requesting that **SB 1795** be withdrawn from the Committee on Finance and rereferred to the Committee on Transportation and Homeland Security.

The Motion In Writing prevailed without objection.

SENATE RULE 11.13 SUSPENDED (Consideration of Bills in Committees)

On motion of Senator Brimer and by unanimous consent, Senate Rule 11.13 was suspended to grant all committees permission to meet while the Senate was meeting today.

MOTION TO ADJOURN

On motion of Senator Whitmire and by unanimous consent, the Senate at 3:09 p.m. agreed to adjourn, in memory of Justin Hurst of El Campo and Raymond D. Nasher of Dallas, 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, filed on or before Friday, March 9, 2007, were introduced, read first time, and referred to the committees indicated:

SB 1270 by West

Relating to county development districts.

To Subcommittee on Emerging Technologies and Economic Development.

SB 1271 by West

Relating to the authority of a county to acquire, own, and operate a water or sewer utility system within a municipality with the approval of the municipality.

To Committee on Intergovernmental Relations.

SB 1272 by Van de Putte

Relating to insurers as proper parties to suit for damages.
To Committee on State Affairs.

SB 1273 by Van de Putte

Relating to block grant funding for certain workforce training and employment programs and functions by the Texas Workforce Commission.
To Committee on Business and Commerce.

SB 1274 by Van de Putte

Relating to the definition of compounding in the preparation of a drug or device by a pharmacist.
To Committee on Health and Human Services.

SB 1275 by Van de Putte

Relating to services of a community mental health and mental retardation center.
To Committee on Health and Human Services.

SB 1276 by Van de Putte

Relating to student loan repayment assistance for speech-language pathologists employed by a public school.
To Committee on Education.

SB 1277 by Van de Putte

Relating to the powers and duties of the boards of trustees and superintendents of independent school districts and of regional education service centers.
To Committee on Education.

SB 1278 by Van de Putte

Relating to funding for career and technology programs in public schools.
To Committee on Education.

SB 1279 by Van de Putte

Relating to procedures occurring after a determination of a defendant's incompetency to stand trial.
To Committee on Criminal Justice.

SB 1280 by Van de Putte

Relating to requirements concerning the storage of recyclable materials at a recycling facility.
To Committee on Natural Resources.

SB 1281 by Van de Putte

Relating to certain permit requirements concerning solid waste facilities, including recycling facilities, that are located on the recharge or transition zone of a sole source aquifer.
To Committee on Natural Resources.

SB 1282 by Van de Putte

Relating to the use of funds in the state municipal solid waste superfund to remediate certain emergency situations.
To Committee on Natural Resources.

SB 1283 by Van de Putte

Relating to the prosecution of the offense of trafficking of persons.
To Committee on Criminal Justice.

SB 1284 by Van de Putte

Relating to the penalty for the offense of compelling prostitution.
To Committee on Criminal Justice.

SB 1285 by Van de Putte

Relating to continuing education and training for peace officers relating to the trafficking of persons.
To Committee on Criminal Justice.

SB 1286 by Van de Putte

Relating to funding for the investigation and prosecution of offenses involving the trafficking of persons.
To Committee on Criminal Justice.

SB 1287 by Van de Putte

Relating to providing certain notices to be posted on the premises of alcoholic beverage retailers.
To Committee on Business and Commerce.

SB 1288 by Van de Putte

Relating to requiring certain defendants in common nuisance suits to provide telephone access to and information regarding an information and referral hotline for victims of human trafficking.
To Committee on Criminal Justice.

SB 1289 by Van de Putte

Relating to a study of alternatives to the juvenile justice system for children who engage in acts of prostitution.
To Committee on Criminal Justice.

SB 1290 by Patrick

Relating to abolition of the statutory legislative continuance.
To Committee on Jurisprudence.

SB 1291 by Nelson

Relating to the allocation of revenue from the municipal hotel occupancy tax for certain transportation systems.
To Committee on Intergovernmental Relations.

SB 1292 by Nelson, Deuell, Janek, Shapiro, Uresti, Watson, West

Relating to creating the Cancer Research Institute of Texas and abolishing the Texas Cancer Council; granting authority to issue bonds.
To Committee on Health and Human Services.

SB 1293 by West

Relating to a person's eligibility for an order of nondisclosure of certain criminal history records.
To Committee on Criminal Justice.

SB 1294 by West

Relating to the manner of providing notice of a petition or order for the expunction or nondisclosure of certain criminal records.

To Committee on Criminal Justice.

SB 1296 by Wentworth

Relating to the exemption from ad valorem taxation of the property of organizations engaged primarily in performing charitable functions.

To Committee on Finance.

