

SENATE JOURNAL

EIGHTY-FIRST LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

THIRTY-EIGHTH DAY

(Thursday, April 16, 2009)

The Senate met at 11:10 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, 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.

Absent-excused: Carona.

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

Chaplain Rhonda Lacy, Midland, offered the invocation as follows:

Dear heavenly Father, I come before You humbly. I thank You for Your love, but I ask You for Your mercy, mercy on this nation, this state, this austere group in this Chamber who endeavor to make decisions for the good of Texas, for the people they love, the people whom they serve. Bathe in truth those who work here. And when they know that truth, give them the boldness and perseverance to act upon that truth for the good of the people, for the love of Texas, and the strength of this nation. Give this fellowship unity, respect, encouragement, purpose, focus, and Your wisdom. For those in this Chamber who take lightly this call to serve Texas and her people, may Your convicting love change their ways. For those in this Chamber who have grown weary and discouraged, may they gain new vision and strength as they look to You for answers. As Your word says, "May they not lose heart in doing good," and may they not grow weary when their ways are challenged. I ask You for physical, emotional, mental, and spiritual strength for the decisions that come before these elected ones in this Chamber. I ask You for protection and endurance for their families, as many here miss family opportunities because of the work in which they are engaged. Give their families understanding and fill them with the knowledge and satisfaction that their loved ones are serving with a necessary purpose. For the troops represented from Members of this Senate and from this state, I ask for protection from harm and a resolute spirit. I ask that Your arms would envelop their families and soothe their hearts and

minds from worry as they look to You as their source of strength. I ask You for help, for encouragement, for healing, and for jobs for our warriors returning home. And for our wounded warriors, may they have a double portion of that same request. Father, thank You again for the elected ones before us. I ask You, please, to continue to raise up statesmen in our state, in our nation who care more about doing what is right, than what is politically expedient, whose main concern is not the next election but whose main concern is doing what is right, safe, and good for Texas and for our country. Thank You for the heritage of those who have gone before us in making this state what it is today. May we be worthy of their sacrifice and leave this state healthy and vital for those who follow. Now, Lord God, please lead and guide this day this Senate, our Lieutenant Governor, our Governor, the House, our justices and judges, and all who work on their behalf for the betterment of this state we love, Texas. Thank You, Lord. I pray these things in the name and power of Jesus Christ, my lord whom I serve. Amen.

Senator Whitmire moved that the reading of the Journal of the proceedings of yesterday be dispensed with and the Journal be approved as printed.

The motion prevailed without objection.

LEAVE OF ABSENCE

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

CO-AUTHORS OF SENATE BILL 9

On motion of Senator Zaffirini, Senators Estes, Van de Putte, Wentworth, and Whitmire will be shown as Co-authors of **SB 9**.

CO-AUTHOR OF SENATE BILL 11

On motion of Senator Carona, Senator Shapleigh will be shown as Co-author of **SB 11**.

CO-AUTHOR OF SENATE BILL 41

On motion of Senator Zaffirini, Senator Van de Putte will be shown as Co-author of **SB 41**.

CO-AUTHORS OF SENATE BILL 254

On motion of Senator Estes, Senators Nelson and Watson will be shown as Co-authors of **SB 254**.

CO-AUTHOR OF SENATE BILL 475

On motion of Senator Wentworth, Senator Lucio will be shown as Co-author of **SB 475**.

CO-AUTHOR OF SENATE BILL 488

On motion of Senator Ellis, Senator Watson will be shown as Co-author of **SB 488**.

CO-AUTHOR OF SENATE BILL 495

On motion of Senator Hinojosa, Senator Uresti will be shown as Co-author of **SB 495**.

CO-AUTHORS OF SENATE BILL 526

On motion of Senator Nelson, Senators Jackson and Shapleigh will be shown as Co-authors of **SB 526**.

CO-AUTHORS OF SENATE BILL 639

On motion of Senator Lucio, Senators Nichols, Uresti, and West will be shown as Co-authors of **SB 639**.

CO-AUTHOR OF SENATE BILL 686

On motion of Senator Davis, Senator West will be shown as Co-author of **SB 686**.

CO-AUTHOR OF SENATE BILL 835

On motion of Senator Hinojosa, Senator Zaffirini will be shown as Co-author of **SB 835**.

CO-AUTHOR OF SENATE BILL 845

On motion of Senator Van de Putte, Senator Zaffirini will be shown as Co-author of **SB 845**.

