

SENATE JOURNAL

EIGHTY-FIRST LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

FIFTEENTH DAY

(Tuesday, February 24, 2009)

The Senate met at 11:00 a.m. pursuant to adjournment and was called to order by the President.

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

Absent-excused: Shapleigh.

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

The Reverend Mark Gardner, Ridgetop Baptist Church, Austin, offered the invocation as follows:

Father, we thank You for Your rich blessings of freedom and peace, love and provision, care and protection, and direction and purpose. And we thank You for granting to us the privilege of and responsibility for serving the people of the State of Texas. We acknowledge that You call us to conduct ourselves in the manner and to walk in the way that is pleasing to You: to be wise and faithful in all our decisions, to be just and fair in all our deliberations, to be honest and truthful in all our dealings, and to be loving and kind in all our directions. And so we ask You to forgive us when we have failed to conduct ourselves in this manner and have failed to walk in this way. And then we ask You for wisdom to precede in all the decisions to be considered by this body, justice to prevail in all the deliberations to be conducted by this body, honesty to preside in all the dealings to be committed by this body, and love to premiere in all the directions to be carried out by this body. In Your name 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 Shapleigh was granted leave of absence for today on account of important business.

CO-AUTHOR OF SENATE BILL 108

On motion of Senator Ellis, Senator Gallegos will be shown as Co-author of **SB 108**.

CO-AUTHORS OF SENATE BILL 268

On motion of Senator Harris, Senators Carona, Deuell, Estes, and Huffman will be shown as Co-authors of **SB 268**.

CO-AUTHOR OF SENATE BILL 469

On motion of Senator Carona, Senator Ogden will be shown as Co-author of **SB 469**.

CO-AUTHOR OF SENATE BILL 482

On motion of Senator Ellis, Senator Deuell will be shown as Co-author of **SB 482**.

CO-AUTHOR OF SENATE BILL 540

On motion of Senator Estes, Senator Nichols will be shown as Co-author of **SB 540**.

CO-AUTHOR OF SENATE BILL 707

On motion of Senator Nelson, Senator Deuell will be shown as Co-author of **SB 707**.

CO-AUTHOR OF SENATE BILL 708

On motion of Senator Nelson, Senator Deuell will be shown as Co-author of **SB 708**.

CO-AUTHOR OF SENATE BILL 709

On motion of Senator Nelson, Senator Deuell will be shown as Co-author of **SB 709**.

CO-AUTHOR OF SENATE BILL 710

On motion of Senator Nelson, Senator Deuell will be shown as Co-author of **SB 710**.

CO-AUTHOR OF SENATE BILL 769

On motion of Senator Williams, Senator Huffman will be shown as Co-author of **SB 769**.

CO-AUTHOR OF SENATE BILL 819

On motion of Senator Davis, Senator Lucio will be shown as Co-author of **SB 819**.

CO-AUTHOR OF SENATE BILL 928

On motion of Senator Patrick, Senator Deuell will be shown as Co-author of **SB 928**.

PHYSICIAN OF THE DAY

Senator Eltife was recognized and presented Dr. John McDonald of Marshall as the Physician of the Day.

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

SENATE RESOLUTION 300

Senator Zaffirini offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to recognize James V. Ryan for his courage and his commitment to achieving independence in the face of adversity; and

WHEREAS, Mr. Ryan became a quadriplegic following a brain stem stroke with aphasia and resided at the Care Inn Nursing Home in Seguin; with only partial control of his head and left hand, Mr. Ryan was able to communicate through his computer or by pointing with a stick held in his mouth; and

WHEREAS, In December of 2000, Mr. Ryan was referred to the Independent Living Services program of the Texas Rehabilitation Commission, which is now a part of the Department of Assistive and Rehabilitative Services; with the aid of Roger Peterson and Suzanna Rodriguez of the Independent Living Services program, a plan of services was created to allow him to improve communication and better direct his own care; and

WHEREAS, Among the features of the plan formulated for him were transitional independent living training and various assistive technology devices, a speech communication system, and home modifications and home environmental equipment; and

WHEREAS, Today, Mr. Ryan lives in his own home; with steadfast personal vision and motivation, he has overcome tremendous odds, and his courage serves as a testament to the power of the human spirit; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 81st Legislature, hereby commend James V. Ryan on his courage and his determination to live independently and extend to him best wishes for continued success in all his future endeavors; and, be it further

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

SR 300 was read and was adopted without objection.

