

SENATE JOURNAL

EIGHTY-FIRST LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

NINETEENTH DAY

(Wednesday, March 4, 2009)

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

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

Absent-excused: Ellis, Ogden.

(President in Chair)

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

The Reverend Tim Webb, Champion Fellowship, Brenham, offered the invocation as follows:

Heavenly Father, You are the creator and sustainer of all life. You are glorious, majestic, and exalted above all others. Lord, You are our help in time of need, and You sustain those who love You. Thank You for this wonderful state that You have given us that we call Texas. We ask that in these difficult times that You will bless this assembly with godly wisdom and insight into the affairs of this state. Help us to care for one another, showing respect and dignity to each person regardless of religion, race, or status. Help us to defend the defenseless, love the unlovable, and strive to build a better place to live for those who will follow after us. Lord, I thank You for each person who is here today and for his or her service to the great State of Texas. We ask that You would also bless the families of the men and women who are currently serving in the armed forces in a distant land protecting the very freedom that we cherish so deeply. And for those who have fallen, we ask that You would comfort their families with Your incredible grace, compassion, and mercy. Most of all, I thank You for Your son, Jesus Christ, who gave His life that we might have the forgiveness of sin and eternal life, and it is in His name that 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.

LEAVES OF ABSENCE

On motion of Senator Whitmire, Senator Ellis was granted leave of absence for today on account of important business.

On motion of Senator Whitmire, Senator Ogden was granted leave of absence for today on account of important business.

CO-AUTHOR OF SENATE BILL 39

On motion of Senator Zaffirini, Senator Deuell will be shown as Co-author of **SB 39**.

CO-AUTHOR OF SENATE BILL 261

On motion of Senator Deuell, Senator Whitmire will be shown as Co-author of **SB 261**.

CO-AUTHORS OF SENATE BILL 268

On motion of Senator Harris, Senators Eltife, Hegar, Jackson, Nichols, and Wentworth will be shown as Co-authors of **SB 268**.

CO-AUTHOR OF SENATE BILL 485

On motion of Senator Deuell, Senator Davis will be shown as Co-author of **SB 485**.

CO-AUTHOR OF SENATE BILL 553

On motion of Senator Lucio, Senator Van de Putte will be shown as Co-author of **SB 553**.

CO-AUTHOR OF SENATE BILL 639

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

CO-AUTHOR OF SENATE BILL 687

On motion of Senator Hegar, Senator Deuell will be shown as Co-author of **SB 687**.

CO-AUTHOR OF SENATE BILL 751

On motion of Senator Zaffirini, Senator Van de Putte will be shown as Co-author of **SB 751**.

CO-AUTHORS OF SENATE BILL 819

On motion of Senator Davis, Senators Van de Putte and West will be shown as Co-authors of **SB 819**.

CO-AUTHOR OF SENATE BILL 841

On motion of Senator Averitt, Senator Van de Putte will be shown as Co-author of **SB 841**.

CO-AUTHOR OF SENATE BILL 877

On motion of Senator Ellis, Senator Davis will be shown as Co-author of **SB 877**.

CO-AUTHOR OF SENATE BILL 879

On motion of Senator Averitt, Senator Duncan will be shown as Co-author of **SB 879**.

CO-AUTHOR OF SENATE BILL 900

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

CO-AUTHOR OF SENATE BILL 901

On motion of Senator Deuell, Senator Davis will be shown as Co-author of **SB 901**.

CO-AUTHOR OF SENATE JOINT RESOLUTION 25

On motion of Senator Harris, Senator Nelson will be shown as Co-author of **SJR 25**.

RESOLUTION SIGNED

The President announced the signing of the following enrolled resolution in the presence of the Senate: **HCR 28**.

PHYSICIAN OF THE DAY

Senator Watson was recognized and presented Dr. Larry Kravitz of Austin as the Physician of the Day.

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

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

March 4, 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 12, In memory of Texas game warden Teyran "Ty" Patterson of Seguin.

HCR 58, Congratulating Colonel Thomas A. Davis, Jr., on his retirement from the Texas Department of Public Safety.

HCR 59, Congratulating Lieutenant Colonel David McEathron on his retirement from the Texas Department of Public Safety.

HCR 77, In memory of Rose Shipton Pickens Kirkpatrick of Longview.

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

SENATE RESOLUTION 299

Senator Jackson offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to join the employees of the National Aeronautics and Space Administration and Texans across the state in celebrating March 4 and 5, 2009, as NASA Space Days at the State Capitol; and

WHEREAS, The exploration of space has brought about many exciting technological innovations that have inspired and benefited countless people around the world; magnetic resonance imaging technology, fetal heart monitors, and programmable heart pacemakers are but a few of the medical advances that have come about as a result of NASA research; and

WHEREAS, Through educational programs like Texas Aerospace Scholars, NASA Explorer Schools, and the Network of Educator Astronaut Teachers, NASA is cultivating a new generation of explorers and scientists who will further expand our nation's body of knowledge and expertise; and

WHEREAS, NASA plays an essential role in the economy of our state, employing more than 3,400 civil servants and some 13,000 contract employees at the Johnson Space Center and awarding more than \$4 billion in contracts every year; it is truly deserving of recognition for its many accomplishments and contributions to our state and nation; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 81st Legislature, hereby commend the National Aeronautics and Space Administration on its extraordinary contributions to science and technology and call upon all Texans to celebrate March 4 and 5, 2009, as NASA Space Days at the State Capitol; and, be it further

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

SR 299 was read and was adopted without objection.

GUESTS PRESENTED

Senator Jackson was recognized and introduced to the Senate Dr. Ellen Ochoa, Astronaut and Deputy Director, Johnson Space Center; Bob Mitchell, President, Bay Area Houston Economic Partnership; Mike Fossum, Astronaut; Ellen Conners, Director of External Relations, Johnson Space Center; and Charlie Zumwatt, a student at The University of Texas at Austin.

The Senate welcomed its guests.

