

SENATE JOURNAL

EIGHTIETH LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

THIRTY-SEVENTH DAY

(Tuesday, April 3, 2007)

The Senate met at 11:13 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 Dr. Edmund Robb III, The Woodlands United Methodist Church, The Woodlands, offered the invocation as follows:

Gracious God, we pause this morning to thank You for Your overwhelming goodness to us. You have blessed us in so many ways: with the precious gift of life, with warm and caring families, with a prosperous and fertile land, with strong institutions and personal freedoms. We ask, O God, that we might always be a people worthy of these rich blessings. Keep us from chauvinism and selfishness. Help us to do justice, love mercy, and walk humbly before You. Lord, give us tender hearts that we might never forget those among us who are needy, poor, and hurting. We especially pray this morning for our Governor, Rick Perry, and all the elected Senators, Representatives, and Judges who serve the people of Texas. Guide them with Your wisdom as they exercise their duties. Give them an extra measure of physical stamina and encourage them as they work faithfully keeping their sacred trust. Through Christ our Lord, I pray. Amen.

Senator Whitmire moved that the reading of the Journal of the proceedings of yesterday be dispensed with and the Journal be approved as printed.

The motion prevailed without objection.

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 286

On motion of Senator Watson, Senator Seliger will be shown as Co-author of **SB 286**.

CO-AUTHOR OF SENATE BILL 371

On motion of Senator Williams, Senator Shapleigh will be shown as Co-author of **SB 371**.

CO-AUTHOR OF SENATE BILL 409

On motion of Senator Janek, Senator Shapleigh will be shown as Co-author of **SB 409**.

CO-AUTHORS OF SENATE BILL 450

On motion of Senator Uresti, Senators Janek and Nelson will be shown as Co-authors of **SB 450**.

CO-AUTHOR OF SENATE BILL 518

On motion of Senator Ellis, Senator Shapleigh will be shown as Co-author of **SB 518**.

CO-AUTHOR OF SENATE BILL 772

On motion of Senator Van de Putte, Senator Uresti will be shown as Co-author of **SB 772**.

CO-AUTHORS OF SENATE BILL 1058

On motion of Senator West, Senators Shapleigh and Van de Putte will be shown as Co-authors of **SB 1058**.

CO-AUTHORS OF SENATE BILL 1170

On motion of Senator Hinojosa, Senators Harris and Hegar will be shown as Co-authors of **SB 1170**.

CO-AUTHORS OF SENATE BILL 1457

On motion of Senator Uresti, Senators Shapleigh and West will be shown as Co-authors of **SB 1457**.

CO-AUTHOR OF SENATE BILL 1766

On motion of Senator Watson, Senator Nelson will be shown as Co-author of **SB 1766**.

PHYSICIAN OF THE DAY

Senator Shapleigh was recognized and presented Dr. David Palafox of El Paso as the Physician of the Day.

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

BILL SIGNED

The President announced the signing of the following enrolled bill in the presence of the Senate after the caption had been read: **SB 90**.

MESSAGE FROM THE GOVERNOR

The following Message from the Governor was read and was referred to the Committee on Nominations:

Austin, Texas
April 2, 2007

TO THE SENATE OF THE EIGHTIETH LEGISLATURE, REGULAR SESSION:

I ask the advice, consent and confirmation of the Senate with respect to the following appointment:

To be a member of the Texas State University System Board of Regents for a term to expire February 1, 2013:

Trisha S. Pollard
Bellaire, Texas

(Ms. Pollard is replacing Pollyanna Stephens of San Angelo whose term expired)

Respectfully submitted,
/s/Rick Perry
Governor

MESSAGE FROM THE HOUSE

HOUSE CHAMBER
Austin, Texas
April 3, 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 23, In memory of the Honorable Ann Richards, 45th governor of Texas.

HCR 166, Recognizing April 3, 2007, as Texas Medal of Arts Awards Day.

HJR 69, Proposing a constitutional amendment to abolish the constitutional authority for the office of inspector of hides and animals.

Respectfully,
/s/Robert Haney, Chief Clerk
House of Representatives

SENATE RESOLUTION 621

Senator Williams offered the following resolution:

WHEREAS, Residents of Montgomery County are celebrating the contributions of their county to our state with a trip to the State Capitol on April 3, 2007; and

WHEREAS, Located in the East Texas Timberlands region, Montgomery County was the third county formed under the Republic of Texas; artifacts from the Paleo-Indian and Archaic cultures have been found in the area, suggesting a human presence more than 10,000 years ago; and

WHEREAS, Among the region's earliest Anglo-American settlers was Andrew Montgomery, who established a trading post at a site that became one of the county's first settlements and which eventually became the town of Montgomery; the Republic of Texas Congress officially established Montgomery County in 1837; and

WHEREAS, The construction of the railroads toward the end of the 19th century led to a significant economic transformation in the region, and in 1932, oil was discovered southeast of Conroe; and

