

# SENATE JOURNAL

EIGHTIETH LEGISLATURE — REGULAR SESSION

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AUSTIN, TEXAS

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PROCEEDINGS

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**FORTY-FIRST DAY**

(Thursday, April 12, 2007)

The Senate met at 10:30 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, Gallegos, Harris, Hegar, Hinojosa, Jackson, Janek, Lucio, Nelson, Nichols, Ogden, Patrick, Seliger, Shapiro, Shapleigh, Uresti, Van de Putte, Watson, Wentworth, West, Whitmire, Williams, Zaffirini.

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

The Reverend Dr. Foree Grove, A&M Church of Christ, College Station, offered the invocation as follows:

Dear Father, we give You thanks this morning for the blessings of life, for our families, for our country, and for the State of Texas. I give You thanks for the women and men of this Texas Senate, the Governor and Lieutenant Governor, their support staff, and their families. Father, I pray for wisdom for each person representing the people of Texas in this body. I pray their service will give You honor and guide Your state for the good of the people. We thank You for being with us as we face the eventualities of life and for these women and men who guide us in this state. We are especially thankful this morning that Senator Gallegos is back with us. We're thankful for his recovery and his presence here. In Your name. Amen.

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

The motion prevailed without objection.

## **CO-AUTHOR OF SENATE BILL 10**

On motion of Senator Nelson, Senator Gallegos will be shown as Co-author of **SB 10**.

## **CO-AUTHORS OF SENATE BILL 74**

On motion of Senator Lucio, Senators Ellis, Shapiro, Watson, and West will be shown as Co-authors of **SB 74**.

## **CO-AUTHOR OF SENATE BILL 194**

On motion of Senator Jackson, Senator Van de Putte will be shown as Co-author of **SB 194**.

**CO-AUTHOR OF SENATE BILL 445**

On motion of Senator Hinojosa, Senator Van de Putte will be shown as Co-author of **SB 445**.

**CO-AUTHOR OF SENATE BILL 450**

On motion of Senator Uresti, Senator Van de Putte will be shown as Co-author of **SB 450**.

**CO-AUTHOR OF SENATE BILL 536**

On motion of Senator West, Senator Van de Putte will be shown as Co-author of **SB 536**.

**CO-AUTHORS OF SENATE BILL 965**

On motion of Senator Shapiro, Senators Brimer, Harris, and West will be shown as Co-authors of **SB 965**.

**WELCOME EXTENDED**

Senator Whitmire, on behalf of the Senate, welcomed Senator Gallegos, accompanied by his wife, Theresa, back to the Senate.

**SENATE RULE 2.02 SUSPENDED  
(Restrictions on Admission)**

On motion of Senator Brimer and by unanimous consent, Senate Rule 2.02 was suspended to grant floor privileges to Senator Gallegos' staff and his wife.

**MESSAGE FROM THE HOUSE**

HOUSE CHAMBER  
Austin, Texas  
April 12, 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 346**, Relating to random testing of certain public school students for steroid use.

**HB 416**, Relating to providing for restroom access for persons with certain medical conditions; providing a criminal penalty.

**HB 709**, Relating to information regarding umbilical cord blood options.

**HB 1180**, Relating to the continuation of the Texas Lottery Commission and certain laws administered by the commission.

**HB 1332**, Relating to a credit or refund for taxes paid on diesel fuel used in certain manufacturing or production processes.

**HB 1380**, Relating to court security and the use of money in courthouse security and municipal court building security funds.

**HB 1892**, Relating to the authority of certain counties and other entities with respect to certain transportation projects.

**HB 1987**, Relating to the offense of possessing another person's official ballot or official carrier envelope.

**HB 2004**, Relating to requiring that a doctor who reviews a workers' compensation case be certified in a professional specialty appropriate to the care received by the injured employee.

Respectfully,

/s/Robert Haney, Chief Clerk  
House of Representatives

### **PHYSICIAN OF THE DAY**

Senator Wentworth was recognized and presented Dr. Fred Merian of Wimberley as the Physician of the Day.