GUESTS PRESENTED

Senator Zaffirini was recognized and introduced to the Senate James Ryan; his mother, Roberta Arnold; his daughters, Jessica and Jamie Ryan; and his brother, Gary Ryan; accompanied by family, friends, and attendants.

The Senate welcomed its guests.

SENATE RESOLUTION 301

Senator Zaffirini offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to recognize the efforts of the agencies and organizations dedicated to helping persons with disabilities achieve independence; and

WHEREAS, Among the groups that have assumed this important responsibility are the State Independent Living Council, American Disabled for Attendant Programs Today, the Texas Department of Aging and Disability Services, EveryChild, and The University of Texas Center for Disability Studies; and

WHEREAS, These exemplary organizations have established themselves as leaders in the struggle to preserve and protect the rights of Americans with disabilities and to end the institutional bias that forces them into nursing homes and institutions instead of allowing them to live in their own homes and communities; and

WHEREAS, These groups have worked to implement numerous policies that give those with disabilities the means to pursue independence, including the family-based alternatives project, additional funding for Medicaid waivers, transition assistance services, permanency planning for children with disabilities, money-follows-the-person, and the community living options process; they are truly deserving of recognition for their eloquent and compassionate advocacy on behalf of citizens with disabilities; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 81st Legislature, hereby commend the men and women who have dedicated themselves to improving the lives of those with disabilities and helping them achieve independence; and, be it further

RESOLVED, That a copy of this Resolution be prepared in honor of these generous and compassionate organizations.

SR 301 was read and was adopted without objection.

GUESTS PRESENTED

Senator Zaffirini was recognized and introduced to the Senate Regina Blye representing the Texas State Independent Living Council, Marc Gold representing the Department of Aging and Disability Services (DADS), Bob Kafka representing Americans Disabled for Attendant Programs Today (ADAPT), Nancy Rosenau representing EveryChild, and Colleen Horton representing the Center for Disability Studies of The University of Texas at Austin.

The Senate welcomed its guests.

SENATE CONCURRENT RESOLUTION 23

The President laid before the Senate the following resolution:

WHEREAS, Members of the Texas Transit Association are visiting the State Capitol on February 24, 2009; and

WHEREAS, Founded in 1986 to promote public transportation, the TTA is a nonprofit professional corporation composed of 8 metropolitan transit authorities, 30 small urban transit districts, and 39 rural transit districts from throughout Texas, with public and private entities from across the country holding associate membership; and

WHEREAS, The TTA promotes public transportation through its monthly newsletter and its annual conference and expo; in 2002, the association created the Texas Transit Foundation, a nonprofit educational organization whose mission is to promote public transportation, conduct research on public policy and other issues, and provide professional development opportunities for those involved in the public transportation industry; and

WHEREAS, The work of this notable organization benefits many Texans who rely on public transportation as their primary means of getting to work, school, medical appointments, and myriad other activities; communities also profit immeasurably from public transportation in terms of job creation and the reduction of traffic and environmental impact, thereby enhancing quality of life for residents; moreover, public transportation systems are integral to a community's ability to deal with disasters, as evidenced by their vital assistance to victims of Hurricanes Gustav and Ike; and

WHEREAS, Public transportation makes it possible for a host of Americans to engage more fully in life, even as it fosters economic development, more livable communities, and cleaner air, and for more than two decades the TTA has supported the needs of the state's public transportation systems through advocacy and education; now, therefore, be it

RESOLVED, That the 81st Legislature of the State of Texas hereby designate February 24, 2009, as Texas Transit Association Day at the State Capitol.

WILLIAMS

The resolution was read.

On motion of Senator Williams and by unanimous consent, **SCR 23** 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: Shapleigh.

GUESTS PRESENTED

Senator Williams was recognized and introduced to the Senate a delegation of representatives of Texas Transit Association Day at the State Capitol.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Averitt was recognized and introduced to the Senate a delegation of citizens from the City of Waco and De Smith, an employee of Senator Averitt for 15 years.