CO-AUTHORS OF SENATE BILL 911

On motion of Senator Williams, Senators Nelson, Nichols, and Shapleigh will be shown as Co-authors of **SB 911**.

CO-AUTHOR OF SENATE BILL 947

On motion of Senator Duncan, Senator Zaffirini will be shown as Co-author of **SB 947**.

CO-AUTHORS OF SENATE BILL 983

On motion of Senator Davis, Senators Nelson and Shapleigh will be shown as Co-authors of **SB 983**.

CO-AUTHOR OF SENATE BILL 1064

On motion of Senator Watson, Senator Uresti will be shown as Co-author of **SB 1064**.

CO-AUTHOR OF SENATE BILL 1168

On motion of Senator Hinojosa, Senator Van de Putte will be shown as Co-author of **SB 1168**.

CO-AUTHOR OF SENATE BILL 1431

On motion of Senator Hinojosa, Senator Shapleigh will be shown as Co-author of **SB 1431**.

CO-AUTHOR OF SENATE BILL 1854

On motion of Senator West, Senator Davis will be shown as Co-author of **SB 1854**.

CO-AUTHOR OF SENATE BILL 2225

On motion of Senator Carona, Senator Shapleigh will be shown as Co-author of **SB 2225**.

CO-AUTHORS OF SENATE JOINT RESOLUTION 9

On motion of Senator Carona, Senators Shapiro and Wentworth will be shown as Co-authors of **SJR 9**.

CO-AUTHOR OF SENATE JOINT RESOLUTION 25

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

SENATE RESOLUTION 477

Senator Nelson offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to recognize the members of the Texas Federation of Republican Women on the occasion of their visit to the Capitol on April 16, 2009; and

WHEREAS, The Texas Federation of Republican Women is one of the largest women's political organizations in the country; organized in 1955, 17 years after the National Federation of Republican Women was formed, it is widely recognized for its effectiveness in the election of Republican Party candidates to city, county, state, and national offices; and

WHEREAS, Members of the Texas Federation of Republican Women spend countless hours researching issues and working on behalf of Republican Party candidates; they also dedicate their efforts in support of community service projects and other worthy causes; the organization's officers for the 2008-2009 year are Toni Anne Dashiell, president; Rebecca Williamson, first vice president; Jo Konen, vice president bylaws; Carol Hanle, vice president campaign activities; Mary Mayo, vice president finance; Marilyn Davis, vice president legislation; Hazel Roman, vice president membership; Judy Smith, vice president programs; Susan Fischer, secretary; Jan Ott, treasurer; Borah Van Dormolen, immediate past president; and Melinda Fredricks, parliamentarian; and

WHEREAS, Through the commitment, hard work, and dedication of federation members, women of all ages, ethnic groups, and backgrounds have an increased awareness of political issues and have recognized their importance in the political process; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 81st Legislature, hereby commend the members of the Texas Federation of Republican Women for their exemplary accomplishments and proclaim April 16, 2009, Texas Federation of Republican Women Legislative Day at the State Capitol; and, be it further

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

NELSON	FRASER	OGDEN
AVERITT	HARRIS	PATRICK
CARONA	HEGAR	SELIGER
DEUELL	HUFFMAN	SHAPIRO
DUNCAN	JACKSON	WENTWORTH
ELTIFE	NICHOLS	WILLIAMS
ESTES		

SR 477 was again read.

The resolution was previously adopted on Thursday, March 19, 2009.

GUESTS PRESENTED

Senator Nelson was recognized and introduced to the Senate Toni Anne Dashiell, President, Texas Federation of Republican Women; Rebecca Williamson, First Vice-president; Marilyn Davis, Vice-president of Legislation; accompanied by a delegation of members of the Texas Federation of Republican Women.

The Senate welcomed its guests.

SENATE RESOLUTION 581

Senator Nelson offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to recognize the members of the Leadership Fort Worth Class of 2009 who are traveling to Austin to visit the State Capitol and to learn more about state government; and

WHEREAS, Program participants are provided many opportunities over a 10-month period to gain more insight into significant public issues and to visit with leaders who make crucial decisions on policies that affect their community; and

WHEREAS, The members of Leadership Fort Worth are a group of diligent and qualified residents who have proven leadership abilities and who are committed to building an involved citizenry; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 81st Legislature, hereby commend the members of the Leadership Fort Worth Class of 2009 for their dedication to civic responsibilities and extend best wishes to them for a memorable and enjoyable visit to Austin; and, be it further

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

NELSON
DAVIS
HARRIS

SR 581 was again read.

