

# SENATE JOURNAL

EIGHTY-FIRST LEGISLATURE — REGULAR SESSION

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AUSTIN, TEXAS

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PROCEEDINGS

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**SEVENTEENTH DAY**  
(Monday, March 2, 2009)

The Senate met at 1:35 p.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, Shapleigh, Uresti, Van de Putte, Watson, Wentworth, West, Whitmire, Williams, Zaffirini.

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

The Reverend Albert Moses, Jr., Christian Faith Missionary Baptist Church, Port Arthur, offered the invocation as follows:

Almighty and eternal Father, we acknowledge Your presence among us this morning as our state leaders once again prepare to do Your work. We ask You to look kindly on our modest efforts, so that what is accomplished at this session will be for the betterment of our great state and the desire for the peace and goodwill of all her people and our friends throughout the nation and our world. Bestow upon our elected officials full gifts of wisdom and insight, courage and perseverance, that their capacity to know the truth might be deepened and their desire to choose the good strengthened. Touch human hearts today, especially during these honored Golden Triangle Days, that Your people may be shaken from all indifference and know that what happens to the least in our midst affects us all. Shape us into instruments who can bring about changes in our world that will benefit all. May the inward spiritual motivation behind such a movement never be forgotten but always give You the glory and attribute to You the power. For as You were with us in the beginning, You are with us now, and You will be with us in our future. So it is, in God we trust, both now and forevermore. Amen.

Senator Whitmire moved that the reading of the Journal of the proceedings of Wednesday, February 25, 2009, be dispensed with and the Journal be approved as printed.

The motion prevailed without objection.

**CO-AUTHORS OF SENATE BILL 18**

On motion of Senator Estes, Senators Deuell, Harris, Hinojosa, Seliger, Shapiro, West, and Williams will be shown as Co-authors of **SB 18**.

**CO-AUTHOR OF SENATE BILL 21**

On motion of Senator Zaffirini, Senator West will be shown as Co-author of **SB 21**.

**CO-AUTHOR OF SENATE BILL 162**

On motion of Senator Ellis, Senator Lucio will be shown as Co-author of **SB 162**.

**CO-AUTHORS OF SENATE BILL 268**

On motion of Senator Harris, Senators Shapiro and Williams will be shown as Co-authors of **SB 268**.

**CO-AUTHOR OF SENATE BILL 308**

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

**CO-AUTHOR OF SENATE BILL 639**

On motion of Senator Lucio, Senator Ellis will be shown as Co-author of **SB 639**.

**CO-AUTHOR OF SENATE BILL 894**

On motion of Senator Nelson, Senator Davis will be shown as Co-author of **SB 894**.

**CO-AUTHOR OF SENATE BILL 900**

On motion of Senator Deuell, Senator Van de Putte will be shown as Co-author of **SB 900**.

**CO-AUTHOR OF SENATE BILL 944**

On motion of Senator Zaffirini, Senator Uresti will be shown as Co-author of **SB 944**.

**CO-AUTHOR OF SENATE JOINT RESOLUTION 6**

On motion of Senator Ellis, Senator Lucio will be shown as Co-author of **SJR 6**.

**CO-AUTHOR OF SENATE RESOLUTION 313**

On motion of Senator Williams, Senator Huffman will be shown as Co-author of **SR 313**.

**PHYSICIAN OF THE DAY**

Senator Nichols was recognized and presented Dr. Douglas Curran of Athens as the Physician of the Day.