The Senate welcomed its guests.

SENATE RESOLUTION 251

Senator Seliger offered the following resolution:

WHEREAS, Citizens from Amarillo and other communities located in the Texas Panhandle are visiting Austin on February 24, 2009, to pay tribute to their region's rich heritage and to celebrate Panhandle Day at the State Capitol; and

WHEREAS, The Panhandle is a thriving region of the state and home to one of the oldest inhabited places in Texas; stretching through the northern part of the region is Palo Duro Canyon, the second-largest canyon in the country, which boasts spectacular views and reveals through its exposed strata a geologic record spanning 250 million years; and

WHEREAS, Rich in history, the region is also known for its traditional ranch lands, crop and meat production, large stretches of oil and gas reserves, major industry, and a nationally recognized workforce; and

WHEREAS, Amarillo, the principal northern city of the Panhandle, is a dynamic urban center with a population of almost 175,000 and a wide array of cultural amenities; contributing to Amarillo's economic vitality are a Bell Helicopter tilt-rotor assembly center, where the V-22 Osprey and the US101 presidential helicopters are assembled, as well as the only assembly-disassembly plant for the nation's nuclear weapons arsenal, a facility operated by BWXT Pantex for the United States Department of Energy's National Nuclear Security Administration; and

WHEREAS, A region of many exemplary citizens and community leaders, the Texas Panhandle is also home to excellent educational institutions; the Texas Tech University System, including its medical, law, and pharmacy schools, and West Texas A&M University are among the premier institutions in Texas and boast ever-increasing enrollments, nationally recognized programs and faculty, and outstanding graduates; Amarillo College and South Plains College continue to be among the finest community colleges in the country, and Wayland Baptist University, Frank Phillips College, Western Texas College, and Clarendon College are all outstanding educational institutions in the area; and

WHEREAS, Outstanding attractions in the region include the Panhandle-Plains Historical Museum, which is located on the campus of West Texas A&M University in Canyon and is the largest history museum in the state, and the Texas Tech University campus, which is host to many restored structures at the National Ranching Heritage Center, a 15-acre site tracing the evolution of ranch architecture and the history of the cattle industry in Texas; and

WHEREAS, The citizens of the Panhandle region are renowned for their friendliness and warmth; they have helped to build vital urban centers that serve not only a large part of Texas but also of eastern New Mexico; it is a pleasure for the Texas Senate to pay tribute to the Panhandle of Texas and the region's fine residents; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 81st Legislature, hereby recognize February 24, 2009, as Panhandle Day at the State Capitol and extend to the delegations in attendance today and to their fellow citizens sincere appreciation for their contributions to the Lone Star State; and, be it further

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

SR 251 was again read.

The resolution was previously adopted on Wednesday, February 18, 2009.

GUESTS PRESENTED

Senator Seliger was recognized and introduced to the Senate Mayor Debra McCartt, City of Amarillo, and Greg Duggan, Dalhart City Manager, accompanied by a delegation of citizens from the Panhandle.

The Senate welcomed its guests.

SENATE RESOLUTION 211

Senator Deuell offered the following resolution:

WHEREAS, Many proud Northeast Texas residents are visiting Austin to celebrate Rains County Day at the State Capitol on February 24, 2009; and

WHEREAS, Rains County was created in the late 1800s from Hopkins, Hunt, and Wood Counties; the county and its seat, Emory, were named in honor of Emory Rains, an early pioneer who served in the Congress of the Republic of Texas; and

WHEREAS, Rains County is one of the smallest counties in the state but was the 20th fastest-growing county in the country in 2003; and

WHEREAS, Situated between Lake Tawakoni and Lake Fork Reservoir, this lovely area is blessed with an abundant water supply and fertile soil characteristic of the Blackland Prairie region; the county initially prospered as a thriving agricultural and ranching center and today enjoys a diverse economy that includes oil production, manufacturing, and tourism; and

WHEREAS, Emory, which was originally known as Springville, is now the largest town in Rains County with just over 1,000 people; it is home to the Rains County Fair Grounds and the annual Eagle Fest celebration held in February, when the county's lakes are the winter home of many American bald eagles and other rare birds; and