SENATE RESOLUTION 249

Senator Estes offered the following resolution:

WHEREAS, The Senate of the State of Texas is proud to recognize the Parent Association for the Retarded of Texas, Incorporated, for its outstanding work on behalf of persons with mental retardation and is pleased to proclaim March 4, 2009, Parent Association for the Retarded of Texas Day at the State Capitol; and

WHEREAS, Parent Association for the Retarded of Texas is an organization of volunteers who are dedicated to preserving, improving, and expanding services for persons with mental retardation in our state; the association promotes quality services for state school residents, the mentally retarded in the state center system, and mentally retarded residents in the community; and

WHEREAS, The dedicated members of Parent Association for the Retarded of Texas present the parents' viewpoint to the Texas Department of Aging and Disability Services, the State Legislature, Congress, and the general public; and

WHEREAS, This association is well known for the support it offers to state school employees and its advocacy of new programs to meet the unique needs of persons with mental retardation; and

WHEREAS, Members of Parent Association for the Retarded of Texas have been prominently involved in the development of programs for persons with mental retardation since the 1950s, and they have fought vigorously for improved state schools, state centers, special education, and community mental health and mental retardation centers; and

WHEREAS, Today, Parent Association for the Retarded of Texas continues to protect persons with mental retardation in Texas and tenaciously places responsibility on caregivers to maintain standards for quality care; the organization addresses such issues as fiscal accountability and special population needs; and

WHEREAS, The services provided by Parent Association for the Retarded of Texas have been vital to the welfare of both children and adults with mental retardation in our state, and members of the association are truly worthy of legislative recognition for their exceptional efforts and outstanding accomplishments; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 81st Legislature, hereby declare March 4, 2009, Parent Association for the Retarded of Texas Day at the State Capitol as an expression of appreciation for this association's valuable contributions to the people of Texas; and, be it further

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

SR 249 was again read.

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

GUESTS PRESENTED

Senator Estes was recognized and introduced to the Senate Susan Payne, Vice-president, Parent Association for the Retarded of Texas, Incorporated, and Mike Stevens, Past President, accompanied by a delegation of representatives.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Seliger was recognized and introduced to the Senate members of the girls basketball team of Vega High School in Vega: Rebecca Watley, Sharise Richardson, Teysha Matthews, Renae Fangman, and Carissa Crist.

The Senate welcomed its guests.

HOUSE CONCURRENT RESOLUTION 58

The President laid before the Senate the following resolution:

WHEREAS, After more than four decades of exemplary service, Colonel Thomas A. Davis, Jr., retired from the Texas Department of Public Safety on August 31, 2008; and

WHEREAS, Tommy Davis joined the Texas Department of Public Safety on November 18, 1964; following his graduation from the DPS Academy, he worked in Houston at the Driver License Service, the Highway Patrol Service, and the Criminal Intelligence Service; he transferred to Austin in 1983, with his promotion to sergeant, and he subsequently became assistant service commander; and

WHEREAS, Through the years, Colonel Davis took on ever-increasing responsibility as assistant chief and chief of the Criminal Law Enforcement Division; he was named assistant director of the agency in 1996, and he skillfully led DPS as its director from March 1, 2000, until his retirement; and

WHEREAS, This esteemed public servant further distinguished himself as a board member of the Texas Board of Private Investigators and Private Security Agencies, the Automobile Burglary and Theft Prevention Authority, and the Fleetwood Memorial Foundation; a longtime member of the International Association of Chiefs of Police, he also holds master and instructor licenses with the Texas Commission on Law Enforcement Officer Standards and Education; and

WHEREAS, The commitment, professionalism, and leadership of Tommy Davis have greatly benefited the people of Texas, and his steadfast efforts in behalf of public safety have earned him the lasting respect and admiration of all who have been privileged to work with him; now, therefore, be it

RESOLVED, That the 81st Legislature of the State of Texas hereby congratulate Colonel Thomas A. Davis, Jr., on his retirement as director of the Texas Department of Public Safety and honor him for his numerous contributions to the state; and, be it further

RESOLVED, That an official copy of this resolution be prepared for Colonel Davis as an expression of high regard by the Texas House of Representatives and Senate.

WHITMIRE

HCR 58 was read.

On motion of Senator Whitmire, 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: Ellis, Ogden.

GUESTS PRESENTED

Senator Whitmire was recognized and introduced to the Senate Colonel Thomas Davis, Jr., retired Director, Texas Department of Public Safety; Randy Elliston, retired Texas Highway Patrol Division Chief; Burt Christian, retired Chief, Administration Division; and Dorothy Wright, former secretary to Colonel Davis.

The Senate welcomed its guests.

HOUSE CONCURRENT RESOLUTION 59

The President laid before the Senate the following resolution:

WHEREAS, Lieutenant Colonel David McEathron retired from the Texas Department of Public Safety on August 31, 2008, drawing to a close a notable career in law enforcement that spanned more than three decades; and

WHEREAS, A veteran of the U.S. Coast Guard, Colonel McEathron received his bachelor's degree in criminal justice from Southwest Texas State University; he is also a graduate of the police administrative training program at the Traffic Institute of Northwestern University; and

WHEREAS, Embarking on his law enforcement career in 1975 as a city police officer, Colonel McEathron joined DPS two years later as a state trooper in Rio Grande City; advancing to the rank of major in the highway patrol division, he was then appointed assistant chief and, subsequently, chief of the traffic law enforcement division, where he served for 23 years; and

WHEREAS, On March 1, 2000, Colonel McEathron became assistant director of DPS, and his commitment to protecting the lives, properties, rights, and privileges of his fellow Texans has greatly benefited the state; and

WHEREAS, Throughout his career, in every post he has held, this exemplary law enforcement professional has earned the respect and admiration of his colleagues, and he may indeed reflect with pride on a career well spent as he embarks on the next exciting chapter of his life; now, therefore, be it

RESOLVED, That the 81st Legislature of the State of Texas hereby congratulate Lieutenant Colonel David McEathron on his retirement as assistant director of the Texas Department of Public Safety and extend to him sincere best wishes for continued success and happiness; and, be it further

RESOLVED, That an official copy of this resolution be prepared for Lieutenant Colonel McEathron as an expression of high regard by the Texas House of Representatives and Senate.

WHITMIRE

HCR 59 was read.

On motion of Senator Whitmire, 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: Ellis, Ogden.

