

SENATE JOURNAL

EIGHTY-FIRST LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

THIRTY-FIRST DAY

(Continued)

(Thursday, April 2, 2009)

AFTER RECESS

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

**SESSION HELD FOR
LOCAL AND UNCONTESTED CALENDAR**

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

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

CSSB 43 (Zaffirini)

Relating to tuition and fee exemptions at public institutions of higher education for students who have been in foster care or certain other residential care.

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

SB 80 (Nelson)

Relating to employer contributions under small employer health benefit plans.

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

(Senator Van de Putte in Chair)

CSSB 83 (Nelson)

Relating to a right to vacate and avoid residential lease liability following the occurrence of certain sex offenses or domestic violence; providing a penalty.

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

CSSB 87 (Nelson)

Relating to adverse licensing, listing, or registration decisions by certain health and human services agencies.

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

SB 111 (Ellis)

Relating to suspension of the unemployment compensation waiting period requirement during a disaster subject to a federal disaster declaration.

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

SB 194 (Shapleigh)

Relating to a prohibition against certain activities by a person employed in the financial aid office of a public institution of higher education.

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

SB 252 (Estes)

Relating to the authority of a municipality with a population of less than 10,000 to enter into an agreement with an owner of real property in or adjacent to an area in the municipality that has been approved for funding under certain revitalization or redevelopment programs to prohibit ad valorem tax increases on the owner's property for a limited period.

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

SB 269 (Harris)

Relating to use of electronically readable information on a driver's license or personal identification certificate in connection with the over-the-counter sale of ephedrine, pseudoephedrine, or norpseudoephedrine; providing a criminal penalty.

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

CSSB 277 (Nelson)

Relating to the Department of Family and Protective Services, including protective services and investigations of alleged abuse, neglect, or exploitation for certain adults who are elderly or disabled; providing a criminal penalty.

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

SB 305 (Shapleigh)

Relating to an online list of work-study employment opportunities available to students at a public institution of higher education.

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

CSSB 313 (Wentworth)

Relating to the term of a reinvestment zone and to the assessment and payment of tax increments under the Tax Increment Financing Act.

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

CSSB 345 (Nelson)

Relating to screening health care personnel of home and community support services agencies for tuberculosis.

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

CSSB 346 (Nelson)

Relating to information submitted to and maintained in the immunization registry after an individual becomes an adult.

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

CSSB 368 (Carona)

Relating to the denial, suspension, or revocation of a motor vehicle inspection station certificate or an inspector certificate.

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

SB 384 (Carona)

Relating to the promotion of toll projects by the Texas Department of Transportation.

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

CSSB 408 (Carona)

Relating to the jurisdiction of and appeals from certain courts.

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

SB 417 (Carona)

Relating to the purchase of a retired firearm from the Parks and Wildlife Department by a game warden.

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

CSSB 431 (Wentworth)

Relating to the enforcement of unpaid child support.

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

CSSB 432 (Wentworth)

Relating to liability for failure to comply with a child support lien, court order, or notice of levy.

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

CSSB 448 (Carona)

Relating to the authority of the Texas Department of Transportation to mitigate adverse environmental impacts resulting from the construction, improvement, or maintenance of state highways or state highway facilities.

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

SB 461 (Gallegos)

Relating to eligibility to take the entrance examination for a beginning position in the fire department.

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

CSSB 478 (Carona)

Relating to personal information contained in certain decrees and orders in family law proceedings.

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

CSSB 480 (Carona)

Relating to the authority of the Texas Transportation Commission to enter into a covenant for environmental remediation of real property owned by the Texas Department of Transportation.

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

SB 491 (West)

Relating to consideration of family violence in the risk assessment for international parental abduction of a child.

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

CSSB 500 (Shapiro)

Relating to the powers, duties, and financing of cultural education facilities finance corporations.

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

(Senator Uresti in Chair)**CSSB 502** (Carona)

Relating to the authority of the Texas Department of Transportation, counties, and certain toll project entities and regional mobility authorities to enter into funding agreements to expedite the entity's environmental review duties related to certain transportation projects.

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

SB 518 (Harris)

Relating to providing access to certain information relating to the discretionary transfer of a child from a juvenile court to a criminal court.

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

CSSB 519 (Harris)

Relating to the termination of the parent-child relationship and the duty to pay child support in circumstances involving mistaken paternity.

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

CSSB 520 (Harris)

Relating to the requirement that certain applicants for a vehicle dealer general distinguishing number complete a dealer education course.

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

SB 529 (Nelson)

Relating to the sale and use of certain alcoholic beverages manufactured by holders of a winery permit.

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

CSSB 543 (Carona)

Relating to certain possessory liens.

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

CSSB 547 (Eltife)

Relating to transition to competition in the Southwestern Electric Power Company service area.

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

SB 554 (Whitmire)

Relating to conduct constituting the offense of dog fighting and to the criminal and civil consequences of committing that offense.

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

SB 596 (Nichols)

Relating to the name of Stephen F. Austin State University.

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

SB 617 (Shapleigh)

Relating to requiring a retail seller of motor vehicle tires to render certain tires unusable; providing a civil penalty.