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

### **SENATE RESOLUTION 666**

Senator Hinojosa offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to recognize the eighth grade class of Saint Joseph Catholic School of Edinburg for their many accomplishments and welcome them to the State Capitol in Austin; and

WHEREAS, The eighth grade class at Saint Joseph Catholic School has set a high standard of excellence; 18 of its members have been inducted into the National Junior Honor Society and more than half of the class members achieve honors or high honors at the end of every nine-week grading period; eight students are members of the Duke University Talent Identification Program; and

WHEREAS, This class has also sponsored a Spooky Story contest, held a skating party fundraiser, and sponsored a food drive for the Rio Grande Food Bank in which they collected 2,000 pounds of food; and

WHEREAS, The entire class participates in the ExploraVision Awards Competition, a science and technology competition; many students take part in Odyssey of the Mind and Private Schools Interscholastic Association activities; and

WHEREAS, Marie Smith teaches these outstanding young students, who can take great pride in their outstanding performance; they are truly deserving of recognition for their many achievements; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 80th Legislature, hereby commend the eighth grade students of Saint Joseph Catholic School for their hard work and their many outstanding achievements and extend to them best wishes in all their future endeavors; and, be it further

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

**SR 666** was read and was adopted without objection.

### **GUESTS PRESENTED**

Senator Hinojosa was recognized and introduced to the Senate eighth-grade students from Saint Joseph Catholic School in Edinburg, accompanied by their sponsors.

The Senate welcomed its guests.

### **RESOLUTIONS SIGNED**

The President announced the signing of the following enrolled resolutions in the presence of the Senate:

**HCR 57, HCR 59, HCR 60, HCR 74, HCR 83, HCR 98, HCR 101, HCR 110, HCR 118, HCR 122, HCR 127, HCR 129, HCR 130, HCR 145, HCR 146, HCR 166, HCR 184.**

### **SENATE RESOLUTION 685**

Senator Brimer offered the following resolution:

WHEREAS, The American Institute of Architects has contributed to the nation's heritage and vitality for 150 years, and members are celebrating this remarkable milestone at their 2007 national convention, which is being held May 3-5 in San Antonio; and

WHEREAS, Organized on April 13, 1857, the AIA has grown to become the largest and most influential professional association for architects in the world; more than 300 component organizations in the U.S. and abroad, including 17 chapters of the Texas Society of Architects, combine to represent the interests of over 80,000 members; and

WHEREAS, Architects have long played a significant role in developing and enhancing the quality of life in cities throughout the country; applying building technology and design innovation, they help create visually attractive, safe, livable, and welcoming public spaces, and they provide crucial stewardship of our great architectural and historic treasures; and

WHEREAS, In honor of its sesquicentennial, the AIA has developed "Blueprint for America," a comprehensive community service program that encourages members of the profession to work collaboratively with local government officials, business leaders, and citizens to identify neighborhoods in need of improvement; and

WHEREAS, More than 20,000 industry professionals are expected to attend the 2007 National Convention and Design Exposition in San Antonio; centered around the theme, "Growing Beyond Green," the conference will feature a variety of educational opportunities on the topic of sustainable design; and

WHEREAS, With their vision, dedication, and skill, architects benefit communities across Texas and the U.S., and it is a pleasure to welcome these esteemed professionals to the Lone Star State; now, therefore, be it

RESOLVED, That the Senate of the 80th Texas Legislature hereby congratulate the American Institute of Architects on its sesquicentennial and extend to all those associated with the organization sincere best wishes for a productive and enjoyable convention; and, be it further

RESOLVED, That an official copy of this resolution be prepared for the AIA as an expression of high regard by the Texas Senate.

**SR 685** was read and was adopted without objection.

#### **GUESTS PRESENTED**

Senator Brimer was recognized and introduced to the Senate representatives of the American Institute of Architects.

The Senate welcomed its guests.