GUESTS PRESENTED

Senator Whitmire was recognized and introduced to the Senate Lieutenant Colonel David McEathron, retired Assistant Director, Texas Department of Public Safety, accompanied by his wife, Jackie, and his assistant, Julie Barton.

The Senate welcomed its guests.

SENATE RESOLUTION 359

Senator West offered the following resolution:

WHEREAS, For more than a century, the American Red Cross has been at the forefront of helping Americans prevent, prepare for, and respond to disasters that affect our country, our communities, and our neighborhoods; the nation depends on the Red Cross in times of need and the Red Cross depends on the support of the American people; and

WHEREAS, Each year, during the month of March, the nation formally recognizes the American Red Cross and its essential role in our community; in this state, citizens honor the Red Cross's contribution to making Texas a better place; this month presents the opportunity to focus on the spirit of the volunteers, donors, partners, and employees who support the Red Cross mission of humanitarianism; and

WHEREAS, For years, the Red Cross in Texas has relied on the everyday heroes who donate time, blood, or money—heroes who help coordinate blood drives and provide assistance to those affected by disasters like fires, tornados, and floods; these heroes give of themselves to make things better for those around them and those they have never met; and

WHEREAS, In the past year, the Red Cross chapters in Texas responded to thousands of local emergencies, assisted hundreds of military families, and trained tens of thousands of people in lifesaving skills such as cardiopulmonary resuscitation and first aid; and

WHEREAS, Texas Red Cross chapters and over 70,000 volunteers and donors provide valuable tools and education to individuals, families, workplaces, and schools; volunteers and donors are the heart of the Red Cross, donating their time, energy, and resources to selflessly serve those in need and demonstrating the compassion and generosity for which Texans are known; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 81st Legislature, hereby recognize March of 2009 as American Red Cross Month in the State of Texas; and, be it further

RESOLVED, That a copy of this Resolution be prepared in honor of Red Cross Month.

SR 359 was read and was adopted without objection.

GUESTS PRESENTED

Senator West was recognized and introduced to the Senate Derrick Chubbs, Mike Bennett, Cheryl Sutterfield-Jones, Sandra Henderson, and Quentin Masters, all representing the American Red Cross.

The Senate welcomed its guests.

SENATE RESOLUTION 224

Senator Deuell offered the following resolution:

WHEREAS, Residents of Fannin County are gathering at the Texas State Capitol on March 4, 2009, to celebrate Fannin County Day, and this occasion provides an opportunity to recognize the rich history and significant accomplishments of this attractive part of the Lone Star State; and

WHEREAS, The first nonnative settlements in the area that would become Fannin County were established in 1836, the year Texas won its independence from Mexico; when the county was formed the following year, it took its name from Colonel James Walker Fannin, Jr., a commander of the Texan revolutionaries who had been killed in the Goliad Massacre; Bonham, the county seat, was also named for an independence hero, James Bonham, who died at the Alamo and is now honored with a statue at the county courthouse; and

WHEREAS, A land of gently rolling hills bounded by the Red River to the north, Fannin County provides good land for farming and ranching, and those pursuits have been economic mainstays since the county was established; today, cattle, corn, wheat, milo, pecans, and hay are key products, and the many acres of farmland in the county create a tranquil, pastoral landscape; other businesses such as communications and manufacturing help to strengthen and diversify the economy; and

WHEREAS, Bonham, with a population of almost 10,000, is the county's largest city; it was the hometown of Sam Rayburn, the legendary Texas politician who was a member of the congress for 48 years and is the longest-serving speaker of the U.S. House of Representatives; his legacy is recalled at the Sam Rayburn Library and Museum and the Sam Rayburn House Museum; Bonham is also the site of the Fannin County Museum of History, the Creative Arts Center, and Fort English Park, a replica of the stockade and log buildings erected by early settlers; and

WHEREAS, Other well-known county attractions focus on outdoor recreation; Lake Bonham comprises more than 1,000 acres of water and is bordered by a golf course and camping facilities; additional recreational lakes are found at Bonham State Park and the Caddo National Grasslands preserve, and these public lands also offer opportunities for hiking, fishing, biking, and other activities; and

WHEREAS, Fannin County's 33,000 residents can take pride in their area's rich history, productive businesses, and abundant recreational activities, and it is an honor to pay tribute to their many contributions to the State of Texas; now, therefore, be it

RESOLVED, That the Senate of the 81st Texas Legislature hereby recognize March 4, 2009, as Fannin County Day at the State Capitol and extend best wishes to the visitors from that notable Texas county for an enjoyable and rewarding visit to Austin.

SR 224 was read and was adopted without objection.

GUESTS PRESENTED

Senator Deuell was recognized and introduced to the Senate a delegation of citizens from Fannin County.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Gallegos was recognized and introduced to the Senate a delegation representing the National Association of Minority Contractors.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Fraser was recognized and introduced to the Senate a delegation representing Leadership Gillespie County.

The Senate welcomed its guests.

HOUSE CONCURRENT RESOLUTION 12

The President laid before the Senate the following resolution:

HCR 12, In memory of Texas game warden Teyran "Ty" Patterson of Seguin.

WENTWORTH

The resolution was read.

On motion of Senator Wentworth, the resolution was considered immediately and was adopted by a rising vote of the Senate.

In honor of the memory of Teyran "Ty" Patterson, the text of the resolution is printed at the end of today's *Senate Journal*.

GUESTS PRESENTED

Senator Wentworth was recognized and introduced to the Senate family members of Teyran "Ty" Patterson: his parents, Joe and Viann Patterson; his sister, Crystal Patterson; his brother, Joe Patterson, Jr.; and his girlfriend, Dianne Sassenhagen.

The Senate welcomed its guests and extended its sympathy.

SENATE RESOLUTION 332

Senator Nelson offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to recognize the Texas Council on Family Violence for its exemplary efforts to protect, support, and defend the citizens of Texas who are affected by domestic violence; and

WHEREAS, The Texas Council on Family Violence is a nonprofit organization whose success in its mission of promoting safe and healthy relationships by supporting service providers, facilitating strategic prevention efforts, and creating opportunities for freedom from domestic violence has made it one of the nation's leaders in the effort to end family violence; and

WHEREAS, The three major focus areas for this outstanding organization are the support of service providers through education and training, the development of public policy to assist victims and survivors, and the creation of a collaborative environment to support prevention efforts; through cooperation with state and local leaders, the council has made a difference in the lives of many people; and

WHEREAS, An important part of the council's outreach program has been its Purple Postcard Campaign, in which more than 10,000 postcards were sent by citizens across the state to show their support for funding family violence services; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 81st Legislature, hereby commend the Texas Council on Family Violence for its outstanding efforts in overcoming the serious problem of family violence and extend best wishes for continued success in all its future efforts; and, be it further

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

SR 332 was read and was adopted without objection.