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

**RESOLUTIONS SIGNED**

The President announced the signing of the following enrolled resolutions in the presence of the Senate: **SCR 9, SCR 26, SCR 27.**

**SENATE RESOLUTION 327**

Senator Wentworth offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to recognize the Children of the Republic of Texas on the occasion of the organization's 80th anniversary; and

WHEREAS, Established by the Daughters of the Republic of Texas on March 1, 1929, the Children of the Republic of Texas is a youth organization dedicated to the study and promotion of Texas history; and

WHEREAS, This outstanding organization consists of 70 chapters across the state; its members strive to encourage the study of Texas history and to promote more research into the earliest records of our state; and

WHEREAS, Dedicated to safeguarding the hallowed sites, early documents, and relics of our state's storied past, the Children of the Republic of Texas have for 80 years distinguished themselves with their commitment to the preservation of our state's history; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 81st Legislature, hereby commend the members of the Children of the Republic of Texas on their devotion to preserving the legacy of our state and extend to them sincere congratulations on the occasion of the organization's 80th anniversary; and, be it further

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

**SR 327** was read and was adopted without objection.

**GUESTS PRESENTED**

Senator Wentworth was recognized and introduced to the Senate Aaron Noack, Children of the Republic of Texas President General; Melody Anne Townsend, Second Vice-president General; and Reed Denton, Chaplain General; accompanied by a delegation of other Children of the Republic of Texas members, Daughters of the Republic of Texas members, and parents.

The Senate welcomed its guests.

**SENATE RESOLUTION 313**

Senator Williams offered the following resolution:

WHEREAS, The Senate of the State of Texas is proud to join the citizens of Jefferson and Orange Counties in the joyous celebration of Golden Triangle Days at the State Capitol March 1 through 3, 2009; and

WHEREAS, More than 300 visitors from throughout the Golden Triangle, the energy-rich and culturally unique region of Southeast Texas formed by the cities of Beaumont, Orange, and Port Arthur, have come to Austin to meet with elected

officials and representatives of various state agencies to express appreciation for work already done on behalf of the region and to discuss with lawmakers additional opportunities to strengthen the state and their respective communities; and

WHEREAS, Orange and Jefferson County residents have gathered for this and other special events and activities in order to work together effectively and cohesively for the good of their region and the great State of Texas; and

WHEREAS, To that end, the chambers of commerce of Beaumont, Bridge City, Groves, Nederland, Orange, Port Arthur, Port Neches, and Vidor have combined forces to identify and address relevant issues with a single voice; and

WHEREAS, The area chambers of commerce work closely with the Counties of Jefferson and Orange, along with their respective cities, other taxing entities, business organizations, and the community at large to recognize the needs and concerns of the entire citizenry with its great diversity and varying socioeconomic levels; and

WHEREAS, Orange and Jefferson Counties were devastated by Hurricane Ike on September 13, 2008, just three years after Hurricane Rita tore a similar path of destruction through the region, but these counties have made great strides to recover and continue with more than \$15 billion in industrial expansion and growth devoted to supplying the energy needs of the State of Texas and the nation; and

WHEREAS, The distinctive cultural and historic contributions of this proud region are highlighted by numerous museums and tourist attractions and are matched only by the region's economic contributions, featuring America's Energy Gateway, the deepwater ports and terminals of the Sabine-Neches Waterway, Lamar University, Lamar State College—Orange, Lamar State College—Port Arthur, and the Lamar Institute of Technology, and many other assets, which significantly impact the growth and health of the state; and

WHEREAS, The people of Orange and Jefferson Counties have been building a vibrant, forward-reaching region, and it is a pleasure to acknowledge the public-spirited citizens from the Golden Triangle who are here today for their dedication and commitment to their communities and the state; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 81st Legislature, hereby recognize March 1 through 3, 2009, as Golden Triangle Days at the Capitol and welcome the region's visitors to Austin; and, be it further

RESOLVED, That a copy of this Resolution be prepared for the citizens of the Golden Triangle as a memento of this special occasion.

**SR 313** was read and was adopted without objection.

### **GUESTS PRESENTED**

Senator Williams, joined by Senator Huffman, was recognized and introduced to the Senate Nathan Cross, Mark Viator, John Gothia, Don Humphrey, and Chuck Kalkbrenner, accompanied by a delegation of citizens representing the Golden Triangle.

The Senate welcomed its guests.