WHEREAS, The City of Point was incorporated in the 1960s and is recognized as the birthplace of the National Farmers Union, an organization that has grown to include more than 300,000 members; the 10 founding fathers of the National Farmers Union are memorialized by a historic monument in the city which incorporates a statue of the union's founder, Isaac Newton Gresham, and a display of the state flags of the Union's member states; and

WHEREAS, The county's youngest municipality, East Tawakoni, was incorporated in the 1960s and has experienced significant growth in recent years; this resort area offers residents the benefits of a relaxed rural community while providing easy access to Dallas; and

WHEREAS, Proof positive that good things do come in small packages, Rains County has indeed played a vital role in the development of the Lone Star State, and it is a pleasure to join with our fellow Texans in saluting the county and its fine citizens; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 81st Legislature, hereby recognize February 24, 2009, as Rains County Day at the State Capitol and extend to the visiting delegation from Rains County sincere best wishes for an informative and memorable stay in Austin.

SR 211 was read and was adopted without objection.

GUESTS PRESENTED

Senator Deuell was recognized and introduced to the Senate Rains County Commissioners Patsy Marshall and Bob Sisk and East Tawakoni Councilmember Tamera McLaughlin, accompanied by a delegation of citizens from Rains County.

The Senate welcomed its guests.

SENATE RESOLUTION 296

Senator Williams offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to recognize the Real Estate Councils of Texas, an organization committed to serving the real estate industry in our state; and

WHEREAS, Organized in September of 2008 and consisting of real estate development associations from Austin, Dallas, Fort Worth, Houston, and San Antonio, the Real Estate Councils of Texas will provide a way for these associations to work together to monitor and advocate on legislative issues important to the industry; and

WHEREAS, With a mission of serving as the unified voice of the real estate development industry in Texas, the Real Estate Councils of Texas will work to promote sound public policy and educate policymakers on the potential impact of legislative and regulatory measures on the industry; and

WHEREAS, Real estate development is one of the most important industries in the state, providing more than \$3.8 billion in tax revenue, 1.75 million jobs, and \$270.6 billion in total economic activity to our state; its essential place in the Texas economy truly warrants having an effective advocacy group to address its needs and further its goals; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 81st Legislature, hereby recognize the Real Estate Councils of Texas and commend this fine organization on its dedication to serving the real estate industry in Texas; and, be it further

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

SR 296 was read and was adopted without objection.

GUESTS PRESENTED

Senator Williams was recognized and introduced to the Senate a delegation of representatives for the Real Estate Councils of Texas.

The Senate welcomed its guests.

SENATE BILL 626 REREFERRED

Senator Carona submitted a Motion In Writing requesting that **SB 626** be withdrawn from the Committee on State Affairs and rereferred to the Committee on Transportation and Homeland Security.

The Motion In Writing prevailed without objection.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

February 24, 2009

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 51, Designating February 24, 2009, as Texas Transit Association Day at the State Capitol.

HCR 55, Commemorating the International Year of Astronomy 2009 and the scientific achievements of The University of Texas at Austin McDonald Observatory and Texas A&M University.

SCR 17, Recognizing First Baptist Church in Blanco on the occasion of its 150th anniversary.

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

GUESTS PRESENTED

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

The Senate welcomed its guests.

HOUSE CONCURRENT RESOLUTION 55

The President laid before the Senate the following resolution:

HCR 55, Commemorating the International Year of Astronomy 2009 and the scientific achievements of The University of Texas at Austin McDonald Observatory and Texas A&M University.

URESTI

The resolution was read.

On motion of Senator Uresti 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: Shapleigh.

GUESTS PRESENTED

Senator Uresti was recognized and introduced to the Senate Dr. Mary Ann Rankin, Dean, College of Natural Sciences, The University of Texas at Austin; Dr. David L. Lambert, Director, McDonald Observatory, The University of Texas at Austin; Dr. H. Joseph Newton, Dean, College of Science, Texas A&M University; Dr. Edward S. Fry, Professor and Department Head, Department of Physics, Texas A&M University; and George P. Mitchell, Chairman and Chief Executive Officer of GPM, Incorporated and Affiliates, and former Chairman and Chief Executive Officer of Mitchell Energy & Development Corporation.

The Senate welcomed its guests.