GUESTS PRESENTED

Senator Nelson was recognized and introduced to the Senate a delegation representing the Texas Council on Family Violence.

The Senate welcomed its guests.

SENATE RESOLUTION 278

Senator Deuell offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to join the citizens of Balch Springs and Texans across the state in celebrating March 4, 2009, as Balch Springs Day at the State Capitol; and

WHEREAS, Named for the plentiful springs on the property of early settler John M. Balch, Balch Springs was incorporated in 1953 and is a home-rule city; and

WHEREAS, Located in Dallas County, Balch Springs has grown to encompass a population of some 20,000 citizens who enjoy a thriving community with an attractive quality of life and a vibrant business climate; and

WHEREAS, Balch Springs is home to a variety of cultural and recreational opportunities for residents and visitors alike, including a new library, the Double D Dude Ranch, and the Chiesl Baseball Complex; and

WHEREAS, Balch Springs Day at the State Capitol offers its citizens and community leaders the opportunity to learn more about state government and to promote the assets and quality of life that make Balch Springs an exceptional place to live, work, and raise a family; now, therefore, be it

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

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

SR 278 was read and was adopted without objection.

GUESTS PRESENTED

Senator Deuell was recognized and introduced to the Senate a delegation of citizens from Balch Springs.

The Senate welcomed its guests.

SENATE RESOLUTION 368

Senator Nelson offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to recognize the American Cancer Society and its dedicated volunteers for their outstanding work toward the goal of reducing the occurrence of cancer in our state; and

WHEREAS, Cancer is the second-leading cause of death in the United States and will claim the lives of 570,000 Americans this year alone; the annual costs of cancer exceed \$200 billion nationwide; and

WHEREAS, Investment in cancer research has paid impressive dividends, reducing the death rate and saving thousands of lives; and

WHEREAS, The American Cancer Society has offices situated throughout Texas, with staff members dedicated to bringing programs and services to those affected by the disease; and

WHEREAS, American Cancer Society volunteers across the state are engaged in numerous activities to support the fight against cancer and assist those living with the disease; more than 300 Relay for Life events engage local communities in working to raise the necessary funding for the indispensable work of the society; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 81st Legislature, hereby commend the American Cancer Society and its devoted volunteers on their exceptional work in fighting this deadly disease and extend to them best wishes for continued success in their efforts; and, be it further

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

SR 368 was read and was adopted without objection.

GUESTS PRESENTED

Senator Nelson was recognized and introduced to the Senate a delegation of volunteers for the American Cancer Society.

The Senate welcomed its guests.

SENATE CONCURRENT RESOLUTION 37

The President laid before the Senate the following resolution:

WHEREAS, The Legislature of the State of Texas is proud to welcome members of the Texas Organization of Rural and Community Hospitals, also known as TORCH, and members of the Texas Rural Health Association on their visit to the State Capitol on March 4, 2009; and

WHEREAS, These two organizations work on behalf of the citizens of rural Texas and are dedicated to ensuring that rural Texans have equal access to hospital and health care services as well as timely emergency care; and

WHEREAS, These two organizations consist of the rural hospitals, clinics, health providers, and health professions schools that provide the professional care and the trained workforce for the health care needs of our state's 3.5 million rural citizens; and

WHEREAS, A large part of Texas is rural and medically underserved; there are 177 rural counties, 50 of which do not have a hospital and 99 of which have only one hospital; 112 Texas rural counties have been designated as health professional shortage areas; and

WHEREAS, The health care needs of rural Texans are of importance to the whole state, because rural Texas is the source for the food, fuel, and fiber of our great state; and

WHEREAS, The issues that rural hospitals and other rural health care providers face are critical and complex, and the Texas Organization of Rural and Community Hospitals and Texas Rural Health Association are valuable advocates for these important members of our state's health care system and for the residents of rural Texas; now, therefore, be it

RESOLVED, That the 81st Legislature of the State of Texas hereby welcome the members of the Texas Organization of Rural and Community Hospitals and the Texas Rural Health Association to the Capitol and commend all those associated with these valuable organizations for their work on behalf of the Lone Star State's rural hospitals and health care providers; and, be it further

RESOLVED, That a copy of this resolution be prepared in their honor.

DUNCAN

SCR 37 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 except as follows:

Absent-excused: Ellis, Ogden.

GUESTS PRESENTED

Senator Duncan was recognized and introduced to the Senate Steve Gularte, David Pearson, Don McBeath, Steve Bowen, and Becky Condit, all representing the Texas Organization of Rural and Community Hospitals and the Texas Rural Health Association, accompanied by a delegation of health organization representatives.

The Senate welcomed its guests.

SENATE RESOLUTION 380

Senator Zaffirini offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to recognize for the ninth year the outstanding contributions of the Texas Exes to their alma mater and to welcome the Mexican and Spanish students who are enrolled at The University of Texas at Austin; and

WHEREAS, Students from Mexico have studied at The University of Texas at Austin since 1940; the university and Mexico have historic ties due to shared academic endeavors, and the university's Graduate School of Business has developed joint degree programs with Mexican institutions; and

WHEREAS, In 1991, the Texas Legislature established a tuition assistance program to encourage students from Mexico with limited financial resources to study in our state, thus making Texas a responsive educational partner to Mexico; there are now 386 students from Mexico enrolled at the university; and

WHEREAS, Universities in Spain and The University of Texas have had ongoing relationships since before the 1980s; there are 41 students from Spain enrolled at The University of Texas; with 225 students from Texas studying in Spain each year, Spain is now the country of choice for University of Texas students studying abroad; and

WHEREAS, The generosity of the Texas Exes and BBVA Compass and their active participation in the university's community attest to their commitment to the university, and the school's distinguished record of educating Mexican and Spanish students is indicative of the successful collaboration between Texas and Mexico and Texas and Spain; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 81st Legislature, hereby commend the Texas Exes, BBVA Compass, and the Mexican and Spanish students at The University of Texas at Austin for their special and unique contributions to the school and to our state; and, be it further

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

SR 380 was read and was adopted without objection.