WHEREAS, Today, the county's industries still include oil and lumber, but its abundant lakes and its forest land also make it an attractive destination for many; opportunities for hunting, boating, fishing, and hiking abound in the Sam Houston National Forest, the W. Goodrich Jones State Forest, Lake Conroe, Spring Creek, and Lake Woodlands; and

WHEREAS, Many charming towns dot the landscape of Montgomery County, including the county seat, Conroe; the region's first settlement, Montgomery; the cities of Porter, Oak Ridge, and Shenandoah, which provide comfortable residential neighborhoods for some of the county's population; and the township of Willis, which originally thrived with a successful tobacco industry and now has a profitable timber and farming economy; and

WHEREAS, The Woodlands, a master-planned community where its residents live, work, play, and learn, is located in southern Montgomery County and is home to The Cynthia Woods Mitchell Pavillion, which in the year 2006, was ranked the fourth-best-attended outdoor music facility in the nation; the community also features a 1.25-mile-long waterway which serves as a transportation corridor linking offices, retail stores, and dining and entertainment venues; and

WHEREAS, The town of Cut and Shoot earned its unique name after a 1912 community dispute over the design of a new steeple for the town's only church and land claims among church members; when the issue reached a boiling point, a young boy near the church reportedly yelled, "I'm going to cut around the corner and shoot through the bushes," which stuck in the minds of residents, who soon adopted the name Cut and Shoot; and

WHEREAS, The residents of Montgomery County may take justifiable pride in their region's rich heritage, and it is a pleasure to honor them as they look forward to a bright and promising future; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 80th Legislature, hereby recognize April 3, 2007, as Montgomery County Day at the State Capitol and extend

to the county's citizens here today sincere best wishes for an enjoyable visit to Austin; and, be it further

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

WILLIAMS
NICHOLS

SR 621 was read and was adopted without objection.

GUESTS PRESENTED

Senator Williams, joined by Senator Nichols, was recognized and introduced to the Senate Brent Sherrod, Rob Burgess, Karen Smith, Miguel Lopez, Debbie Lambert, Kenny Speight, and Kitty Self, accompanied by a delegation of citizens from Montgomery County.

The Senate welcomed its guests.

SENATE CONCURRENT RESOLUTION 50

The President laid before the Senate the following resolution:

WHEREAS, The 80th Legislature of the State of Texas is pleased to recognize April 3, 2007, as Texas Medal of Arts Awards Day at the Capitol; and

WHEREAS, The Texas Medal of Arts Awards are presented by the Texas Cultural Trust Council and pay tribute to Texans who have made important contributions to a variety of artistic disciplines in the state; and

WHEREAS, The arts enrich, educate, and broaden the lives of citizens in our state, and these awards recognize and encourage the development of the arts through personal achievement or unfailing support; and

WHEREAS, The following individuals and institutions will be presented medals for 2007: Walter Cronkite, Lifetime Achievement; Alvin Ailey American Dance Theater, Dance; Dr. Paul Baker, Arts Education; Sandra Brown, Literary Arts; Ornette Coleman, Music; Diana and Bill Hobby, Individual Arts Patrons; Judith Ivey, Theatre Arts; Jesús Moroles, Visual Arts; Neiman Marcus, Corporate Arts Patron; Sid W. Richardson Foundation, Foundation Arts Patron; and Bill Wittliff, Multimedia; and

WHEREAS, The arts enhance the quality of life in Texas and add to the rich cultural heritage of the state, and the artists and arts patrons honored by the Texas Medal of Arts Awards help ensure the future of the arts and arts education in our state; now, therefore, be it

RESOLVED, That the 80th Legislature of the State of Texas hereby commend the recipients of the 2007 Texas Medal of Arts Awards for their dedication to the advancement of the arts in Texas; and, be it further

RESOLVED, That a copy of this resolution be prepared for each of them as an expression of esteem by the Texas House of Representatives and Senate.

WENTWORTH

SCR 50 was read.

On motion of Senator Wentworth 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 Wentworth was recognized and introduced to the Senate members of the Texas Cultural Trust Council: Donna Whitworth, Debbie Montford, and Aaronetta Pierce, as well as Texas Medal of Arts Awards recipients: Walter Cronkite; Dr. Paul Baker; Sylvia Waters, accepting for Alvin Ailey American Dance Theater; Sandra Brown; Ornette Coleman; Bill and Diana Hobby; Judith Ivey; Jesús Moroles; Burt Tansky, accepting for Neiman Marcus; Ed Bass, accepting for the Sid W. Richardson Foundation; and Bill Wittliff.

The Senate welcomed its guests.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

April 3, 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:

SB 495, Relating to allowing a municipal electric utility to enter into hedging contracts for certain commodities.

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

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.

GUESTS PRESENTED

Senator Averitt was recognized and introduced to the Senate a delegation of citizens from Cleburne.

The Senate welcomed its guests.

SESSION TO CONSIDER EXECUTIVE APPOINTMENTS

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

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

The President asked if there were requests to sever nominees.

There were no requests offered.