SB 1297 by Wentworth

Relating to additional criminal law magistrates in Bexar County.

To Committee on Jurisprudence.

SB 1298 by Wentworth

Relating to the service retirement annuity of certain members of the Judicial Retirement System of Texas Plan One and the Judicial Retirement System of Texas Plan Two.

To Committee on State Affairs.

SB 1299 by Wentworth

Relating to access to certain archaic information excepted from required disclosure under the public information law.

To Committee on State Affairs.

SB 1300 by Wentworth

Relating to juries.

To Committee on Jurisprudence.

SB 1301 by Wentworth

Relating to the recovery of certain attorney's fees and costs incurred in certain proceedings to review decisions made by the State Commission on Judicial Conduct.

To Committee on Jurisprudence.

SB 1302 by Wentworth

Relating to the estates of decedents.

To Committee on Jurisprudence.

SB 1303 by Wentworth

Relating to guardianship matters and proceedings.

To Committee on Jurisprudence.

SB 1304 by Wentworth

Relating to the administration and operation of certain trusts and other property interests held for the benefit of another.

To Committee on Jurisprudence.

SB 1305 by Wentworth

Relating to service of process; creating a penalty.

To Committee on Jurisprudence.

SB 1306 by Wentworth

Relating to the attendance by a quorum of a governmental body at certain events under the open meetings law.

To Committee on State Affairs.

SB 1307 by Wentworth

Relating to residential mortgage fraud; imposing a fee on residential mortgage loans; providing criminal penalties.

To Committee on Business and Commerce.

SB 1308 by Wentworth

Relating to the closing of a loan transaction and liability of certain persons involved in the lending and appraisal process.

To Committee on Business and Commerce.

SB 1309 by Wentworth

Relating to false claims against the state and actions by the state and private persons to prosecute those claims; providing a civil penalty.

To Committee on Jurisprudence.

SB 1310 by Wentworth

Relating to the reimbursement of travel expenses for state employees.

To Committee on Government Organization.

SB 1311 by Wentworth

Relating to the exchange of information among certain governmental entities concerning at-risk youth.

To Committee on Jurisprudence.

SB 1312 by Whitmire

Relating to providing a civil penalty for a violation of the Antiquities Code of Texas.

To Committee on Natural Resources.

SB 1313 by Uresti

Relating to reporting requirements for health occupation regulatory agencies.

To Committee on Health and Human Services.

SB 1314 by Uresti

Relating to the licensure of anesthesiologist assistants; providing penalties.

To Committee on Health and Human Services.

SB 1315 by Uresti

Relating to a silver alert for missing senior citizens.

To Committee on Criminal Justice.

SB 1316 by Janek

Relating to the investment and management of assets held in a prepaid funeral benefits trust.

To Committee on Business and Commerce.

SB 1317 by Jackson

Relating to prohibiting a municipality from enacting regulations on air pollution that apply outside its corporate limits.

To Committee on Natural Resources.

SB 1318 by Janek

Relating to the regulation of certain long-term care facilities, including the establishment of late fees and changes to administrative penalties, and relating to the office of long-term care ombudsman.

To Committee on Health and Human Services.

SB 1320 by Harris

Relating to the licensing, acquisition, regulation, and taxation of manufactured housing; providing administrative and criminal penalties.

To Committee on Business and Commerce.

SB 1321 by Carona

Relating to certain treatment by a physical therapist.

To Committee on Health and Human Services.

SB 1322 by Carona

Relating to a merchant's acceptance of a credit card or debit card.

To Committee on Business and Commerce.

SB 1323 by Watson

Relating to the authority of qualified community workforce training centers to receive a state sales and use tax refund for reimbursement of certain expenses.

To Committee on Finance.

SB 1324 by Watson

Relating to a program for the recycling of computer equipment of consumers in this state; providing administrative penalties.

To Committee on Natural Resources.

SB 1325 by West

Relating to the eligibility of relatives of public college and university board members to receive certain scholarships; providing a criminal penalty.

To Subcommittee on Higher Education.

SB 1326 by Estes

Relating to the sale by the Brazos River Authority of certain residential and commercial lots in the immediate vicinity of Possum Kingdom Lake to leaseholders of those lots.

To Committee on Natural Resources.

SB 1327 by Patrick

Relating to the punishment for the offense of burglary of a vehicle.

To Committee on Criminal Justice.

SB 1328 by Patrick

Relating to the civil and criminal consequences of driving while intoxicated.

To Committee on Criminal Justice.

SB 1329 by Patrick

Relating to the criminal penalty for evading arrest by using a vehicle.
To Committee on Criminal Justice.