#### **SENATE RESOLUTION 646**

Senator Van de Putte offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to recognize DREAMS FULFILLED THROUGH MUSIC and to welcome THE ALAMO ANGELS to the Capitol on the occasion of their annual performance and visit; and

WHEREAS, DREAMS FULFILLED THROUGH MUSIC is a registered nonprofit charitable organization helping to encourage the personal accomplishments, social growth, and self-esteem of persons with special needs through music education and performance; and

WHEREAS, THE ALAMO ANGELS celebrate life through music by sharing their talents throughout South Texas and our nation; they perform for the men and women and our Armed Forces, the elderly and disabled in retirement and nursing homes, and for numerous civic organizations; and

WHEREAS, THE ALAMO ANGELS annually provide special musical entertainment at the Rotunda of the State Capitol of Texas for legislators and staff, Austin residents, and Capitol visitors; and

WHEREAS, THE ALAMO ANGELS will serve the State of Texas in 2007 as goodwill ambassadors to our nation's capital at the American Accordionists' Association National Convention and Coupe Mondiale International Accordion Competition; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 80th Legislature, hereby recognize THE ALAMO ANGELS as "AMBASSADORS OF GOODWILL" and encourage all Texans to appreciate the talents of these young musicians and wish them well as they represent our state in Washington, D.C.; and, be it further

RESOLVED, That a copy of this Resolution be prepared in honor of DREAMS FULFILLED THROUGH MUSIC and THE ALAMO ANGELS.

**SR 646** was read and was adopted without objection.

#### **GUESTS PRESENTED**

Senator Van de Putte was recognized and introduced to the Senate members of Dreams Fulfilled Through Music of San Antonio: Sam Pestello, Danny Cox, and Kathryn Archuleta, accompanied by Roxanne White, Executive Director, and Mary Archuleta, Music Director.

The Senate welcomed its guests.

### GUESTS PRESENTED

Senator Watson was recognized and introduced to the Senate students from Koblenz, Germany, a sister city to Austin, accompanied by Anderson High School teachers, Margie Tiedt and Julia Leshner.

The Senate welcomed its guests.

### SENATE RESOLUTION 680

Senator Wentworth offered the following resolution:

WHEREAS, Fiesta San Antonio is an occasion in which over three million visitors enjoy more than 100 events during a 10-day period each April; it is the biggest festival held in the City of San Antonio and one of the largest events in Texas, with an economic impact of more than \$254 million; and

WHEREAS, Fiesta San Antonio, which takes place this year April 20 through 29, commemorates the Battles of the Alamo and San Jacinto and thus the birth of the State of Texas; the festival celebrates the rich cultural and multiethnic heritage of the Alamo City, and the 97 local nonprofit organizations that stage Fiesta events include churches, schools, arts groups, health organizations, athletic associations, and many others; local army, navy, air force, and marine units also put on their own Fiesta events and give their support to other events; and

WHEREAS, The noteworthy events those organizations produce include the Battle of Flowers Parade, the "grandmother" of Fiesta events; the Fiesta Flambeau Parade, the world's largest illuminated night parade; the Texas Cavaliers River Parade, where the floats really float; and A Night in Old San Antonio, celebrating San Antonio's heritage with food and live music; the civilian nonprofit organizations that participate in Fiesta give back to their community throughout the year, and the military organizations defend our nation around the clock; and

WHEREAS, The success of Fiesta depends on the efforts of more than 75,000 volunteers who donate their time and talents; special recognition is deserved by the officers and staff of the Fiesta San Antonio Commission, including President Jorge Gonzalez, President-elect John Steen, Jr., Vice President Tom Sineni, Vice President Susie Martin, Treasurer Mary Begia, Secretary Charles Barrett, Presidential Appointee Susan Reed, and Executive Director Chuck Blische; and

WHEREAS, Fiesta San Antonio brings together city residents of all ages and backgrounds and visitors from around the state, nation, and world for 10 days of celebration, commemoration, education, and excitement; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 80th Legislature, hereby honor Fiesta San Antonio and commend the many outstanding groups and individuals who make Fiesta the biggest and most memorable festival in the state; and, be it further

RESOLVED, That a copy of this Resolution be prepared in honor of Fiesta San Antonio.