NOMINEES CONFIRMED

The following nominees, as reported by the Committee on Nominations, were confirmed by the following vote: Yeas 30, Nays 0.

Absent-excused: Gallegos.

Members, Midwestern State University Board of Regents: Charlye Ola Farris, Wichita County; Carol Carlson Gunn, Palo Pinto County.

Members, Stephen F. Austin State University Board of Regents: Richard B. Boyer, Denton County; James A. Thompson, Fort Bend County; Melvin R. White, Travis County.

Members, Teacher Retirement System of Texas Board of Trustees: James H. "Jim" Lee, Harris County; Phillip M. Mullins, Travis County; Linus D. Wright, Dallas County.

Commissioners, Texas Animal Health Commission: Reta Dyess, Cherokee County; Thomas George Kezar, Hays County; Ernesto A. "Ernie" Morales, Medina County; Michael Louis Vickers, D.V.M., Brooks County.

Members, Texas Higher Education Coordinating Board: Fred W. Heldenfels IV, Travis County; Joe B. Hinton, McLennan County; Elaine Mendoza, Bexar County; Lyn Bracewell Phillips, Bastrop County; A. W. "Whit" Riter III, Smith County.

Members, Texas State Technical College System Board of Regents: Joe M. Gurecky, Fort Bend County; Rolf R. Haberecht, Dallas County; Joe K. Hearne, Dallas County.

Members, University of Houston System Board of Regents: Welcome Wade Wilson, Sr., Harris County; Jim P. Wise, Harris County.

Members, University of North Texas System Board of Regents: Charless D. Mitchell, M.D., Dallas County; Alfredo Silva, Bexar County; C. Dan Smith, Collin County.

CONCLUSION OF MORNING CALL

The President at 11:55 a.m. announced the conclusion of morning call.

SENATE BILL 718 ON SECOND READING

On motion of Senator Ogden and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 718** at this time on its second reading:

SB 718, Relating to the route selection for the Trans-Texas Corridor.

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 718 ON THIRD READING

Senator Ogden moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 718** 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 718**, 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 718** 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 362 ON SECOND READING

On motion of Senator Janek and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 362** at this time on its second reading:

SB 362, Relating to civil remedies and qui tam provisions under the Medicaid fraud prevention act.

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 362 ON THIRD READING

Senator Janek moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 362** 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 362**, 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 362** 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.

**COMMITTEE SUBSTITUTE
SENATE BILL 1795 ON SECOND READING**

On motion of Senator Ogden and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1795** at this time on its second reading:

CSSB 1795, Relating to the amount of bonds and other public securities that may be secured by a pledge of and payable from revenue deposited to the credit of the state highway fund.

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 1795 ON THIRD READING**

Senator Ogden moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1795** 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 1795**, 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 1795** 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.

**COMMITTEE SUBSTITUTE
SENATE BILL 125 ON SECOND READING**

Senator Carona moved to suspend the regular order of business to take up for consideration **CSSB 125** at this time on its second reading:

CSSB 125, Relating to a civil or administrative penalty imposed by a local authority to enforce compliance with a traffic-control signal.

The motion prevailed by the following vote: Yeas 27, Nays 3.

Yeas: Brimer, Carona, Deuell, Duncan, Ellis, Eltife, Estes, Fraser, Hegar, Hinojosa, Jackson, Janek, Lucio, Nelson, Nichols, Ogden, Patrick, Shapiro, Shapleigh, Uresti, Van de Putte, Watson, Wentworth, West, Whitmire, Williams, Zaffirini.

Nays: Averitt, Harris, Seliger.

Absent-excused: Gallegos.

The bill was read second time.

(Senator Ellis in Chair)

Senator Shapiro offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 125** as follows:

(1) In SECTION 1 of the bill, in added Section 542.405(c)(1), Transportation Code (committee printing, page 1, line 54), strike "Section 780.007" and substitute "Section 782.002".

(2) Strike SECTION 3 of the bill (committee printing, page 2, line 58, through page 3, line 4) and substitute the following:

SECTION 3. Subtitle B, Title 9, Health and Safety Code, is amended by adding Chapter 782 to read as follows:

CHAPTER 782. REGIONAL EMERGENCY MEDICAL SERVICES

Sec. 782.001. DEFINITIONS. In this chapter:

(1) "Commission" means the Health and Human Services Commission.

(2) "Commissioner" means the executive commissioner of the Health and Human Services Commission.

Sec. 782.002. REGIONAL TRAUMA ACCOUNT. (a) The regional trauma account is created as a dedicated account in the general revenue fund of the state treasury. Money in the account may be appropriated only to the commission to make distributions as provided by Section 782.003.

(b) The account is composed of money deposited to the credit of the account under Section 542.406, Transportation Code, and the earnings of the account.

(c) Sections 403.095 and 404.071, Government Code, do not apply to the account.

Sec. 782.003. PAYMENTS FROM THE REGIONAL TRAUMA ACCOUNT.

