

# SENATE JOURNAL

EIGHTIETH LEGISLATURE — REGULAR SESSION

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AUSTIN, TEXAS

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PROCEEDINGS

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**FIFTY-FIRST DAY**

(Continued)

(Tuesday, May 1, 2007)

**AFTER RECESS**

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

**SESSION HELD FOR  
LOCAL AND UNCONTESTED CALENDAR**

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

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

**CSSB 221** (Lucio)

Relating to birth records of adopted children.

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

**CSSB 232** (Harris)

Relating to the rendition and issuance of an administrative qualified domestic relations order to enforce child support obligations.

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

**CSSB 361** (Janek)

Relating to the deadline for submitting a federal postcard application to the early voting clerk.

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

**SB 404** (Zaffirini)

Relating to the Bee Groundwater Conservation District.

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

**CSSB 415** (Lucio)

Relating to a risk assessment program for Type 2 diabetes and the creation of the Type 2 Diabetes Risk Assessment Program Advisory Committee.

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

**CSSB 429** (Harris)

Relating to a child support lien and notice of levy for the enforcement of child support obligations.

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

**CSSB 440** (Deuell)

Relating to the pendency of charges against a criminal defendant subjected to certain incompetency proceedings and to the maximum period for confining that defendant.

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

**CSSB 441** (Deuell)

Relating to procedures occurring after a determination of a defendant's incompetency to stand trial.

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

**CSSB 486** (Shapiro)

Relating to the Texas emerging technology fund.

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

**SB 537** (West)

Relating to the design and construction of a cenotaph in the State Cemetery to honor 19th-century African American members of the Texas Legislature.

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

**CSSB 637** (Van de Putte)

Relating to use of the money from the Texas Enterprise Fund to benefit small businesses.

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

**CSSB 654** (Seliger)

Relating to the management of certain public land; providing for penalties.

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

**CSSB 661** (Wentworth)

Relating to the administration, operation, financing, powers, and duties of the Hays Trinity Groundwater Conservation District.

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

**CSSB 703** (Deuell)

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

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

**CSSB 707** (Lucio)

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

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

**CSSB 731** (Carona)

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

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

**SB 737** (Williams)

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

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

**CSSB 745** (Seliger)

Relating to the eligibility of persons convicted of certain offenses to possess or carry certain firearms.

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

**(Senator Van de Putte in Chair)****CSSB 789** (Hegar)

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

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

**SB 817** (Averitt)

Relating to the use of personal leave by a public school employee.

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

**CSSB 827** (West)

Relating to the public schools eligible to receive certain grants from the Department of Agriculture.

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

**CSSB 876** (Seliger)

Relating to authorizing the Department of Public Safety of the State of Texas to establish a driver record monitoring pilot program and enter into contracts for the periodic reporting of certain information in the department's driver's license files; providing penalties.

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

**SB 878** (Gallegos)

Relating to residential property exemptions from taxes, assessments, and impact fees in the Greater East End Management District.

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

**CSSB 986** (Lucio)

Relating to an urban land bank program in certain municipalities.

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

**CSSB 1040** (Lucio)

Relating to education and examination requirements for the issuance of a driver's license.

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

**SB 1042** (West)

Relating to providing supplemental financial assistance to certain grandparents.  
(viva voce vote) (31-0) (31-0)

**CSSB 1125** (Gallegos)

Relating to statutory probate court associate judges.  
(viva voce vote) (31-0) (31-0)

**CSSB 1177** (Brimer)

Relating to a pilot test of an advanced control technology for the reduction of nitrogen oxides emissions.  
(viva voce vote) (31-0) (31-0)

**CSSB 1215** (Gallegos)

Relating to the quantity of beer or malt liquor a distributor or wholesaler may withdraw from a retailer.  
(viva voce vote) (31-0) (31-0)

**SB 1217** (Gallegos)

Relating to fees for and terms of permits and licenses issued by the Texas Alcoholic Beverage Commission.  
(viva voce vote) (31-0) (31-0)

**CSSB 1230** (Gallegos)

Relating to the licensing of court interpreters.  
(viva voce vote) (31-0) (31-0)

**SB 1268** (Nichols)

Relating to the conversion of a nontolled state highway or segment of the state highway system to a toll project.  
(viva voce vote) (31-0) (31-0)

**CSSB 1305** (Wentworth)

Relating to service of process; creating a penalty.  
(viva voce vote) (31-0) (31-0)

**CSSB 1339** (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.  
(viva voce vote) (31-0) (31-0)

**(Senator Brimer in Chair)**

**CSSB 1351** (West)

Relating to a requirement that the Texas Commission on Environmental Quality provide notice related to certain permit applications to certain local officials.  
(viva voce vote) (31-0) (31-0)

**SB 1360** (Whitmire)

Relating to the procedural requirements for a political subdivision to adopt airport zoning regulations.  
(viva voce vote) (31-0) (31-0)

**CSSB 1365** (Williams)

Relating to the regulation of staff leasing services.

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

**CSSB 1437** (West)

Relating to the enforcement of municipal building and safety ordinances by occupants of the buildings; providing penalties.

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

**CSSB 1495** (Zaffirini)

Relating to student fees at component institutions of The Texas A&M University System.

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

**CSSB 1523** (Wentworth)

Relating to facilitating and supporting efforts of certain municipalities and counties to promote economic development by hosting certain major sporting or athletic events.

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

**SB 1549** (Hinojosa)

Relating to health services districts.

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

**SB 1601** (West)

Relating to the operation of the Joint Admission Medical Program and to admission to the program.

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

**CSSB 1619** (Lucio)

Relating to the confidentiality of certain employment information, including unemployment compensation information; providing criminal penalties.