WENTWORTH  
URESTI  
VAN DE PUTTE  
ZAFFIRINI

SR 680 was read and was adopted without objection.

### GUESTS PRESENTED

Senator Wentworth, joined by Senators Uresti, Van de Putte, and Zaffirini, was recognized and introduced to the Senate representatives of Fiesta San Antonio: Jorge Gonzalez, President, Fiesta San Antonio Commission; Chuck Blische, Executive Director; Brian Weiner, 2007 Rey Feo; Joey Peacock, King Antonio; and Samantha Garcia, 2007 Miss Fiesta.

The Senate welcomed its guests.

### 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.

### SENATE RESOLUTION 689

Senator Gallegos offered the following resolution:

**SR 689**, In memory of Martha Brewer Gogue of Waycross, Georgia.

The resolution was read.

On motion of Senator Gallegos, **SR 689** was adopted by a rising vote of the Senate.

In honor of the memory of Martha Brewer Gogue of Waycross, Georgia, the text of the resolution is printed at the end of today's *Senate Journal*.

### CONCLUSION OF MORNING CALL

The President at 10:59 a.m. announced the conclusion of morning call.

### COMMITTEE SUBSTITUTE HOUSE BILL 1 ON SECOND READING

Senator Ogden moved to suspend the regular order of business to take up for consideration **CSHB 1** at this time on its second reading:

**CSHB 1**, General Appropriations Bill.

The motion prevailed by the following vote: Yeas 26, Nays 5.

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

Nays: Ellis, Harris, Jackson, Patrick, Shapleigh.

The bill was read second time.

**(Articles I through XI of CSHB 1 were explained.)**

**(Senator Seliger in Chair)**

**(President in Chair)**

**(Senator Brimer in Chair)**

**(President in Chair)**

**CSHB 1** was passed to third reading by the following vote: Yeas 26, Nays 5.

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

Nays: Ellis, Harris, Jackson, Patrick, Shapleigh.

**COMMITTEE SUBSTITUTE  
HOUSE BILL 1 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 **CSHB 1** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 25, Nays 6.

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

Nays: Ellis, Harris, Jackson, Patrick, Shapleigh, Wentworth.

**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 **CSHB 1**, 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 **CSHB 1** 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 5.

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

Nays: Ellis, Harris, Jackson, Patrick, Shapleigh.

### **PERMISSION TO INTRODUCE BILL**

On motion of Senator Whitmire and by unanimous consent, Senate Rule 7.07(b) was suspended to permit the introduction of the following bill: **SB 918**.

### **COMMITTEE SUBSTITUTE**

#### **SENATE BILL 965 ON SECOND READING**

On motion of Senator Shapiro and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 965** at this time on its second reading:

**CSSB 965**, Relating to the powers and duties of a regional tollway authority related to turnpikes and other related projects.

The bill was read second time.

Senator Shapiro offered the following amendment to the bill:

#### **Floor Amendment No. 1**

Amend **CSSB 965** as follows:

- (1) Strike SECTION 9 of the bill.
- (2) Strike SECTION 10 of the bill.
- (3) Renumber the subsequent SECTIONS appropriately.

The amendment to **CSSB 965** 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 motion of Senator Shapiro and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

**CSSB 965** as amended was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment.

### **COMMITTEE SUBSTITUTE**

#### **SENATE BILL 965 ON THIRD READING**

Senator Shapiro moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 965** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Wentworth.

#### **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 965**, 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 965** 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 31, Nays 0.

### MESSAGE FROM THE HOUSE

HOUSE CHAMBER  
Austin, Texas  
April 12, 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 112**, Relating to the confiscation of firearms and ammunition during a state of disaster.

**SB 426**, Relating to qualification for an ad valorem tax exemption for property used to provide low-income or moderate-income housing in the event of a change in ownership of the property as a result of a foreclosure sale.  
(Amended)

**SB 462**, Relating to the allocation of revenue from the municipal hotel occupancy tax for the arts for certain municipalities.  
(Amended)

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

**COMMITTEE SUBSTITUTE  
SENATE BILL 74 ON SECOND READING**

On motion of Senator Lucio and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 74** at this time on its second reading:

**CSSB 74**, Relating to the creation of an address confidentiality program to assist victims of family violence, sexual assault, or stalking in maintaining confidential addresses.