GUESTS PRESENTED

Senator Zaffirini was recognized and introduced to the Senate Dr. Francisco Cigarroa, Chancellor, The University of Texas System; Dr. Bill Powers, President, The University of Texas at Austin; Jim Boone, Executive Director, Texas Exes; Alejandra Cristina de la Rosa Illescas, University of Texas senior from Mexico; Emmanuel Grosse, University of Texas senior from Spain; and Jim Moore, President, BBVA Compass Bank Laredo.

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 371

Senator Carona offered the following resolution:

WHEREAS, A state replete with diverse landscapes, iconic American legends, and talented residents, Texas has long been a favorite location for motion picture and television productions, and that rich and ongoing tradition is being celebrated on Texas Moving Image Industry Day at the State Capitol on March 4, 2009; and

WHEREAS, More than 1,600 films and television programs have been made in Texas since 1910; the first movie ever to win the Academy Award for Best Picture, the silent World War I epic *Wings*, was shot in and around San Antonio; and

WHEREAS, Audiences all over the world have discovered the Lone Star State through films and television programs made here; *Giant*, filmed near Marfa, tells the sprawling story of cattle and oil in West Texas; no fewer than nine films about the siege of the Alamo have been made in Texas, including John Wayne's 1960 epic, *The Alamo*; the film and television series *Friday Night Lights* tells the distinctively Texan story of high school football, and 10 years after its release, *Hope Floats* continues to draw tourists to its locations in Smithville and Central Texas; week after week since 1976, *Austin City Limits*, the longest-running television concert series, is still bringing the best of popular music to the nation with a Texas flair; and

WHEREAS, Great filmmakers from all over the world have journeyed to Texas to make their films; Steven Spielberg shot his first feature, *The Sugarland Express*, here, Sam Peckinpah filmed his classic thriller *The Getaway* in San Marcos and El Paso, Clint Eastwood made *A Perfect World* and *Space Cowboys* in Texas, and the German director Wim Wenders shot his art house masterpiece *Paris, Texas* in locations all over the state; and

WHEREAS, The Lone Star State's own writers and directors have produced many great projects here, including Robert Benton (*Bonnie and Clyde*, *Places in the Heart*), Horton Foote (*Tender Mercies*, *The Trip to Bountiful*), William Witliff (*Lonesome Dove*, *Honeysuckle Rose*, *Raggedy Man*), Wes Anderson (*Bottle Rocket*, *Rushmore*), Richard Linklater (*Slacker*, *Dazed and Confused*, *The Newton Boys*), Tim McCanlies (*Secondhand Lions*), Robert Rodriguez (*Spy Kids*, *Sin City*), and John Lee Hancock (*The Alamo*, *The Rookie*); and

WHEREAS, Texas has hosted a staggering variety of productions, from independent films like *Waiting for Guffman* (shot in Lockhart) to classic westerns like *Lonesome Dove* (shot near Del Rio), as well as war films like *Courage Under Fire* (shot in El Paso), over-the-top family adventure comedies like the three *Spy Kids* films (shot in Austin), romantic comedies like *Miss Congeniality* (shot in San Antonio), and classic horror films like *The Texas Chainsaw Massacre* (shot in Austin); the state has also been the location for such Academy Award-winning features as *No Country for Old Men* and *There Will Be Blood* (both shot in Marfa), *Boys Don't Cry* (shot in Greenville), *Places in the Heart* (shot in Waxahachie), and *Terms of Endearment* (shot in Houston); and

WHEREAS, The state is known for its highly skilled film technicians, whose expertise is so well-regarded that most films shot in Texas hire primarily local crews; the state also boasts a strong base of acting talent, and specialized film vendors and services have been a strong part of the state's economy for more than two decades; and

WHEREAS, With more than 90 companies, Texas is the third-largest center for the development of video games, whose highly skilled workers have created such popular titles as *Quake* from Id Software, *Ultima Online*, a groundbreaking multiplayer game from Origin Systems, and *Age of Empires* from Ensemble Studios, as well as military simulation training games for the U.S. Army; and

WHEREAS, Over the past decade, the moving image industry, including film, television, video, commercials, animation, and interactive video games, has spent more than \$2.2 billion and created over 38,000 jobs in Texas, and the contributions of this dynamic industry to Texas, and of Texans to this industry, are truly worthy of recognition; now, therefore, be it

RESOLVED, That the Senate of the 81st Texas Legislature hereby recognize March 4, 2009, as Texas Moving Image Industry Day at the State Capitol and commend the industry's many talented individuals for their creativity, hard work, and determination.

CARONA
DEUELL

SR 371 was read and was adopted without objection.

GUESTS PRESENTED

Senator Carona, joined by Senator Deuell, was recognized and introduced to the Senate Don Stokes, Richard Linklater, Meredith Stephens, Shelly Schriber, and Gary Brown, all representing Texas Moving Image Industry Day at the State Capitol, accompanied by a delegation representing the Texas Motion Picture Alliance.

The Senate welcomed its guests.

MOTION TO ADJOURN

On motion of Senator Whitmire and by unanimous consent, the Senate at 12:20 p.m. agreed to adjourn, in memory of game warden Teyran "Ty" Patterson of Johnson County and Paula Sue Lawson of Balch Springs, upon completion of the introduction of bills and resolutions on first reading, until 1:30 p.m. Monday, March 9, 2009.

SENATE BILLS ON FIRST READING

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

SB 17 by Nichols, Carona, Nelson, Patrick, Shapiro

Relating to the design, development, financing, construction, and operation of certain toll projects.

To Committee on Transportation and Homeland Security.

SB 751 by Zaffirini

Relating to the use of restraints in state schools.

To Committee on Health and Human Services.

SB 752 by Davis

Relating to the authority of a local government to prohibit the Railroad Commission of Texas or the Texas Commission on Environmental Quality from issuing a permit for a disposal well.