(a) The commissioner shall use money appropriated from the regional trauma account established under Section 782.002 to fund uncompensated care of designated trauma

facilities and county and regional emergency medical services located in the area served by the trauma service area regional advisory council that serves the local authority submitting money under Section 542.406, Transportation Code.

(b) In any fiscal year, the commissioner shall use:

(1) 96 percent of the money appropriated from the account to fund a portion of the uncompensated trauma care provided at facilities designated as state trauma facilities by the commission;

(2) two percent of the money appropriated from the account for county and regional emergency medical services;

(3) one percent of the money appropriated from the account for distribution to the 22 trauma service area regional advisory councils; and

(4) one percent of the money appropriated from the account to fund administrative costs of the commission.

(c) The money under Subsection (b) shall be distributed in proportion to the amount deposited to the account from the local authority.

(3) In SECTION 4 of the bill (committee printing, page 3, line 6), strike "Section 780.007," and substitute "Section 782.002,".

(4) Between SECTIONS 4 and 5 of the bill (committee printing, page 3, between lines 11 and 12), insert the following:

SECTION 5. Not later than December 1, 2007, the executive commissioner of the Health and Human Services Commission shall adopt rules to implement Chapter 782, Health and Safety Code, as added by this Act.

(5) Renumber subsequent sections of the bill accordingly.

The amendment to **CSSB 125** 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.

Senator Seliger offered the following amendment to the bill:

Floor Amendment No. 2

Amend **CSSB 125** as follows:

(1) In SECTION 1 of the bill, in proposed Section 542.406, Transportation Code (committee printing, page 1, lines 46 through 59), strike proposed Subsection (c) and substitute the following:

(c) After deducting amounts the local authority is authorized by Subsection (d) to retain, the local authority shall deposit at least 80 percent of the revenue received from a civil or administrative penalty in a special account in the local authority's treasury that may be used only to fund traffic safety programs, including pedestrian safety programs, public safety programs, intersection improvements, and traffic enforcement.

(2) In SECTION 1 of the bill, in proposed Section 542.406, Transportation Code (committee printing, page 2, lines 15 through 25), strike proposed Subsections (e) and (f).

(3) Strike SECTION 2 and SECTION 3 of the bill (committee printing, page 2, line 26, through page 3, line 4), and renumber subsequent SECTIONS of the bill accordingly.

(4) In SECTION 4 of the bill (committee printing, page 3, line 6), strike "and Section 780.007, Health and Safety Code, as added by this Act, apply" and substitute "applies".

The amendment to **CSSB 125** was read.

(President in Chair)

On motion of Senator Carona, Floor Amendment No. 2 was tabled by the following vote: Yeas 20, Nays 9.

Yeas: Brimer, Carona, Deuell, Duncan, Fraser, Jackson, Janek, Lucio, Nichols, Ogden, Patrick, Shapiro, Shapleigh, Uresti, Van de Putte, Watson, Wentworth, West, Williams, Zaffirini.

Nays: Averitt, Ellis, Eltife, Estes, Harris, Hegar, Nelson, Seliger, Whitmire.

Absent: Hinojosa.

Absent-excused: Gallegos.

Senator West offered the following amendment to the bill:

Floor Amendment No. 3

Amend **CSSB 125** (Senate committee printing) as follows:

(1) On page 1, lines 50-54, strike proposed paragraph (1) and substitute the following:

"(1) send 50 percent of the revenue derived from civil or administrative penalties collected by the local authority under this section

(A) to the comptroller for deposit to the credit of the Regional Trauma account established under Section 782.002, Health and Safety Code; or

(B) if a public hospital, hospital district, or a health care district is located within the jurisdiction of the local authority, to the comptroller for deposit to the credit of the upper payment limit program account established under Section 542.4061; and"

(2) On page 2, between lines 25 and 26, insert the following:

"Sec. 542.4061. UPPER PAYMENT LIMIT ACCOUNT. (a) The designated upper payment limit account is created as a dedicated account in the general revenue fund of the state treasury. Money in the account may be appropriated only to the Health and Human Services Commission or a health and human services agency, as defined by Section 531.001, Government Code, for a purpose that qualifies as a state expenditure for which federal matching funds under the upper payment limit supplemental payment program are available.

(b) The account is composed of money deposited to the credit of the account under Section 707.016 and the earnings of the account."

The amendment to **CSSB 125** was read.

(Senator Brimer in Chair)**POINT OF ORDER**

Senator Patrick raised a point of order that Floor Amendment No. 3 was not germane to the body of the bill.

POINT OF ORDER WITHDRAWN

Senator Patrick withdrew the point of order.

(President in Chair)

Question — Shall Floor Amendment No. 3 be adopted?

Senator West withdrew Floor Amendment No. 3.

Senator Jackson offered the following amendment to the bill:

Floor Amendment No. 4

Amend **CSSB 125** by striking Sections 1 through 5 and substitute the following:
Section 1. Section 542.202(b)(3), Transportation Code, is repealed.

Section 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, the Act takes effect September 1, 2007.

The amendment to **CSSB 125** was read.