SENATE RESOLUTION 287

Senator Jackson offered the following resolution:

WHEREAS, The Senate of the State of Texas takes pleasure in recognizing the members of the Clear Lake Area Chamber of Commerce and the Bay Area Houston Economic Partnership for their many contributions to the communities they serve and to our state; and

WHEREAS, The Clear Lake Area Chamber of Commerce was founded in 1962 and merged in 1964 with the League City Chamber of Commerce; it became the 11th chamber of commerce in Texas and was the 214th in the nation to achieve accreditation with the Chamber of Commerce of the United States; and

WHEREAS, The chamber's mission is to promote the cultural, educational, civic, commercial, and industrial development of the Clear Lake Area and to assist businesses and firms in relocating to its area of service; and

WHEREAS, The Bay Area Houston Economic Partnership provides the leadership to stimulate regional economic development and employment; it engages more than 270 investor companies, local governments, and educational institutions in Southeast Texas to fund and carry out its mission; and

WHEREAS, The partnership's members include aerospace, petrochemical, and health care companies, real estate developers and brokers, 13 cities, the Port of Houston Authority, and Galveston and Harris Counties; the members work together to attract, retain, and expand industry in the region; and

WHEREAS, Both of these organizations are committed to following policies that reflect the needs and concerns of the people of Southeast Texas and to establishing objectives that enhance community prosperity and harmony and improve the quality of life for area citizens; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 81st Legislature, hereby commend all associated with the Clear Lake Area Chamber of Commerce and the Bay Area Houston Economic Partnership on their outstanding work and accomplishments and extend a heartfelt welcome to the members of these organizations who are visiting the Capitol; and, be it further

RESOLVED, That a copy of this Resolution be prepared in honor of the Clear Lake Area Chamber of Commerce and the Bay Area Houston Economic Partnership.

SR 287 was read and was adopted without objection.

GUESTS PRESENTED

Senator Jackson was recognized and introduced to the Senate a delegation of citizens representing the Clear Lake Area Chamber of Commerce and the Bay Area Houston Economic Partnership.

The Senate welcomed its guests.

SENATE RESOLUTION 64

Senator Deuell offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to recognize the National Multiple Sclerosis Society for its outstanding work in combating this debilitating disease and declare February 24, 2009, as Multiple Sclerosis Activist Day at the State Capitol; and

WHEREAS, More than 20,000 Texans live with this unpredictable and often disabling disease; an autoimmune illness that affects the central nervous system, multiple sclerosis has a wide variety of symptoms, including numbness, disabling fatigue, cognitive impairment, and paralysis; and

WHEREAS, The activists of the Multiple Sclerosis Society work to advance policies that directly affect the lives of people with multiple sclerosis and their families; their voice on policy issues serves to guide and support the legislature as it develops health care policy; and

WHEREAS, These committed advocates know the issues thoroughly, and they are passionately dedicated to finding legislative solutions that make a difference to people living with multiple sclerosis; they are truly deserving of recognition for their untiring efforts to find a cure for this disease; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 81st Legislature, hereby commend the National Multiple Sclerosis Society on its commitment and dedication and welcome its advocates to the State Capitol for Multiple Sclerosis Activist Day; and, be it further

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

SR 64 was read and was adopted without objection.

GUESTS PRESENTED

Senator Deuell was recognized and introduced to the Senate representatives and advocates of the Multiple Sclerosis Society.

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: Shapleigh.

Judge, 168th Judicial District Court, El Paso County: Christopher Allen Antcliff, El Paso County.

Judge, 269th Judicial District Court, Harris County: Daniel E. "Dan" Hinde, Harris County.

Judge, 281st Judicial District Court, Harris County: Sylvia A. Matthews, Harris County.

Judge, 288th Judicial District Court, Bexar County: Solomon J. Casseb III, Bexar County.

Judge, 397th Judicial District Court, Grayson County: Brian Keith Gary, Grayson County.

Judge, 429th Judicial District Court, Collin County: Jill R. Willis, Collin County.

Presiding Judge, Fourth Administrative Judicial Region: David Peeples, Bexar County.

Presiding Judge, Ninth Administrative Judicial Region: Kelly G. Moore, Terry County.