To Committee on Natural Resources.

SB 753 by Davis

Relating to the waiting period for eligibility for benefits under the Texas Employees Group Benefits Act.

To Committee on State Affairs.

SB 754 by Davis

Relating to the sale of ale and malt liquor by brewer's permit holders.

To Committee on Business and Commerce.

SB 755 by Van de Putte

Relating to the requirements for a funeral establishment license.

To Committee on Health and Human Services.

SB 756 by Eltife

Relating to the authority of certain school districts to enter into property tax abatement agreements in connection with realigned or closed military facilities.

To Committee on Finance.

SB 757 by Williams

Relating to a credit or refund for diesel fuel taxes paid on diesel fuel used in this state by auxiliary power units or power take-off equipment.

To Committee on Finance.

SB 758 by Williams

Relating to the design and issuance of license plates for United States paratroopers.

To Committee on Transportation and Homeland Security.

SB 759 by Williams

Relating to certain standards for group-administered achievement tests used by school districts.

To Committee on Education.

SB 760 by Davis

Relating to a pilot test of an advanced control technology for the reduction of nitrogen oxides emissions.

To Committee on Natural Resources.

SB 761 by Watson

Relating to a program for the recycling of electronic equipment of consumers in this state; providing administrative penalties.

To Committee on Natural Resources.

SB 762 by Watson

Relating to a study concerning the minimum participation requirement for small employer health benefit plans.

To Committee on State Affairs.

SB 763 by Watson

Relating to the requirement that state agencies purchase low-emissions vehicles as a minimum percentage of their purchased vehicles.

To Committee on Finance.

SB 764 by Watson, Hinojosa

Relating to the right of certain municipalities to maintain local control over wages, hours, and other terms and conditions of employment.

To Committee on Intergovernmental Relations.

SB 765 by Ellis

Relating to eligibility requirements for a beginning police department position in certain municipalities under municipal civil service.

To Committee on Intergovernmental Relations.

SB 766 by West

Relating to notices required and the opportunity to cure default in connection with foreclosure of a lien against residential property; providing a penalty.

To Committee on Business and Commerce.

SB 767 by West

Relating to the authority of the attorney general to bring suit on behalf of individuals injured by unlawful practices in restraint of trade.

To Committee on State Affairs.

SB 768 by Hegar

Relating to exemptions from the Texas Structural Pest Control Act; providing penalties.

To Committee on Agriculture and Rural Affairs.

SB 769 by Williams, Whitmire

Relating to the recovery by an electric utility of certain expenses relating to weather-related events or natural disasters.

To Committee on Business and Commerce.

SB 770 by Williams

Relating to the procedure for claiming an exemption from ad valorem taxation for tangible personal property in transit.

To Committee on Finance.

SB 771 by Williams

Relating to the determination of the value of property for ad valorem tax purposes.

To Committee on Finance.

SB 772 by Williams

Relating to the operation of a motor vehicle by a person under 18 years of age while using a wireless communications device.

To Committee on Transportation and Homeland Security.

SB 773 by Lucio

Relating to licensing requirements of the Department of Family and Protective Services for certain facilities and homes providing child care.

To Committee on Health and Human Services.

SB 774 by Lucio

Relating to allocation of state and federal funds for adult basic education.

To Committee on Education.

SB 775 by Lucio

Relating to the licensing and regulation of clinical laboratory science professionals; providing penalties.

To Committee on Health and Human Services.

SB 776 by Averitt

Relating to regulating the collection or solicitation of donated goods subsequently sold by for-profit entities or individuals; providing a civil penalty.

To Committee on Business and Commerce.

SB 777 by Ogden

Relating to statistical information on the prosecution of certain offenses relating to the operating of a motor vehicle while intoxicated.

To Committee on Criminal Justice.

SB 778 by Watson

Relating to the licensing and regulation of identity recovery service providers and the inclusion of identity recovery service agreements in certain service contracts and vehicle protection products; providing penalties.

To Committee on Business and Commerce.

SB 779 by Watson

Relating to expedited credentialing for certain individual health care providers providing services under a managed care plan.

To Committee on State Affairs.

SB 780 by Watson, Davis, Ellis, Gallegos, Harris, Hinojosa, Uresti, West

Relating to disclosure of the individual vote of each member of the Texas Supreme Court on a petition for review.

To Committee on Jurisprudence.

SB 781 by Watson

Relating to eligibility to participate in the Texas Health Insurance Risk Pool by individuals whose employers participate in certain regional or local health care programs.

To Committee on State Affairs.

SB 782 by Duncan

Relating to the filling of a vacancy in an appellate judicial office by appointment and a nonpartisan election for the retention or rejection of the person appointed.

To Committee on Jurisprudence.

SB 783 by Shapiro

Relating to the Texas emerging technology fund.

To Committee on Economic Development.

SB 784 by Hegar

Relating to the suspension of a driver's license by the Texas Department of Public Safety.

To Committee on Criminal Justice.

SB 785 by Nelson

Relating to the employee misconduct registry and employee certification posting requirements for certain facilities.

To Committee on Health and Human Services.

SB 786 by Nelson

Relating to the protection of children from abuse and neglect.

To Committee on Health and Human Services.

SB 787 by Nelson

Relating to the statute of limitations on prosecution of the offense of bigamy.

To Committee on Criminal Justice.

SB 788 by Nelson

Relating to reporting child abuse or neglect.

To Committee on Health and Human Services.

SB 789 by Nelson

Relating to loss ratio standards for long-term care benefit plans.

To Committee on State Affairs.

SB 790 by Nelson

Relating to clinical practice hours available for professional nursing educational programs at certain hospitals.

To Committee on Health and Human Services.

SB 791 by Nelson

Relating to the certified nurse aide registry and the regulation of certified nurse aides by the Texas Board of Nursing.

To Committee on Health and Human Services.

SB 792 by Nelson

Relating to the imposition of the sales and use tax by certain crime control and prevention districts and fire control, prevention, and emergency medical services districts.

To Committee on Finance.

SB 793 by Hegar

Relating to certification of a person as eligible for disabled parking privileges.

To Committee on Transportation and Homeland Security.

SB 794 by Fraser

Relating to the composition of the board of directors of the Central Colorado River Authority.