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

**CSSB 1632** (Wentworth)

Relating to the authority of a dealer to conduct certain motor vehicle sales outside of a dealership.

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

**CSSB 1646** (Duncan)

Relating to certain election practices and procedures; providing penalties.

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

**CSSB 1658** (Nichols)

Relating to the authority of a pharmacist to fill certain prescriptions in the event of a disaster.

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

**CSSB 1709** (Hegar)

Relating to procedures to limit the carrying of handguns by persons other than peace officers on certain premises used for law enforcement.

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

**SB 1714** (Seliger)

Relating to regulation of dairy products.  
(viva voce vote) (31-0) (31-0)

**(Senator Seliger in Chair)****CSSB 1715** (Duncan on behalf of Seliger)

Relating to the venue for certain crimes regarding insurance fraud.  
(viva voce vote) (31-0) (31-0)

**SB 1716** (Duncan on behalf of Seliger)

Relating to a fee exemption for local law enforcement agencies in the licensing and registering of X-ray devices used for screening suspicious packages and other objects.  
(viva voce vote) (31-0) (31-0)

**CSSB 1737** (West)

Relating to certain requirements applicable to orders of expunction or nondisclosure of criminal history records and to the protection of information that is the subject of one of those orders; providing penalties.  
(viva voce vote) (31-0) (31-0)

**CSSB 1757** (Ellis)

Relating to certain real property transactions involving certain land banks.  
(viva voce vote) (31-0) (31-0)

**SB 1783** (Janek)

Relating to the waiting period for issuing a decree in certain suits for divorce.  
(viva voce vote) (31-0) (31-0)

**CSSB 1786** (Carona)

Relating to temporary cardboard tags on vehicles; providing penalties.  
(viva voce vote) (31-0) (31-0)

**CSSB 1792** (Whitmire)

Relating to including knowledge and skills related to personal safety among the essential knowledge and skills required for public school health courses.  
(viva voce vote) (31-0) (31-0)

**CSSB 1888** (Hinojosa)

Relating to an optional fee on registration of a vehicle in certain counties to fund transportation projects.  
(viva voce vote) (31-0) (31-0)

**CSSB 1896** (Lucio)

Relating to the distribution and redistribution of certain drugs.  
(viva voce vote) (31-0) (31-0)

**CSSB 1915** (Shapleigh)

Relating to local juvenile justice information systems.  
(viva voce vote) (31-0) (31-0)

**SB 1953** (Hegar)

Relating to the name, commissioners, and powers of the Aransas County Navigation District No. 1.

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

**SB 1977** (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.

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

**SB 1981** (Hegar)

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

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

**SB 1986** (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.

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

**SB 1988** (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.

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

**(Senator Brimer in Chair)****SB 2014** (Nichols)

Relating to the creation of the Magnolia Woods Municipal Utility District No. 1 of Montgomery, Waller, and Grimes Counties; providing authority to impose a tax and issue bonds; granting the power of eminent domain.

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

**HB 178** (Gallegos)

Relating to the issuance and renewal of certain licenses for junkyards and automotive wrecking and salvage yards.

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

**HB 313** (Carona)

Relating to an exemption from registration in this state for certain foreign commercial motor vehicles.

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

**HB 368** (Watson)

Relating to disposition of surplus computer equipment and the grant of money by the Office of Court Administration.

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

**HB 423** (Carona)

Relating to requiring that medical examiners and justices of the peace report certain deaths that result from a motor vehicle accident to the Texas Department of Public Safety.

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

**HB 481** (Carona)

Relating to the transfer of a used motor vehicle.

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

**HB 484** (Harris on behalf of Brimer)

Relating to the designation of a portion of United States Highway 287 as the Dr. Martin Luther King, Jr., Freeway.

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

**HB 504** (Wentworth)

Relating to payment for the provision of services by a metropolitan rapid transit authority to persons with disabilities in a unit of election that has withdrawn from the authority.

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

**HB 622** (Estes)

Relating to the application of the professional prosecutors law to the district attorney for the 46th Judicial District.

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

**CSHB 709** (Nelson)

Relating to information regarding umbilical cord blood options.

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

**HB 889** (Nichols)

Relating to certain actions that constitute unlawful acts against the Medicaid program.

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

**HB 1308** (Harris on behalf of Brimer)

Relating to deer breeding operations; providing a penalty.

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

**HB 1562** (Gallegos)

Relating to hours of labor in certain fire departments.

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

**HB 1763** (Janek)

Relating to the Harris County Board of Protective Services for Children and Adults.

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

**BILLS REMOVED FROM  
LOCAL AND UNCONTESTED CALENDAR**

Senator Janek, author of the bill, requested in writing that **SB 360** be removed from the Local and Uncontested Calendar.

Senator Deuell, author of the bill, requested in writing that **SB 1044** be removed from the Local and Uncontested Calendar.



Senator Wentworth and Senator Brimer requested in writing that **SB 1229** be removed from the Local and Uncontested Calendar.

Senator Williams, author of the bill, requested in writing that **SB 1395** be removed from the Local and Uncontested Calendar.

Senator West, author of the bill, requested in writing that **SB 1600** be removed from the Local and Uncontested Calendar.

Senator West and Senator Brimer requested in writing that **SB 1908** be removed from the Local and Uncontested Calendar.

Senator Ogden and Senator Brimer requested in writing that **SCR 49** be removed from the Local and Uncontested Calendar.

Senator Janek, sponsor of the bill, requested in writing that **HB 1311** be removed from the Local and Uncontested Calendar.

Senator Janek, sponsor of the bill, requested in writing that **HB 1312** be removed from the Local and Uncontested Calendar.

#### **ADJOURNMENT**

Pursuant to a previously adopted motion, the Senate at 8:38 a.m. adjourned until 11:00 a.m. today.