SB 1330 by Patrick

Relating to prohibiting the investment of state funds in certain private business entities doing business in Iran.
To Committee on State Affairs.

SB 1331 by Uresti

Relating to the system by which an application for a low income housing tax credit is scored.
To Committee on Intergovernmental Relations.

SB 1332 by West

Relating to the establishment of debt management policies and guidelines by the Bond Review Board.
To Committee on Finance.

SB 1333 by Estes

Relating to the appraisal for ad valorem tax purposes of certain property used to provide affordable housing.
To Committee on Finance.

SB 1334 by Estes

Relating to the administration of certain housing programs by the Texas Department of Housing and Community Affairs.
To Committee on Intergovernmental Relations.

SB 1335 by Estes

Relating to notice to a surface owner by an oil or gas well operator of certain oil and gas operations.
To Committee on Natural Resources.

SB 1336 by Estes

Relating to the authority of a municipality with a population of less than 10,000 to provide that municipal ad valorem taxes imposed on real property in or adjacent to an area that has qualified for funding under certain revitalization or redevelopment programs not be increased for a limited period.
To Subcommittee on Agriculture, Rural Affairs, and Coastal Resources.

SB 1337 by Estes

Relating to incentives for biofuel production, distribution, and use in this state.
To Subcommittee on Agriculture, Rural Affairs, and Coastal Resources.

SB 1338 by Estes

Relating to the authority of a groundwater conservation district to require reports on annual groundwater withdrawals.
To Committee on Natural Resources.

SB 1339 by Estes

Relating to allowing money in the disaster contingency fund to be used to provide assistance to producers of agricultural products affected by a disaster caused by severe drought or wildfire.

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

SB 1340 by Estes

Relating to the requirements for a surveyor-in-training certificate.

To Committee on Business and Commerce.

SB 1341 by Hegar

Relating to the management of groundwater in the area regulated by the Edwards Aquifer Authority and to the operations and oversight of the Edwards Aquifer Authority.

To Committee on Natural Resources.

SB 1342 by Gallegos

Relating to the establishment of an autism spectrum disorders specialist certificate for public school teachers.

To Committee on Education.

SB 1343 by Duncan

Relating to the regulation of the use of an injection well to inject nonhazardous brine from a desalination operation or to inject nonhazardous drinking water treatment residuals.

To Committee on Natural Resources.

SB 1344 by Jackson

Relating to the powers and duties of the Angleton-Danbury Hospital District of Brazoria County, Texas.

To Committee on Intergovernmental Relations.

SB 1345 by Seliger

Relating to the creation of a criminal offense concerning the making of certain fraudulent claims.

To Committee on Criminal Justice.

SB 1346 by Seliger

Relating to the adoption of a state scenic byways program.

To Committee on Transportation and Homeland Security.

SB 1347 by Patrick

Relating to a mandatory DNA record for individuals convicted of certain offenses or adjudicated as having engaged in conduct constituting the commission of certain offenses.

To Committee on Criminal Justice.

SB 1348 by Patrick

Relating to the liability of a governmental unit for action taken by a peace officer engaged in the pursuit of a motor vehicle.

To Committee on Criminal Justice.

SB 1349 by Patrick

Relating to the annexation of a municipally owned airport.
To Committee on Intergovernmental Relations.

SB 1350 by Patrick

Relating to limits on the appropriations by the Legislature.
To Committee on Finance.

SB 1843 by West

Relating to the date of the primary election and related procedures.
To Committee on State Affairs.

SJR 36 by Williams

Proposing a constitutional amendment authorizing the legislature to permit an owner of real property to require that ad valorem taxes, other than taxes imposed for public school purposes, be imposed on the property on the basis of a five-year average taxable value.
To Committee on Finance.

SJR 37 by Wentworth

Proposing a constitutional amendment to limit the purposes for which revenues from motor vehicle registration fees, taxes on motor fuels and lubricants, and certain revenues received from the federal government may be used.
To Committee on Finance.

SJR 38 by Shapiro

Proposing a constitutional amendment providing for use of a portion of the money in the Texas Mobility Fund for mass transit projects.
To Committee on Transportation and Homeland Security.

SJR 39 by Patrick

Proposing a constitutional amendment authorizing the legislature to provide for a local option election in Harris County to set a limitation of not less than three percent on the maximum average annual increase in the appraised value of residence homesteads for purposes of ad valorem taxation by each political subdivision in the county.
To Committee on Finance.

SJR 40 by Hegar

Proposing a constitutional amendment affecting the methods by which an appointed member of a multimember state board, commission, or other governing body may be removed from office and providing that the holdover provision of the Texas Constitution does not apply to the member.
To Committee on State Affairs.