**MESSAGE FROM THE HOUSE**

HOUSE CHAMBER

Austin, Texas

March 2, 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 23**, Congratulating Ted Collins, Jr., on his receipt of the 2008 Top Hand Award from the Permian Basin Petroleum Association.

**HCR 28**, Designating March 2 to March 3, 2009, as Tyler Days at the State Capitol.

**HCR 47**, Honoring Paul Cruz Moreno for his exemplary service to the State of Texas.

**HCR 56**, Congratulating Linda Muhl on her retirement from John Horn High School in Mesquite.

**HCR 60**, Congratulating Evelyn Ruth Werlein of Houston on her 100th birthday.

**SCR 32**, Granting the legislature permission to adjourn for more than three days during the period beginning on Wednesday, February 25, 2009, and ending on Monday, March 2, 2009.

Respectfully,

/s/Robert Haney, Chief Clerk  
House of Representatives

**SENATE RESOLUTION 326**

Senator Nelson offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to join the citizens of Little Elm in celebrating March 2, 2009, as Little Elm Day at the State Capitol; and

WHEREAS, Situated along the picturesque northeast bank of Lake Lewisville, Little Elm is located on land that was originally an empresario grant by the Republic of Texas in 1841 and became part of the Peters Colony; early settler C. C. "Kit" King established the town in 1844 and was later appointed postmaster of Denton County's first post office; and

WHEREAS, Incorporated in 1966, the Town of Little Elm has experienced phenomenal expansion, growing from a small community of 363 residents to today's population of more than 22,000; since 2002, more than 1,000 residential building permits have been issued every year; and

WHEREAS, Through foresight and prudent planning, Little Elm's growth has been responsibly managed so that the town maintains its small-town feeling, where neighbors and friends pitch in and help those in need; and

WHEREAS, With its relaxed country setting and its proximity to the conveniences of city life, Little Elm looks forward to a bright future; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 81st Legislature, hereby commend the citizens of Little Elm for their many contributions to our state and extend to them best wishes for a memorable Little Elm Day at the Texas Capitol; and, be it further

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

**SR 326** was read and was adopted without objection.

### **GUESTS PRESENTED**

Senator Nelson was recognized and introduced to the Senate a delegation of citizens from Little Elm.

The Senate welcomed its guests.

### **SENATE CONCURRENT RESOLUTION 28**

The President laid before the Senate the following resolution:

WHEREAS, The Legislature of the State of Texas takes pleasure in recognizing William F. Mullican III, who is retiring from his position with the Texas Water Development Board after 12 years of outstanding service; and

WHEREAS, William Mullican joined the Texas Water Development Board in 1997 and served as director for water resources planning; he was responsible for the development of a new Texas regional water planning process, which became a model used by other states, and for preparation of the 2002 Texas State Water Plan; and

WHEREAS, He was promoted to the position of deputy executive administrator for water resources planning in 2002, and under his leadership, the 2007 Texas State Water Plan was prepared; in 2008, he took over as deputy executive administrator for water science and conservation and focused on programs needed to implement the 2007 water plan; and

WHEREAS, Mr. Mullican coauthored numerous scientific books, articles, and reports; he has provided expert testimony to the United States Congress several times, and he has served a two-year term as a member of the National Advisory Council for Environmental Policy and Technology; and

WHEREAS, For his outstanding service as an executive with the Texas Water Development Board, Mr. Mullican was awarded the Commander's Award for Public Service at the Texas Water Day Reception on February 5, 2009, in Washington, D.C.; the award cites his service as the preeminent Texas water planner who inspired the enactment of a nationally significant water resources law and forged a new approach to state and federal partnerships in water resources; now, therefore, be it

RESOLVED, That the 81st Legislature of the State of Texas hereby commend William F. Mullican III on his invaluable contributions to the Texas Water Development Board and to his state and nation and extend to him best wishes for the future; and, be it further

RESOLVED, That a copy of this Resolution be prepared for William Mullican as an expression of esteem from the Texas Legislature.