On motion of Senator Carona, Floor Amendment No. 4 was tabled by the following vote: Yeas 22, Nays 7.

Yeas: Averitt, Brimer, Carona, Deuell, Duncan, Ellis, Eltife, Harris, Hegar, Hinojosa, Lucio, Nelson, Ogden, Seliger, Shapiro, Shapleigh, Uresti, Watson, Wentworth, West, Whitmire, Zaffirini.

Nays: Estes, Fraser, Jackson, Nichols, Patrick, Van de Putte, Williams.

Absent: Janek.

Absent-excused: Gallegos.

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

CSSB 125 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:

Nays: Averitt, Harris, Seliger.

Absent-excused: Gallegos.

**COMMITTEE SUBSTITUTE
SENATE BILL 125 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 125** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 26, Nays 4.

Yeas: Brimer, Carona, Deuell, Duncan, Ellis, Eltife, Estes, Fraser, Hegar, Hinojosa, Jackson, Janek, Lucio, Nelson, Nichols, Ogden, Patrick, Shapiro, Shapleigh, Uresti, Van de Putte, Watson, West, Whitmire, Williams, Zaffirini.

Nays: Averitt, Harris, Seliger, 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 125**, 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 125** 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 26, Nays 4.

Yeas: Brimer, Carona, Deuell, Duncan, Ellis, Eltife, Estes, Fraser, Hegar, Hinojosa, Jackson, Janek, Lucio, Nelson, Nichols, Ogden, Shapiro, Shapleigh, Uresti, Van de Putte, Watson, Wentworth, West, Whitmire, Williams, Zaffirini.

Nays: Averitt, Harris, Patrick, Seliger.

Absent-excused: Gallegos.

SENATE BILL 802 ON SECOND READING

On motion of Senator Nichols and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 802** at this time on its second reading:

SB 802, Relating to the child fatality review process, including the composition and functions of the child fatality review team committee.

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 802 ON THIRD READING

Senator Nichols moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 802** 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 802**, 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 802** 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.

POINT OF ORDER

Senators Seliger, Nelson, West, and Fraser raised a point of order against further consideration of **SB 802**.

POINT OF ORDER WITHDRAWN

Senators Seliger, Nelson, West, and Fraser withdrew the point of order.

Question — Shall **SB 802** be finally passed?

The bill was finally passed by the following vote: Yeas 30, Nays 0.

Absent-excused: Gallegos.

RESOLUTIONS SIGNED

The President announced the signing of the following enrolled resolutions in the presence of the Senate: **HCR 3, HCR 4, HCR 5, HCR 153, HCR 156, HCR 165.**

SENATE BILL 1119 ON SECOND READING

Senator Carona moved to suspend the regular order of business to take up for consideration **SB 1119** at this time on its second reading:

SB 1119, Relating to the authority of a local authority to implement a photographic traffic signal enforcement system; providing for the imposition of civil penalties.

The motion prevailed.

Senators Seliger and Williams asked to be recorded as voting "Nay" on suspension of the regular order of business.

The bill was read second time.

Senator Patrick offered the following amendment to the bill:

Floor Amendment No. 1

Amend **SB 1119** in SECTION 1 of the bill, in proposed Section 707.003, Transportation Code (committee printing, page 2, between lines 6 and 7), by inserting a new Subsection (e) to read as follows:

(e) A local authority may not impose a civil penalty under this chapter on the owner of a motor vehicle if the local authority violates Subsection (b) or (c).

(Senator Watson in Chair)

The amendment to **SB 1119** 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.

(President in Chair)

Senator West offered the following amendment to the bill:

Floor Amendment No. 2

Amend **SB 1119** (Senate committee printing) as follows:

(1) On page 5, between lines 24-25, insert the following:

"Sec. 707.0111. ENFORCEMENT. If the owner of a motor vehicle is delinquent in the payment of a civil penalty imposed under this chapter, the county assessor-collector or the Texas Department of Transportation may refuse to register a motor vehicle alleged to have been involved in the violation.

Sec. 707.0112. IMPOSITION OF CIVIL PENALTY CONVICTION FOR PURPOSES OF DRIVER RESPONSIBILITY PROGRAM. (a) Except as provided by Subsection (b), the imposition of a civil penalty under this chapter is not a conviction and may not be considered a conviction for any purpose.

(b) The imposition of a civil penalty under this chapter is a conviction for the purposes of Chapter 708.

The amendment to **SB 1119** 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.

Senator Patrick offered the following amendment to the bill:

Floor Amendment No. 3

Amend **SB 1119** in SECTION 1 of the bill, at the end of proposed Chapter 707, Transportation Code (committee printing, page 5, after line 29), by adding the following new section:

Sec. 707.013. FAILURE TO PAY CIVIL PENALTY. (a) If the owner of the motor vehicle fails to timely pay the amount of the civil penalty imposed against the owner:

(1) an arrest warrant may not be issued for the owner; and

(2) the imposition of the civil penalty may not be recorded on the owner's driving record.