To Committee on Natural Resources.

SB 795 by Fraser

Relating to the audit of certain river authorities.

To Committee on Natural Resources.

SB 796 by Hinojosa

Relating to the provision and evaluation of comprehensive substance abuse treatment under the state Medicaid program.

To Committee on Health and Human Services.

SB 797 by Carona

Relating to the circumstances in which the approval of the governing body of a taxing unit is required for refunds of overpayments or erroneous payments of ad valorem taxes.

To Committee on Finance.

SB 798 by Carona

Relating to refunds of overpayments or erroneous payments of ad valorem taxes.

To Committee on Finance.

SB 799 by Williams

Relating to the powers and duties of the Plum Creek Fresh Water Supply District No. 1; providing authority to impose a tax and issue bonds; granting the power of eminent domain.

To Committee on Natural Resources.

SB 800 by Williams

Relating to a Texas Commission on Environmental Quality water quality protection area pilot program applicable to portions of the San Jacinto River; providing penalties.

To Committee on Natural Resources.

SB 801 by Hegar

Relating to the appraisal for ad valorem tax purposes of land used for wildlife management.

To Committee on Finance.

SB 802 by Carona

Relating to the requirements for a plumber's apprentice to obtain a plumber's license.

To Committee on Business and Commerce.

SB 803 by Lucio

Relating to meetings of the Coastal Coordination Council.

To Committee on International Relations and Trade.

SB 804 by Lucio

Relating to the use of golf carts on beaches.

To Committee on Natural Resources.

SB 805 by Nelson

Relating to incentive payments for certain nursing facilities providing services under the medical assistance program.

To Committee on Health and Human Services.

SB 806 by Nelson

Relating to the imposition of a disciplinary action on a licensed nursing facility administrator; providing a penalty.

To Committee on Health and Human Services.

SB 807 by Van de Putte

Relating to the authority of a county to regulate the installation and use of lighting in certain areas.

To Committee on Intergovernmental Relations.

SB 808 by Whitmire

Relating to allowing certain claimants to file an application under the Crime Victims' Compensation Act.

To Committee on Criminal Justice.

SB 809 by Whitmire

Relating to the issuance of an occupational license to certain applicants with criminal convictions.

To Committee on Criminal Justice.

SB 810 by Davis

Relating to the personal needs allowance for certain Medicaid recipients who are residents of long-term care facilities.

To Committee on Health and Human Services.

SB 811 by Duncan

Relating to authorizing the board of regents of the Texas Tech University System to transfer the San Angelo Museum of Fine Arts to a nonprofit organization to operate the museum.

To Committee on Higher Education.

SB 812 by Hegar

Relating to reimbursement of expenses incurred by court reporters for the 506th Judicial District.

To Committee on Jurisprudence.

SB 813 by Watson

Relating to the eligibility of certain sole proprietors to participate in small employer health benefit plans.

To Committee on State Affairs.

SB 814 by Watson

Relating to repayment assistance for certain physician education loans.

To Committee on Higher Education.

SB 815 by Watson

Relating to consumer labeling requirements for certain health benefit plans; providing penalties.

To Committee on State Affairs.

SB 816 by Patrick

Relating to the Texas Teach Corps Scholarship Program for students who agree to teach in public schools in this state that have shortages of teachers in math and science.

To Committee on Higher Education.

SB 817 by Shapleigh, Carona, Davis, Ellis, Eltife, Gallegos, Hegar, Hinojosa, Lucio, Nelson, Uresti, Van de Putte, Watson, Wentworth, West, Whitmire, Zaffirini
Relating to funding of the Communities In Schools program.

To Committee on Education.

SB 818 by Van de Putte

Relating to the exclusion of certain payments from the total revenue of certain taxable entities for purposes of the franchise tax.

To Committee on Finance.

SB 819 by Davis

Relating to the vaccination against bacterial meningitis of certain first-time students at public institutions of higher education.

To Committee on Higher Education.

SB 820 by Duncan

Relating to the adoption and amendment of model building codes by municipalities.

To Committee on Intergovernmental Relations.

SB 821 by Shapiro

Relating to the regulation of medical radiologic technology.

To Committee on Health and Human Services.

SB 822 by Van de Putte

Relating to a restriction on permits authorizing discharges of sewage effluent into any water in the contributing or recharge zone of the San Antonio or Barton Springs segment of the Edwards Aquifer.

To Committee on Natural Resources.

SB 823 by Van de Putte

Relating to participation in job training and employment assistance programs by veterans and other covered persons.

To Committee on Veteran Affairs and Military Installations.

SB 824 by Ellis

Relating to privacy of wireless telecommunications customer information; providing a civil penalty.

To Committee on Business and Commerce.

SB 825 by Ellis

Relating to the designation of certain areas as banking development districts to encourage the establishment of financial institution branches in those areas.

To Committee on Business and Commerce.

SB 826 by Ellis

Relating to exceptions to certain disqualifications from receiving unemployment benefits.

To Committee on Business and Commerce.

SB 827 by Ellis

Relating to the establishment and operation of urban mutual insurance companies.

To Committee on Business and Commerce.

SB 828 by Whitmire

Relating to a determination of value for purposes of punishment of the offense of abuse of official capacity.

To Committee on State Affairs.

SB 829 by Whitmire

Relating to the maintenance of records by the Texas Department of Criminal Justice concerning certain financial obligations of inmates released on parole or to mandatory supervision.

To Committee on Criminal Justice.

SB 830 by Whitmire

Relating to a determination of the amount of a fine imposed in a criminal case.

To Committee on Criminal Justice.

SB 831 by Whitmire

Relating to certain directions given to state jail felons at the time of discharge from a state jail felony facility.

To Committee on Criminal Justice.

SB 832 by Wentworth

Relating to the exemption from ad valorem taxation for certain solar or wind-powered energy devices.

To Committee on Finance.

SB 833 by Carona

Relating to the accrual of vacation and sick leave for certain state employees on a military leave of absence.

To Committee on Government Organization.

SB 834 by Hegar

Relating to the date for electing directors of the Goliad County Groundwater Conservation District.

To Committee on Natural Resources.

SB 835 by Hinojosa

Relating to powers of the Port of Corpus Christi Authority of Nueces County, Texas, pertaining to land in and adjacent to Naval Station Ingleside.