Presiding Judge, Sixth Administrative Judicial Region: Stephen B. Ables, Kerr County.

Justice, Court of Appeals, Fourteenth Court of Appeals District: Kent C. Sullivan, Harris County.

Justice, Court of Appeals, Fourth Court of Appeals District: Marialyn Barnard, Bexar County.

District Attorney, 344th Judicial District, Chambers County: Cheryl Swope Lieck, Chambers County.

Member, Judicial Districts Board: Craig T. Enoch, Travis County.

Secretary of State: Esperanza "Hope" Andrade, Bexar County.

Members, On-site Wastewater Treatment Research Council: Janet R. Boone, Madison County; Richard Dwain Gerard, Polk County; Susan R. Johnson, Travis County; Sockalingam "Sam" Kannappan, Harris County; Sarah E. Kirksey, Jefferson County; Janet Dee Meyers, Denton County; Brian Lawrence Padden, Travis County; Carl M. Russell, Jr., Lubbock County; Ronald J. Suchecki, Jr., McLennan County; Al Sulak, Fort Bend County.

Chief Administrative Law Judge, State Office of Administrative Hearings: Cathleen Parsley, Travis County.

Members, State Seed and Plant Board: Aubrey James Allison, Llano County; David D. Baltensperger, Brazos County; Nicky "Nick" Bamert, Bailey County; Kelly A. Book, Bastrop County; James Wahrmund, Gillespie County; Robert J. Wright, Lubbock County.

Members, State Soil and Water Conservation Board: Larry D. Jacobs, Montgomery County; Joe L. Ward, Fannin County.

Members, Board of Trustees, Texas County and District Retirement System: Robert A. Eckels, Harris County; Bridget McDowell, Callahan County; Robert C. "Bob" Willis, Polk County.

Members, Board of Directors, Texas Small Business Industrial Development Corporation: Kelly Edward Doster, Collin County; William C. Lawrence, Denton County.

Members, Board of Regents, Texas Tech University System: Lawrence Frederick "Rick" Francis, El Paso County; John Huffaker, Randall County; Mickey Linn Long, Midland County; Nancy R. Neal, Lubbock County; John Field Scovell, Dallas County; Jerry Edward Turner, Blanco County.

Members, Veterans' Land Board: Alan L. Johnson, Cameron County; Alan K. Sandersen, Fort Bend County.

SENATE CONCURRENT RESOLUTION 32

The President laid before the Senate the following resolution:

WHEREAS, Section 17, Article III, Texas Constitution, provides that neither house of the legislature may adjourn for more than three days without the consent of the other house; now, therefore, be it

RESOLVED by the 81st Legislature of the State of Texas, That each house grant the other permission to adjourn for more than three days during the period beginning on Wednesday, February 25, 2009, and ending on Monday, March 2, 2009.

WHITMIRE

The resolution was read.

On motion of Senator Whitmire and by unanimous consent, **SCR 32** was considered immediately and was adopted by the following vote: Yeas 30, Nays 0.

Absent-excused: Shapleigh.

RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

Memorial Resolution

SR 303 by Hinojosa, In memory of Frank S. Adams of Corpus Christi.

Congratulatory Resolution

SR 304 by Hinojosa, Recognizing Arturo and Che Guerra on the occasion of the opening of their restaurant, The Patio on Guerra in McAllen.

Official Designation Resolution

SCR 27 by Averitt, Recognizing February 26, 2009, as TIPRO Day at the State Capitol.

ADJOURNMENT

On motion of Senator Whitmire, the Senate at 11:54 a.m. adjourned, in memory of Dr. Stephen Jones of Amarillo, until 11:00 a.m. tomorrow.

APPENDIX

RESOLUTIONS ENROLLED

February 23, 2009

SR 55, SR 229, SR 256, SR 257, SR 258, SR 259, SR 260, SR 261, SR 262, SR 263, SR 264, SR 265, SR 266, SR 267, SR 268, SR 269, SR 270, SR 271, SR 272, SR 273, SR 274, SR 275, SR 276, SR 277, SR 279, SR 280, SR 281, SR 282, SR 283, SR 285, SR 286, SR 288, SR 289, SR 290, SR 291, SR 292, SR 294, SR 295, SR 297, SR 298