(b) Notice of Subsection (a) must be included in the notice of violation required by Section 707.006(c).

The amendment to **SB 1119** 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.

Senator Patrick offered the following amendment to the bill:

Floor Amendment No. 4

Amend **SB 1119** in SECTION 1 of the bill by striking proposed Section 707.004, Transportation Code (committee printing, page 2, lines 7 through 20) and substituting the following:

Sec. 707.004. REQUIRED ORDINANCE PROVISIONS. (a) An ordinance adopted under Section 707.002 must provide that a person against whom the local authority seeks to impose a civil penalty is entitled to a hearing and shall:

(1) provide for the period in which the hearing must be held;

(2) provide for the appointment of a hearing officer with authority to administer oaths and issue orders compelling the attendance of witnesses and the production of documents; and

(3) except as provided by Subsection (b), designate the department, agency, or office of the local authority responsible for the enforcement and administration of the ordinance or provide that the entity with which the local authority contracts under Section 707.003(a)(1) is responsible for the enforcement and administration of the ordinance.

(b) A police department may not enforce or administer an ordinance adopted under Section 707.002.

The amendment to **SB 1119** was read.

Senator Patrick withdrew Floor Amendment No. 4.

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

SB 1119 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:

Nays: Seliger, Williams.

Absent-excused: Gallegos.

SENATE BILL 1119 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 **SB 1119** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 27, Nays 3.

Yeas: Averitt, Brimer, Carona, Deuell, Duncan, Ellis, Eltife, Estes, Fraser, Harris, Hegar, Hinojosa, Jackson, Janek, Lucio, Nelson, Nichols, Ogden, Patrick, Shapiro, Shapleigh, Uresti, Van de Putte, Watson, West, Whitmire, Zaffirini.

Nays: Seliger, Wentworth, Williams.

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 1119**, 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 1119** 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 28, Nays 2.

Yeas: Averitt, Brimer, Carona, Deuell, Duncan, Ellis, Eltife, Estes, Fraser, Harris, Hegar, Hinojosa, Jackson, Janek, Lucio, Nelson, Nichols, Ogden, Patrick, Shapiro, Shapleigh, Uresti, Van de Putte, Watson, Wentworth, West, Whitmire, Zaffirini.

Nays: Seliger, Williams.

Absent-excused: Gallegos.

**SENATE RULE 11.18(a) SUSPENDED
(Public Hearings)**

On motion of Senator West and by unanimous consent, Senate Rule 11.18(a) was suspended in order that the Committee on Intergovernmental Relations might consider the following bills tomorrow: **SB 1502, SB 1535.**

**SENATE RULES SUSPENDED
(Posting Rules)**

On motion of Senator Ellis and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Government Organization might meet and consider the following bills today:

SB 445, SB 1013, SB 1036, SB 1805.

**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.

**SENATE RULES SUSPENDED
(Posting Rules)**

On motion of Senator Duncan and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on State Affairs might meet and consider **SB 74** today.

**SENATE RULES SUSPENDED
(Posting Rules)**

On motion of Senator Zaffirini and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Subcommittee on Higher Education might meet and consider the following bills tomorrow:

SB 201, SB 289, SB 1007, SB 1064, SB 1377, SB 1427, SB 1488, SB 1496, SB 1772.

MOTION TO ADJOURN

On motion of Senator Whitmire and by unanimous consent, the Senate at 2:47 p.m. agreed to adjourn, in memory of Jim Adams, upon completion of the introduction of bills and resolutions on first reading, until 11:00 a.m. tomorrow.

SENATE BILLS AND RESOLUTION ON FIRST READING

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

SB 1973 by Fraser

Relating to the statutory court at law in Erath County.

To Committee on Jurisprudence.

SB 1974 by Whitmire

Relating to the powers and duties of the Harris County Municipal Utility District No. 473; providing authority to impose a tax and issue bonds.

To Committee on Intergovernmental Relations.

SB 1975 by Ellis

Relating to the creation of the International Management District; providing authority to impose assessments and taxes and to issue bonds.

To Committee on Intergovernmental Relations.

SB 1976 by Averitt

Relating to the composition of the McLennan County Juvenile Board.

To Committee on Jurisprudence.

SB 1977 by Janek

Relating to the creation of Fort Bend County Municipal Utility District No. 189; providing authority to impose taxes and issue bonds; granting the power of eminent domain.

To Committee on Intergovernmental Relations.

SB 1978 by Janek

Relating to the powers and duties of the Fort Bend County Levee Improvement District No. 19; providing authority to impose a tax and issue bonds.

To Committee on Intergovernmental Relations.

SB 1981 by Hegar

Relating to the terms of office for directors of the Lost Pines Groundwater Conservation District.

To Committee on Natural Resources.

SB 1982 by Wentworth

Relating to the creation of the York Valley Municipal Utility District; providing authority to impose taxes and issue bonds.

To Committee on Intergovernmental Relations.