DUNCAN

**SCR 28** was read.

On motion of Senator Duncan, 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.

### **GUESTS PRESENTED**

Senator Duncan was recognized and introduced to the Senate William F. Mullican III; his wife, Tammy; and his daughters, Jessica, Jennifer, and Julie Mullican.

The Senate welcomed its guests.

### **SENATE RESOLUTION 336**

Senator Williams offered the following resolution:

WHEREAS, Over the course of his highly successful career in country music, Tracy Byrd has demonstrated an enduring interest in using his celebrity to help others, and he has been especially generous in his efforts to benefit charitable causes in Southeast Texas; and

WHEREAS, A native of the Beaumont area, Mr. Byrd got his start as a performer in the city's music clubs, and his undeniable talent led to a recording contract in 1992; hit singles and best-selling albums soon followed, but even as his stature has grown large in the Nashville music industry, he has maintained close ties to the Texas communities where he was raised; and

WHEREAS, This caring musician continually sought ways to give back to his fellow Texans, and in the late 1990s, he began staging the annual Tracy Byrd Homecoming Weekend in Beaumont; this popular event includes golf and fishing tournaments as well as a concert, and it has raised more than \$1 million to fund children's charities in the area; among the projects underwritten by the proceeds was the creation of a hyperbaric medicine and wound care center at Saint Elizabeth's Hospital in Beaumont, which has been named in honor of Mr. Byrd; and

WHEREAS, In recent years, he has expanded the event to include fellow southeast Texas singers Mark Chesnutt and Zona Jones, creating a three-day fund-raiser known as the Beaumont Boys Bash; in 2009, the bash will take place October 23 through 25 and will benefit the Children's Miracle Network, Netcasters Youth Ministries, the Garth House, the Boy Scouts, and the Southeast Texas Humane Society; and

WHEREAS, Tracy Byrd has distinguished himself as a performer and recording artist of great ability who is also dedicated to assisting those in need, and his admirable work in greatly appreciated by the residents of the Golden Triangle area; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 81st Legislature, hereby honor Tracy Byrd for his ongoing charitable work in Southeast Texas and extend to him sincere best wishes for success in all of his endeavors; and, be it further

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

WILLIAMS  
HUFFMAN

**SR 336** was read and was adopted without objection.

#### **GUESTS PRESENTED**

Senator Williams was recognized and introduced to the Senate recording artist Tracy Byrd, accompanied by his two sons.

The Senate welcomed its guests.

#### **SENATE RESOLUTION 334**

Senator Lucio offered the following resolution:

**SR 334**, In memory of Fred Farias.

On motion of Senator Lucio, the resolution was read and was adopted by a rising vote of the Senate.

In honor of the memory of Fred Farias, the text of the resolution is printed at the end of today's *Senate Journal*.

#### **GUESTS PRESENTED**

Senator Lucio was recognized and introduced to the Senate the family members of Fred Farias: his wife, Mamie Farias, and his sons, Dr. Fred Farias III, George L. Farias, and Matt Farias.

The Senate welcomed its guests and extended its sympathy.

#### **MESSAGES FROM THE GOVERNOR**

The following Messages from the Governor were read and were referred to the Committee on Nominations:

Austin, Texas  
February 27, 2009

TO THE SENATE OF THE EIGHTY-FIRST LEGISLATURE, REGULAR SESSION:

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

To be members of the Industrialized Building Code Council for terms to expire February 1, 2011:

Robert L. Bowling IV  
El Paso, Texas

Mark George Delaney  
Tomball, Texas

Michael Mount  
Plano, Texas



Rolando R. Rubiano, P.E.  
Harlingen, Texas

Ravi Shah  
The Colony, Texas

Larry E. Wilkinson  
Friendswood, Texas

(the individuals listed above are being reappointed)

To be presiding officer of the Camino Real Regional Mobility Authority for a term to expire February 1, 2011:

Harold W. Hahn  
El Paso, Texas

(Mr. Hahn is being reappointed)

To be members of the Texas Commission on Jail Standards for terms to expire January 31, 2015:

Irene A. Armendariz  
El Paso, Texas

(Ms. Armendariz is being reappointed)

Tam Terry  
White Deer, Texas

(Sheriff Terry is being reappointed)

Gary Painter  
Midland, Texas

(replacing David Gutierrez of Lubbock whose term expired)

To be a member of the Sabine River Compact Administration for a term to expire July 12, 2010:

Jerry F. Gipson  
Longview, Texas

(Mr. Gipson is replacing Rick Campbell of Center who resigned)

To be members of the Texas Guaranteed Student Loan Corporation for terms to expire January 31, 2015:

Dora Ann Verde  
San Antonio, Texas

(Ms. Verde is being reappointed)

Richard M. Rhodes  
El Paso, Texas

(replacing Ruben Esquivel of DeSoto whose term expired)

Welcome W. Wilson, Jr.  
Houston, Texas

(replacing Tommy Brooks of Sugar Land whose term expired)

To be Adjutant General of Texas for a term to expire February 1, 2011:

Jose S. Mayorga  
Round Rock, Texas

(General Mayorga is replacing Lieutenant General Charles Rodriguez of Austin whose term expired)

Respectfully submitted,

/s/Rick Perry  
Governor

### **REPORT OF COMMITTEE ON NOMINATIONS**

Senator Jackson submitted the following report from the Committee on Nominations:

We, your Committee on Nominations, to which were referred the following appointments, have had same under consideration and report them back to the Senate with a recommendation that they be confirmed:

Member, Board for Lease of Texas Department of Criminal Justice Lands: Wesley D. Lloyd, McLennan County.

Member, Board for Lease of Texas Parks and Wildlife Department Lands: Wesley D. Lloyd, McLennan County.

Members, Commission on Law Enforcement Officer Standards and Education: Stephen M. Griffith, Fort Bend County; Patricia Scheckel Hollingsworth, Tarrant County; Johnny Edwin Lovejoy II, Bexar County; Joel W. Richardson, Randall County.

Members, Commission on State Emergency Communications: David Adrian Levy, Archer County; Steve Mitchell, Dallas County; Gregory Parker, Comal County.

Commissioner, Texas Department of Insurance Division of Workers' Compensation: Roderick A. "Rod" Bordelon, Jr., Travis County.

Member, Board of Directors, Evergreen Underground Water Conservation District: Darrell Travis Brownlow, Wilson County.

Fire Fighters' Pension Commissioner: Lisa K. Ivie Miller, Travis County.

Public Counsel, Office of Injured Employee Counsel: Norman W. Darwin, Parker County.

Public Counsel, Office of Public Insurance Counsel: Deeia Denise Beck, Tarrant County.

Counsellor, Office of Public Utility Counsel: Don Ballard, Travis County.

Commissioners, Public Utility Commission of Texas: Kenneth W. Anderson, Jr., Dallas County; Donna L. Nelson, Williamson County; Barry Thomas Smitherman, Travis County.

Members, Board of Directors, State Bar of Texas: Curtis V. Flowers, Harris County; Deborah Ruth Gagliardi; Pamela Gilbert; John Hatchel, McLennan County; Rob Kyker; Samuel B. Lovelady, Randall County.

Members, Board of Directors, Texas Agricultural Finance Authority: Lisa Ann Lackey Birkman, Williamson County; Ted F. Conover, Smith County; Darwin Dallas "Dal" DeWees, Tom Green County; Sydney Michael "Mike" Golden, Brazoria County; Stan Ray, Williamson County; Victoria Salin, Brazos County; Larry Shafer, Hood County.