(viva voce vote) Williams "Nay" (30-1) Williams "Nay" (30-1) Williams "Nay"

CSSB 635 (Seliger)

Relating to certain requirements for school bus emergency evacuation training.

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

SB 637 (Hegar)

Relating to the creation of the Wharton County Drainage District.

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

SB 658 (Eltife)

Relating to the creation of an appellate judicial system for the Sixth Court of Appeals District.

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

SB 659 (Eltife)

Relating to the creation of an appellate judicial system for the Twelfth Court of Appeals District.

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

SB 663 (Averitt)

Relating to the dissolution of the Tablerock Groundwater Conservation District.

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

SB 698 (Ellis)

Relating to the establishment of a registry at the Texas Department of Insurance of certain legal entities determined to have sold race-based insurance coverage.

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

CSSB 702 (Carona)

Relating to the regulation of the towing and storage of vehicles.

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

SB 705 (Nelson)

Relating to the Medicaid consolidated waiver program and other Medicaid long-term care waiver programs.

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

SB 711 (Nelson)

Relating to creating a winery festival permit.

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

CSSB 713 (Carona)

Relating to a prohibition on the disclosure and use of certain information recorded or collected by a transponder used to electronically assess or collect a toll.

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

(Senator Williams in Chair)**SB 715** (Shapiro)

Relating to the North Texas Municipal Water District.

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

SB 741 (Nichols)

Relating to jurisdiction over a wage claim filed after the deadline.

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

SB 742 (Wentworth)

Relating to the qualifications to serve as an associate judge or visiting associate judge in certain family law proceedings.

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

SB 764 (Watson)

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

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

CSSB 776 (Averitt)

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

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

SB 786 (Nelson)

Relating to the protection of children from abuse and neglect.

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

SB 788 (Nelson)

Relating to reporting child abuse or neglect.

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

SB 799 (Jackson on behalf of 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.

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

SB 803 (Lucio)

Relating to meetings of the Coastal Coordination Council.

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

CSSB 806 (Nelson)

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

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

SB 811 (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.

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

SB 812 (Hegar)

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

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

SB 828 (Whitmire)

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

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

SB 833 (Carona)

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

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

SB 843 (Uresti)

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

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

SB 848 (Nichols)

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

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

SB 859 (Seliger)

Relating to initial claims under the unemployment compensation system.

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

SB 870 (Lucio)

Relating to the duties of the interagency obesity council and the Department of Agriculture relating to health, wellness, and prevention of obesity.

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

SB 914 (Jackson on behalf of Williams)

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

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

SB 927 (Huffman)

Relating to tampering with a direct recording electronic voting machine.

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

SB 941 (Wentworth)

Relating to contracts by governmental entities for professional services relating to geoscience.

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

SB 948 (Estes)

Relating to the definition of an agricultural business for the purposes of the Texas Agricultural Finance Authority.

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

SB 1001 (Deuell)

Relating to the continuation and operation of the office of public insurance counsel.
(viva voce vote) (31-0) (31-0)

SB 1005 (Hinojosa)

Relating to the regulation of polygraph examiners by the Texas Department of Licensing and Regulation and the abolition of the Polygraph Examiners Board.
(viva voce vote) (31-0) (31-0)

SB 1033 (Fraser)

Relating to the purposes and powers of the Temple Health and Bioscience Economic Development District.
(viva voce vote) (31-0) (31-0)

SB 1047 (Lucio)

Relating to the procurement methods authorized for public projects by a combined municipally owned electric, water, and wastewater utility situated in an economically distressed area within 30 miles of the Lower Texas Gulf Coast.
(viva voce vote) (31-0) (31-0)

SB 1081 (Huffman)

Relating to access to criminal history record information by the office of the attorney general.
(viva voce vote) (31-0) (31-0)

SB 1140 (Shapiro)

Relating to the eligibility of certain teachers to serve on the board of directors of a regional education service center.
(viva voce vote) (31-0) (31-0)

SB 1142 (Carona)

Relating to the authority with whom campaign finance reports must be filed in connection with a judicial district office filled by the voters of only one county.
(viva voce vote) (31-0) (31-0)

SB 1143 (Carona)

Relating to requirements regarding employer liability for certain group health benefit plan premiums.
(viva voce vote) (31-0) (31-0)

CSSB 1149 (Hegar)

Relating to authorizing the Texas Board of Criminal Justice to sell certain real property for municipal airport expansion.
(viva voce vote) (31-0) (31-0)

SB 1247 (Harris)

Relating to the definition of eligible central municipality for purposes of the municipal hotel occupancy tax.
(viva voce vote) (31-0) (31-0)

SB 1332 (Nelson)

Relating to the placement of certain children who are in the managing conservatorship of the state.

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

SB 1526 (Shapleigh)

Relating to financial and status reporting requirements for the Border Health Institute.

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

**BILLS REMOVED FROM
LOCAL AND UNCONTESTED CALENDAR**

Senator Carona and Senator Williams requested in writing that **SB 479** be removed from the Local and Uncontested Calendar.

Senator Carona and Senator Williams requested in writing that **SB 802** be removed from the Local and Uncontested Calendar.

ADJOURNMENT

Pursuant to a previously adopted motion, the Senate at 8:42 a.m. adjourned until 10:00 a.m. today.