SB 1983 by Estes

Relating to the creation, administration, powers, duties, operations and financing of the Upper Trinity Groundwater Conservation District.

To Committee on Natural Resources.

SB 1984 by Ellis

Relating to the creation of the Spectrum Management District; providing authority to levy an assessment, impose a tax, and issue bonds.

To Committee on Intergovernmental Relations.

SB 1985 by Averitt

Relating to the creation of the McLennan County Groundwater Conservation District; providing authority to impose a tax and issue bonds.

To Committee on Natural Resources.

SB 1986 by Hegar

Relating to the powers and duties of the Cinco Southwest Municipal Utility District No. 1; providing authority to impose a tax and issue bonds.

To Committee on Intergovernmental Relations.

SB 1987 by Hegar

Relating to the powers and duties of the Cinco Southwest Municipal Utility District No. 2; providing authority to impose a tax and issue bonds for road projects.

To Committee on Intergovernmental Relations.

SB 1988 by Hegar

Relating to the powers and duties of the Cinco Southwest Municipal Utility District No. 3; providing authority to impose a tax and issue bonds.

To Committee on Intergovernmental Relations.

SB 1989 by Hegar

Relating to the powers and duties of the Cinco Southwest Municipal Utility District No. 4; providing authority to impose a tax and issue bonds.

To Committee on Intergovernmental Relations.

SB 1990 by Hegar

Relating to the creation of The Summit on San Antonio Bay Municipal Utility District No. 1; granting the power of eminent domain.

To Committee on Intergovernmental Relations.

SB 1991 by Hegar

Relating to the powers and duties of the Fort Bend County Municipal Utility District No. 58; providing authority to impose a tax and issue bonds.

To Committee on Intergovernmental Relations.

SB 1992 by Hegar

Relating to the creation of the Fort Bend County Municipal Utility District No. 190; providing authority to impose a tax and issue bonds.

To Committee on Intergovernmental Relations.

SB 1993 by Nichols

Relating to the validation of acts and proceedings of the Lake View Management and Development District and the division of the district into two or more new districts.

To Committee on Intergovernmental Relations.

SB 1994 by Deuell

Relating to the authority of the Las Lomas Municipal Utility District No. 4 of Kaufman County to undertake road projects.

To Committee on Intergovernmental Relations.

SCR 49 by Ellis

Granting certain persons permission to sue the State of Texas and the Texas Youth Commission.

To Committee on Jurisprudence.

HOUSE BILLS AND RESOLUTIONS ON FIRST READING

The following bills and resolutions received from the House were read first time and referred to the committees indicated:

HB 34 to Committee on State Affairs.

HB 35 to Committee on Intergovernmental Relations.

HB 48 to Committee on Finance.

HB 92 to Committee on Health and Human Services.

HB 117 to Committee on Intergovernmental Relations.

HB 119 to Committee on Government Organization.

HB 125 to Subcommittee on Higher Education.

HB 167 to Committee on Jurisprudence.

HB 178 to Committee on Transportation and Homeland Security.

HB 189 to Committee on Education.

HB 194 to Committee on Transportation and Homeland Security.

HB 195 to Committee on Criminal Justice.

HB 208 to Committee on Education.

HB 227 to Committee on Transportation and Homeland Security.

HB 246 to Committee on Health and Human Services.

HB 261 to Committee on Finance.

HB 271 to Committee on Business and Commerce.

HB 290 to Committee on Jurisprudence.

HB 313 to Committee on Transportation and Homeland Security.

HB 314 to Committee on Education.

HB 316 to Committee on Finance.

HB 334 to Committee on Jurisprudence.

HB 335 to Committee on Jurisprudence.

HB 336 to Committee on Jurisprudence.

HB 342 to Committee on Jurisprudence.

HB 364 to Committee on Intergovernmental Relations.

HB 365 to Committee on Business and Commerce.

HB 368 to Committee on Jurisprudence.

HB 373 to Committee on Finance.

HB 374 to Committee on Government Organization.

HB 385 to Committee on Government Organization.

HB 386 to Committee on Natural Resources.

HB 389 to Committee on State Affairs.

HB 391 to Committee on Jurisprudence.

HB 396 to Committee on Education.

HB 398 to Committee on Intergovernmental Relations.

HB 402 to Committee on State Affairs.

HB 412 to Committee on Transportation and Homeland Security.