Commissioners, Texas Animal Health Commission: Randy Chris Brown, Lubbock County; William Frank Edmiston, Jr., D.V.M., Schleicher County; Ken Jordan, San Saba County; Chuck Real, Bexar County; Mark Allyn Wheelis, Victoria County; Richard Wall Winters, Jr., McCulloch County.

Members, Texas Board of Professional Engineers: Govind B. Nadkarni, Nueces County; Gary W. Raba, Bexar County; Elvira Reyna, Denton County; Daniel O. Wong, Fort Bend County.

Members, Texas Commission on the Arts: Alphonse A. Dotson, McCulloch County; Susan Howard-Chrane, Kendall County; Molly Hipp Hubbard, Harris County; Paul Kellam McCash, Jr., Bowie County; Lee William "Bill" McNutt III, Dallas County; Jeanne Parker, Travis County.

Members, State Board of Trustees, Texas Emergency Services Retirement System: Danny Lee Key, Galveston County; Ronald V. Larson, El Paso County; Maxie Patterson, Harris County; Don Richard Shipman, Tarrant County.

Members, Texas Farm and Ranch Lands Conservation Council: Dan Dierschke, Travis County; Mark Willoughby Jones, McCulloch County; Thomas R. Kelsey, Harris County; Neal Wilkins, Brazos County.

Members, Board of Directors, Texas Mutual Insurance Company: Robert Charles "Bob" Barnes, Hood County; Jay L. Eisen, Jefferson County; Linda Stuckey Foster, Midland County.

Members, Texas State Board of Examiners of Dietitians: Belinda Bazan-Lara, M.A., R.D., L.D., Bexar County; Janet Suzanne Hall, Williamson County; Brian K. Irons, Lubbock County; Amy Nicholson McLeod, Angelina County; Hawley S. Poinsett, Travis County; Dwight Albert "D. A." Sharpe, Wise County; Mary Kate "Suzy" Weems, McLennan County.

Members, Texas State Library and Archives Commission: William Scott McAfee, Hays County; Michael Cooper Waters, Collin County.

### **NOTICE OF CONSIDERATION OF NOMINATIONS**

Senator Jackson gave notice that he would tomorrow at the conclusion of morning call submit to the Senate for consideration nominations to agencies, boards, and commissions of the state.

### **GUEST PRESENTED**

Senator Zaffirini was recognized and introduced to the Senate Christina Herrera, a journalism student at The University of Texas at Austin.

The Senate welcomed its guest.

### **BIRTHDAY GREETINGS EXTENDED**

Senator Zaffirini was recognized and, on behalf of the Senate, extended birthday greetings to Senator Eltife.

### **CONGRATULATIONS EXTENDED**

Senator Eltife was recognized and, on behalf of the Senate, congratulated the President on his recent engagement.

### **RESOLUTIONS OF RECOGNITION**

The following resolutions were adopted by the Senate:

#### **Memorial Resolutions**

**SR 321** by West, In memory of Robert A. Simpson, Sr., of Dallas.

**SR 323** by Ellis, In memory of Shyamala Gopalan Harris.

**SR 342** by Hinojosa, In memory of Eduardo E. de Ases of Corpus Christi.

#### **Welcome and Congratulatory Resolutions**

**SR 325** by Watson, Congratulating Christina Hooks for being named a 2009 Prudential Spirit of Community Awards Distinguished Finalist.

**SR 328** by Wentworth, Recognizing the Village at Incarnate Word in San Antonio on the occasion of its 20th anniversary.

**SR 329** by Carona and Shapiro, Welcoming members of the government honors program at The University of Texas at Dallas to the State Capitol.

**SR 333** by Gallegos, Recognizing Art Perez on the occasion of his retirement from the Houston Distributing Company.

**SR 337** by Nelson, Congratulating Rice M. Tilley, Jr., for being named to *Worth* magazine's list of 2008 Top 100 Attorneys in the United States.

**SR 340** by Hinojosa and Lucio, Commending the Autism Council for Educational Support and Scientific Studies and the Rio Grande Valley Task Force of the Texas Council on Autism and Pervasive Developmental Disorders for their work.