SJR 41 by Patrick

Proposing a constitutional amendment to establish a commission on state government spending to address waste, fraud, and abuse in state agency operations.
To Committee on Government Organization.

SJR 42 by Patrick

Proposing a constitutional amendment to impose term limits on members of the legislature.

To Committee on State Affairs.

HOUSE BILL ON FIRST READING

The following bill received from the House was read first time and referred to the committee indicated:

HB 624 to Committee on Business and Commerce.

RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

Memorial Resolutions

SR 490 by Van de Putte, In memory of Petra Rivera Elizondo of San Antonio.

SR 496 by Shapleigh, In memory of the life of Specialist Jamaal R. Addison of Roswell, Georgia.

SR 497 by Shapleigh, In memory of the life of Chief Warrant Officer Johnny Villareal Mata of Amarillo.

SR 498 by Shapleigh, In memory of the life of Master Sergeant Robert J. Dowdy of Cleveland, Ohio.

SR 499 by Shapleigh, In memory of the life of Sergeant Donald Ralph Walters of Kansas City, Missouri.

SR 500 by Shapleigh, In memory of Sergeant John E. Cooper.

SR 501 by Shapleigh, In memory of the life of Private First Class Spence A. McNeil.

SR 502 by Shapleigh, In memory of Specialist Matthew T. Grimm.

SR 503 by Shapleigh, In memory of the life of Private First Class Howard Johnson II of Mobile, Alabama.

SR 504 by Shapleigh, In memory of Specialist Nicholas P. Brown.

SR 505 by Shapleigh, In memory of the life of Specialist Tomas Garces.

SR 506 by Shapleigh, In memory of the life of Captain Gussie M. Jones.

SR 507 by Shapleigh, In memory of the life of Private Brandon U. Sloan of Cleveland, Ohio.

SR 508 by Shapleigh, In memory of the life of Private Ruben Estrella-Soto of El Paso.

SR 509 by Shapleigh, In memory of the life of Specialist Lori Piestewa of Tuba City, Arizona.

SR 510 by Shapleigh, In memory of Sergeant First Class Russell P. Borea.

SR 511 by Shapleigh, In memory of the life of Specialist James M. Kiehl of Comfort.

SR 512 by Shapleigh, In memory of Sergeant Brent W. Dunkleberger.

SR 513 by Shapleigh, In memory of Second Lieutenant Mark J. Daily.

SR 514 by Shapleigh, In memory of Sergeant Robert B. Thrasher of Folsom, California.

SR 515 by Shapleigh, In memory of Sergeant Ian C. Anderson.

Welcome and Congratulatory Resolutions

SR 484 by Hinojosa, Congratulating the participants in the Texas Academic Decathlon for their achievements.

SR 485 by Whitmire, Congratulating Michael E. Rutledge on the occasion of his first anniversary as pastor of Mount Ararat Baptist Church in Houston.

SR 492 by West, Recognizing George H. Coleman on the occasion of his retirement from the YMCA of Metropolitan Dallas.

SR 493 by Hegar, Welcoming the Texas A&M University College of Agriculture Development Council to Austin.

SR 520 by Seliger, Recognizing Jerry Neal on the occasion of his retirement from the Amarillo Police Department.

ADJOURNMENT

Pursuant to a previously adopted motion, the Senate at 3:35 p.m. adjourned, in memory of Justin Hurst of El Campo and Raymond D. Nasher of Dallas, until 11:00 a.m. tomorrow.

APPENDIX

COMMITTEE REPORTS

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

March 19, 2007

INTERGOVERNMENTAL RELATIONS — **CSSB 684, CSSB 462, CSSB 682**

CRIMINAL JUSTICE — **CSSB 5, CSHB 8, CSSB 6**

INTERGOVERNMENTAL RELATIONS — **CSSB 524**

JURISPRUDENCE — **CSSB 231, SB 565** (Amended), **SB 593** (Amended), **SB 618** (Amended), **CSSB 699**

HEALTH AND HUMAN SERVICES — **CSSB 24, CSSB 206, SB 362, SB 744, CSSB 759, SB 760, CSSB 761, CSSB 762**

INTERNATIONAL RELATIONS AND TRADE — **CSSB 408**

INTERGOVERNMENTAL RELATIONS — **CSSB 688**

JURISPRUDENCE — **CSSB 600**

TRANSPORTATION AND HOMELAND SECURITY — **SB 848, SB 850, CSSB 621, CSSB 985, CSSB 995**

BUSINESS AND COMMERCE — **CSSB 484**

NATURAL RESOURCES — **CSSB 12, SB 455, SB 535, SB 564, CSSB 573, SB 748, SB 775**