HB 423 to Committee on Transportation and Homeland Security.
HB 479 to Committee on Natural Resources.
HB 481 to Committee on Transportation and Homeland Security.
HB 482 to Committee on Education.
HB 484 to Committee on Transportation and Homeland Security.
HB 496 to Committee on Natural Resources.
HB 504 to Committee on Transportation and Homeland Security.
HB 505 to Committee on Transportation and Homeland Security.
HB 536 to Committee on Intergovernmental Relations.
HB 566 to Committee on Education.
HB 587 to Committee on Jurisprudence.
HB 618 to Committee on Finance.
HB 622 to Committee on Jurisprudence.
HB 632 to Committee on Jurisprudence.
HB 684 to Committee on Intergovernmental Relations.
HB 694 to Committee on Intergovernmental Relations.
HB 708 to Committee on Education.
HB 733 to Committee on Transportation and Homeland Security.
HB 738 to Committee on Intergovernmental Relations.
HB 860 to Committee on State Affairs.
HB 863 to Committee on Business and Commerce.
HB 864 to Committee on Transportation and Homeland Security.
HB 886 to Committee on State Affairs.
HB 887 to Committee on Criminal Justice.
HB 923 to Committee on Intergovernmental Relations.
HB 930 to Committee on Jurisprudence.
HB 937 to Committee on Transportation and Homeland Security.
HB 944 to Committee on Business and Commerce.
HB 958 to Committee on Criminal Justice.
HB 963 to Committee on Criminal Justice.
HB 1003 to Committee on State Affairs.
HB 1010 to Committee on Finance.
HB 1029 to Committee on Business and Commerce.
HB 1032 to Committee on Natural Resources.
HB 1060 to Committee on Transportation and Homeland Security.
HB 1064 to Committee on Health and Human Services.
HB 1141 to Committee on Intergovernmental Relations.
HB 1194 to Committee on State Affairs.
HB 1204 to Committee on Jurisprudence.
HB 1206 to Committee on Finance.
HB 1210 to Committee on Intergovernmental Relations.
HB 1212 to Committee on Criminal Justice.
HB 1295 to Committee on Jurisprudence.
HB 1298 to Committee on Intergovernmental Relations.
HB 1382 to Committee on Natural Resources.
HB 1387 to Committee on State Affairs.

HB 1388 to Committee on Jurisprudence.
HB 1396 to Committee on Health and Human Services.
HB 1397 to Committee on Intergovernmental Relations.
HB 1491 to Committee on Intergovernmental Relations.
HB 1497 to Committee on State Affairs.
HB 1521 to Committee on Transportation and Homeland Security.
HB 1676 to Committee on Health and Human Services.
HB 1709 to Committee on Jurisprudence.
HB 1763 to Committee on Health and Human Services.
HB 1780 to Committee on Intergovernmental Relations.
HB 1967 to Committee on Natural Resources.
HJR 36 to Committee on Jurisprudence.
HCR 6 to Committee on Government Organization.
HCR 15 to Committee on Government Organization.
HCR 30 to Committee on Government Organization.
HCR 67 to Subcommittee on Agriculture, Rural Affairs, and Coastal Resources.
HCR 136 to Committee on Government Organization.
HCR 137 to Committee on Government Organization.

RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

Memorial Resolution

SR 638 by Williams, In memory of Jim Adams.

Congratulatory Resolutions

SR 637 by Ellis, Recognizing Ella M. and Harold C. Robertson on the occasion of their 70th wedding anniversary.

SR 639 by Shapleigh, Congratulating the Education Service Center Region 19 Head Start program in El Paso for receiving the Adelante Con Ganas Award for April 2007.

SR 640 by Whitmire and Ellis, Congratulating Lee Lyman D. Tuttle, Jr., for being named Distinguished Houston Surgeon for 2007.

SR 641 by Watson, Recognizing Robert Schenkkan of Austin on the occasion of his 90th birthday.

SR 642 by Watson, Congratulating the Lake Travis Black Storm soccer team for winning a championship title.

SR 643 by Watson, Recognizing Marcelino Antonio "Tony" Estrada on the occasion of his retirement from the State Law Library.

SR 644 by Watson, Recognizing George L. Grayson on the occasion of his retirement from the Office of the Comptroller of Public Accounts.

SR 645 by Watson, Recognizing Chethalil Pothen "NP" John on the occasion of his retirement from the Office of the Comptroller of Public Accounts.

Official Designation Resolutions

SR 592 by Wentworth, Recognizing April 3, 2007, as Texas Medal of Arts Awards Day at the State Capitol.

SR 634 by Deuell, Recognizing March 27, 2007, as Seagoville Day at the State Capitol.

HCR 166 (Wentworth), Recognizing April 3, 2007, as Texas Medal of Arts Awards Day.

ADJOURNMENT

Pursuant to a previously adopted motion, the Senate at 3:05 p.m. adjourned, in memory of Jim Adams, 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:

April 3, 2007

VETERAN AFFAIRS AND MILITARY INSTALLATIONS — **CSSB 1390**

TRANSPORTATION AND HOMELAND SECURITY — **CSSB 233, CSSB 735, CSSB 1079, CSSB 1081, CSSB 1117, CSSB 1209, CSSB 1266**

FINANCE — **SB 679**

NATURAL RESOURCES — **CSSB 214, CSSB 410, CSSB 657, CSSB 663, CSSB 1249, CSSB 1671, CSSB 1673**

GOVERNMENT ORGANIZATION — **SB 588, HB 674, HB 675**

EDUCATION — **CSSB 273, CSSB 161**

NATURAL RESOURCES — **CSSB 529**

SENT TO GOVERNOR

April 3, 2007

SB 90