To Subcommittee on Base Realignment and Closure.

SB 836 by Hinojosa

Relating to the Port of Corpus Christi Authority of Nueces County, Texas.

To Committee on International Relations and Trade.

SB 837 by Hinojosa

Relating to the exhibition of first-run movies in movie theaters.

To Committee on Business and Commerce.

SB 838 by Hinojosa

Relating to the requirement under certain circumstances that a license holder display their license to carry a concealed handgun.

To Committee on Criminal Justice.

SB 839 by Hinojosa

Relating to the punishment for a capital felony committed by a juvenile whose case is transferred to criminal court.

To Committee on Criminal Justice.

SB 840 by Hinojosa

Relating to procedures for certain persons charged with certain new offenses or an administrative violation of a condition of release from the Texas Department of Criminal Justice on parole or to mandatory supervision.

To Committee on Criminal Justice.

SB 842 by Averitt

Relating to the operation of health care sharing organizations.

To Committee on State Affairs.

SB 843 by Uresti

Relating to protective orders issued against a third party to prevent family or dating violence.

To Committee on Criminal Justice.

SB 844 by Hegar

Relating to the powers and duties of the Fort Bend County Municipal Utility District No. 194; providing authority to impose a tax and issue bonds.

To Committee on Intergovernmental Relations.

SB 845 by Van de Putte

Relating to the tuition and fee exemption available to certain military personnel and to permitting those personnel to transfer the exemption to a child.

To Committee on Higher Education.

SB 846 by Averitt, Harris

Relating to the exemption of oil and gas royalty interests owned by private institutions of higher education from oil and gas severance taxes.

To Committee on Finance.

SB 847 by Averitt

Relating to applicability of fee exemptions for military personnel and their children to certain course fees charged by public technical institutes and public state colleges.

To Committee on Higher Education.

SB 848 by Nichols

Relating to the election, and validation of acts, of members of the board of directors of Anderson County Underground Water Conservation District.

To Committee on Natural Resources.

SB 849 by Shapleigh

Relating to the creation of the offense of directing the activities of a criminal street gang.

To Committee on Transportation and Homeland Security.

SB 850 by Patrick

Relating to information required to establish resident status in connection with tuition and fees charged by public institutions of higher education.

To Committee on Higher Education.

SB 1001 by Deuell

Relating to the continuation and operation of the office of public insurance counsel.

To Committee on Government Organization.

SB 1002 by Deuell

Relating to the continuation and functions of the Texas State Affordable Housing Corporation; providing penalties.

To Committee on Government Organization.

SB 1003 by Deuell

Relating to the abolishment of the Office of State-Federal Relations as an independent agency and the transfer of the duties and functions of that agency to the office of the governor.

To Committee on Government Organization.

SB 1004 by Hegar

Relating to the continuation and functions of the board of directors of the official cotton growers' boll weevil eradication foundation.

To Committee on Government Organization.

SB 1005 by Hinojosa

Relating to the regulation of polygraph examiners by the Texas Department of Licensing and Regulation and the abolition of the Polygraph Examiners Board.

To Committee on Government Organization.

RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

Memorial Resolution

SR 381 by Williams, In memory of Guy Cade Jackson III of Chambers County.

Official Designation Resolutions

SCR 34 by Van de Putte, Recognizing March 2009 as National Women's History Month.

SR 379 by Hegar, Huffman, and Patrick, Recognizing March 12, 2009, as Katy Day at the State Capitol.

ADJOURNMENT

Pursuant to a previously adopted motion, the Senate at 4:40 p.m. adjourned, in memory of game warden Teyran "Ty" Patterson of Johnson County and Paula Sue Lawson of Balch Springs, until 1:30 p.m. Monday, March 9, 2009.

APPENDIX

COMMITTEE REPORT

The following committee report was received by the Secretary of the Senate:

March 4, 2009

STATE AFFAIRS — **SB 34**

RESOLUTIONS ENROLLED

March 2, 2009

SCR 32, SR 313, SR 319, SR 320, SR 321, SR 323, SR 325, SR 326, SR 327, SR 328, SR 329, SR 333, SR 334, SR 336, SR 337, SR 340, SR 341, SR 342, SR 343, SR 345, SR 346, SR 347, SR 348, SR 349

March 3, 2009

SR 196, SR 322, SR 330, SR 331, SR 335, SR 338, SR 339, SR 350, SR 351, SR 352, SR 353, SR 354, SR 355, SR 356, SR 357, SR 358, SR 360, SR 361, SR 362, SR 363, SR 364, SR 366, SR 367, SR 370, SR 372, SR 373, SR 374, SR 375, SR 376

**In Memory
of
Teyran "Ty" Patterson
House Concurrent Resolution 12**

WHEREAS, The tragic death of game warden Teyran Patterson in the line of duty on May 30, 2007, brought a great loss to his family, his community, and his fellow law enforcement professionals throughout the state; and

WHEREAS, A native of Seguin, "Ty" Patterson was born on November 18, 1978, to Joe and Viann Patterson; he graduated from the local high school and went on to attend Texas State University, where he played football while earning a bachelor's degree in criminal justice; and

WHEREAS, In 2005, he graduated from the Texas Game Warden Academy; stationed in Johnson County, he was dedicated to his work and impressed others with his determination to succeed and his friendly, charismatic personality; and

WHEREAS, This brave Texan lost his life while assisting in a search and rescue operation, but his heroic actions on that day helped to save the life of fellow game warden Danny Tuggle; and

WHEREAS, Although Ty Patterson's life ended far too soon, it is fitting to remember the passion he brought to all his endeavors and the positive way in which he touched the lives of those who were privileged to know him; now, therefore, be it

RESOLVED, That the 81st Legislature of the State of Texas hereby pay tribute to the memory of game warden Teyran Patterson and extend deepest sympathy to his family: to his parents, Joe and Viann Patterson; to his siblings, Demetrius, Joe, and Crystal; and to his other relatives and many friends; and, be it further

RESOLVED, That an official copy of this resolution be prepared for his family and that when the Texas House of Representatives and Senate adjourn this day, they do so in memory of Teyran "Ty" Patterson.

WENTWORTH