**SR 341** by Hinojosa, Recognizing the Alice Evening Lions Club Barbeque Turkey Throwdown Cook-Off as a Texas State Barbecue Championship competition.

**SR 343** by Deuell, Recognizing Linda Muhl on the occasion of her retirement from Dr. John D. Horn High School in Mesquite.

**SR 345** by Estes, Welcoming members of the State Firemen's and Fire Marshals' Association of Texas to the State Capitol.

**SR 346** by Hegar, Recognizing the Koenig and Strickland Funeral Home in La Grange on the occasion of its 100th anniversary.

**SR 347** by Hegar, Commending the West I-10 Chamber of Commerce for its contributions to the community.

**SR 349** by Hegar, Recognizing the Heritage Gathering BBQ Cook-Off in Bellville as a Texas State Barbecue Championship competition.

**Official Designation Resolutions**

**SR 319** by Nichols, Recognizing February 24 and 25, 2009, as Athens Days at the State Capitol.

**SR 320** by Nichols, Recognizing February 25 and 26, 2009, as Shelby County Days at the State Capitol.

**SR 348** by Hegar, Recognizing March 17, 2009, as Gonzales Day at the State Capitol.

**ADJOURNMENT**

On motion of Senator Whitmire, the Senate at 2:15 p.m. adjourned, in memory of Fred Farias and retired Colonel Richard Randolph of the United States Air Force, until 11:00 a.m. tomorrow.

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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:

March 2, 2009

JURISPRUDENCE — **CSSB 407, CSSB 279, CSSB 445, CSSB 446**

TRANSPORTATION AND HOMELAND SECURITY — **SB 481, SB 316, SB 334, SB 348, SB 376, SB 405, CSSB 434**

EDUCATION — **SB 158, CSSB 33**

HEALTH AND HUMAN SERVICES — **SB 86, SB 287, SB 289, SB 292, SB 525, CSSB 202, CSSB 286, CSSB 288, CSSB 291, CSSB 343, CSSB 395, CSSB 643**

**RESOLUTIONS ENROLLED**

February 25, 2009

**SCR 9, SCR 26, SCR 27, SR 141, SR 244, SR 293, SR 302, SR 306, SR 308, SR 309, SR 310, SR 311, SR 312, SR 314, SR 316, SR 317, SR 318**

**SENT TO SECRETARY OF STATE**

March 2, 2009

**SCR 9**

**SENT TO GOVERNOR**

March 2, 2009

**SCR 26, SCR 27**

**In Memory  
of**

**Fred Farias**

**Senate Resolution 334**

WHEREAS, The Senate of the State of Texas honors and commemorates the life of Fred Farias, who died November 1, 2007, at the age of 71; and

WHEREAS, Born March 2, 1936, Fred Farias was an exemplary citizen who was respected in the community for his many accomplishments; he served the nation in the United States Air Force for five years; and

WHEREAS, Mr. Farias played a vital role in the beer distribution business in the Rio Grande Valley and San Antonio for many years; he was a founding partner of L&F Distributors in South Texas, and he was chosen by the Adolph Coors Company to serve as its distributor in the San Antonio region; and

WHEREAS, Active in civic affairs, Mr. Farias worked with the Arthritis Foundation in McAllen and San Antonio; he chaired a San Antonio telethon that raised nearly \$300,000 to fight this debilitating disease; and

WHEREAS, A man of courage, strength, and compassion, he gave unselfishly to others, and his wisdom, warmth, and generosity will not be forgotten by those who knew him; and

WHEREAS, A devoted husband and father, Mr. Farias will long be remembered with affection and admiration by all who were privileged to share in his life; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 81st Legislature, hereby extend sincere condolences to the bereaved family of Fred Farias; and, be it further

RESOLVED, That a copy of this Resolution be prepared for his 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 Fred Farias.

LUCIO