The bill was read second time.

Senator Lucio offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend **CSSB 74** in SECTION 1, by striking Article 56.90 (committee printing page 3, lines 36-51) and inserting a new Article 56.90 to read as follows:

Art. 56.90. EXCEPTIONS. (a) The attorney general:

(1) shall disclose a participant's true residential, business, or school address if:

(A) requested by:

(i) a law enforcement agency; or

(ii) the Department of Family and Protective Services for the purpose of conducting a child protective services investigation under Chapter 261, Family Code, or

(iii) the Department of State Health Services or a local health authority for the purpose of making a notification described by Article 21.31, Section 54.033, Family Code, or Section 81.051, Health and Safety Code; or

(B) required by court order; and

(2) may disclose a participant's true residential, business, or school address if:

(A) the participant consents to the disclosure; and

(B) the disclosure is necessary to administer the program.

(b) A person to whom a participant's true residential, business, or school address is disclosed under this section shall maintain the requested information in a manner that protects the confidentiality of the participant's true residential, business, or school address.

The amendment to **CSSB 74** 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 motion of Senator Lucio and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

**CSSB 74** as amended was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment.

**COMMITTEE SUBSTITUTE  
SENATE BILL 74 ON THIRD READING**

Senator Lucio moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 74** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Wentworth.

**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 74**, 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 74** 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 31, Nays 0.

**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 Janek and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Subcommittee on Emerging Technologies and Economic Development might meet and consider **SB 1023** today.

### MOTION TO ADJOURN

On motion of Senator Whitmire and by unanimous consent, the Senate at 4:06 p.m. agreed to adjourn, in memory of Martha Brewer Gogue of Waycross, Georgia, and Isaac D. Rodriguez of Weslaco, upon completion of the introduction of bills and resolutions on first reading, until 1:30 p.m. Monday, April 16, 2007.

### SENATE BILLS ON FIRST READING

The following bills, filed on or before Friday, March 9, 2007, were introduced, read first time, and referred to the committees indicated:

**SB 1435** by Brimer

Relating to the creation, powers, and funding of a metropolitan area mobility authority; authorizing a tax.

To Committee on Finance.

**SB 1753** by Ellis

Relating to the administration of the low income housing tax credit program.

To Committee on Intergovernmental Relations.

**SB 1754** by Ellis

Relating to the authority of certain institutions of higher education in this state to use private money to perform scientific research regarding regenerative or reparative medical therapies or treatments.

To Subcommittee on Higher Education.

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

**SB 918** by Ellis

Relating to the sexual exploitation of minors.

To Committee on State Affairs.

**SB 919** by Harris

Relating to the creation of The Lakes Municipal Utility and Management District of Tarrant County; providing the authority to issue bonds and impose taxes.

To Committee on Intergovernmental Relations.

**SB 2018** by Deuell

Relating to the creation of an additional statutory county court in Hunt County and the administration, operation, and jurisdiction of statutory county courts in that county.

To Committee on Jurisprudence.

### HOUSE BILLS AND RESOLUTION ON FIRST READING

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

**HB 346** to Committee on Education.

**HB 416** to Committee on Health and Human Services.

**HB 709** to Committee on Health and Human Services.

**HB 1180** to Committee on State Affairs.

**HB 1332** to Committee on Finance.

**HB 1380** to Committee on Jurisprudence.

**HB 1892** to Committee on Transportation and Homeland Security.

**HB 1987** to Committee on State Affairs.

**HB 2004** to Committee on State Affairs.

**HJR 35** to Committee on Finance.

### **RESOLUTIONS OF RECOGNITION**

The following resolutions were adopted by the Senate:

#### **Memorial Resolutions**

**SR 684** by Van de Putte, In memory of Maria del Refugio "Cuca" Rodriguez of Eagle Pass.

**SR 686** by Gallegos, In memory of Daniel Bazan, Jr., of Houston.

**SR 688** by Gallegos, In memory of Gloria Ann Hernandez of Houston.

#### **Congratulatory Resolutions**

**SCR 54** by West, Commending the members of the Texas Young Lawyers Association for their service to the community.

**SR 681** by Averitt, Recognizing John W. Allen on the occasion of his retirement from the Baylor College of Dentistry.

**SR 683** by Van de Putte, Commending Dillon Thomas Sather for achieving the rank of Eagle Scout.

**SR 687** by Gallegos, Recognizing Pedro "Pete" Jalomo, Jr., on the occasion of his retirement from the Houston Police Department.

#### **Official Designation Resolutions**

**SR 682** by Averitt, Recognizing April 12, 2007, as Corsicana/Navarro County Day at the State Capitol.

**HCR 189** (Eltife), Recognizing April 10, 2007, as Upshur County Day at the State Capitol.

### **ADJOURNMENT**

Pursuant to a previously adopted motion, the Senate at 4:21 p.m. adjourned, in memory of Martha Brewer Gogue of Waycross, Georgia, and Isaac D. Rodriguez of Weslaco, until 1:30 p.m. Monday, April 16, 2007.

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## **APPENDIX**

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### **COMMITTEE REPORTS**

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

April 12, 2007

TRANSPORTATION AND HOMELAND SECURITY — **CSSB 11**

BUSINESS AND COMMERCE — **CSSB 709, CSSB 987, CSSB 984, CSSB 1430**  
TRANSPORTATION AND HOMELAND SECURITY — **CSHB 84, CSSB 436, CSSB 1085, CSSB 1406, CSSB 1723**

GOVERNMENT ORGANIZATION — **SB 1449, SB 1761**

INTERGOVERNMENTAL RELATIONS — **SB 1069, SB 1407, SB 1408, SB 1409, SB 1661, CSSB 1955, CSSB 1961, SB 1963, SB 1964, SB 1965, SB 1966, SB 1974**

VETERAN AFFAIRS AND MILITARY INSTALLATIONS — **SB 1237**

JURISPRUDENCE — **SCR 42, SB 395, SB 397, SB 665, SB 956, SB 1634, SB 1781**

INTERGOVERNMENTAL RELATIONS — **SB 1967**

EDUCATION — **SB 105, SB 697, SB 1912, SB 1494, SB 1496, SB 1427, CSSB 1064, CSSB 1007, SB 289, SB 201, CSSB 211**

VETERAN AFFAIRS AND MILITARY INSTALLATIONS — **SB 1956, CSSB 1724, SB 874, SB 960, SB 516, SB 1743, SB 685**

EDUCATION — **SB 1697, CSSB 1417**

TRANSPORTATION AND HOMELAND SECURITY — **CSSB 1384**

**In Memory**  
**of**  
**Martha Brewer Gogue**  
**Senate Resolution 689**

WHEREAS, The Senate of the State of Texas joins the citizens of Waycross, Georgia, in mourning the loss of Martha Brewer Gogue, who died March 8, 2007, at the age of 82; and

WHEREAS, Martha Brewer Gogue was born in Waycross on February 25, 1925, to Samuel Frank Brewer and Lillie Lowe Brewer, and she lived in Waycross all her life; and

WHEREAS, Mrs. Gogue owned Rosedale Florist for 38 years and was a revered member of the Waycross community; she belonged to the Winona Park United Methodist Church; and

WHEREAS, A woman of spirit, strength, and compassion, she gave generously to others, and her wisdom, warmth, and valued counsel will not be forgotten by those who knew her; and

WHEREAS, She was a devoted wife, mother, and grandmother, and she leaves behind memories that will be cherished forever by her family and many friends; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 80th Legislature, hereby extend sincere condolences to the bereaved family of Martha Brewer Gogue: her husband of 62 years, M.J. Gogue; her son and daughter-in-law, Jay and Susie Gogue; her daughter and son-in-law, Sharon and Sam Barnett; and her five grandchildren and two great-grandchildren; and, be it further

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

GALLEGOS