The resolution was previously adopted on Monday, April 6, 2009.

GUEST PRESENTED

Senator Watson was recognized and introduced to the Senate Kelly Burns of Cedar Park, Mrs. Texas of United America.

The Senate welcomed its guest.

SENATE RESOLUTION 570

Senator Watson offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to join Financial Fitness Greater Austin and the citizens of Austin in recognizing the week of April 20 through 26, 2009, as Financial Literacy Awareness Week; and

WHEREAS, Financial Literacy Awareness Week is a public education campaign by Financial Fitness Greater Austin to provide consumers in the Greater Austin area the tools they need to better understand and manage their personal finances; and

WHEREAS, Financial Fitness Greater Austin is an initiative of the Alliance for Economic Inclusion, the Financial Literacy Coalition of Central Texas, Senator Kirk Watson, and more than 65 organizations and businesses in the Austin area; and

WHEREAS, During Financial Literacy Awareness Week, various activities will be held and sponsoring organizations will provide information about finances and money management, including classes on budgeting, using credit cards wisely, reducing debt, building credit histories, and buying a home; and

WHEREAS, Texans, like citizens across the country, desire the American Dream, to own their own home and to have a successful and satisfying life; to achieve their goals, it is important that they comprehend the value of making wise decisions regarding their personal finances; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 81st Legislature, hereby recognize the week of April 20 through 26, 2009, as Financial Literacy Awareness Week in the Greater Austin area and extend to all best wishes for a successful event; and, be it further

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

SR 570 was read and was adopted without objection.

GUESTS PRESENTED

Senator Ogden was recognized and introduced to the Senate seventh-grade history students and their sponsors from Brazos Christian School in Bryan.

The Senate welcomed its guests.

PERMISSION TO INTRODUCE BILLS

On motion of Senator Whitmire and by unanimous consent, Senate Rule 7.07(b) was suspended to permit the introduction of the following bills: **SB 2527**, **SB 2530**.

SENATE RESOLUTION 639

Senator Gallegos offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to join the citizens of Harris County and Texans across the state in celebrating April 16, 2009, as East End Chamber Day at the State Capitol; and

WHEREAS, The City of Houston and Harris County can trace their beginnings to the East End and the area now known as "Old Harrisburg"; and

WHEREAS, The East End is home to the Port of Houston, the nation's leading port and one of the largest ports in the world; and

WHEREAS, Dedicated to promoting the economic vitality of the area, the Houston East End Chamber of Commerce played an important role in formulating a strategic vision plan for the region; this ambitious blueprint emphasizes education, economic development, infrastructure, image, parks and neighborhoods, and history as key factors in ensuring prosperity; and

WHEREAS, The chamber has been successful in working to implement these priorities, supporting the creation of the National Engineering Academy at Chavez High School and the Port of Houston Maritime Academy at Austin and Yates High Schools and promoting the establishment of an economic development division to retain and attract businesses; it is truly deserving of recognition for its outstanding efforts on behalf of this historic area; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 81st Legislature, hereby commend the Houston East End Chamber of Commerce on its many contributions to the well-being of the region and extend best wishes for a memorable East End Chamber Day at the State Capitol; and, be it further

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

SR 639 was read and was adopted without objection.

GUESTS PRESENTED

Senator Gallegos was recognized and introduced to the Senate Sylvia Medina, Roy Zermeño, Fred Newhouse, Gilda Ramirez, and Takea Reeder representing the Houston East End Chamber of Commerce.

The Senate welcomed its guests.

SENATOR ANNOUNCED PRESENT

Senator Carona, who had previously been recorded as "Absent-excused," was announced "Present."

MESSAGE FROM THE HOUSE

HOUSE CHAMBER
Austin, Texas
April 16, 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 150, Congratulating Ashley Carruth Beal of Midland on being named the 2009-2010 Texas Bluebonnet Queen.

HCR 154, In memory of G. G. "Jelly" May of Blossom.

HCR 155, Congratulating Duane and Martha Glover on the occasion of their 60th wedding anniversary.

HCR 156, In memory of Thomas Shelby Justiss of Fort Worth.

HCR 157, In memory of Charlie Summerlin of Mount Vernon.

HCR 158, In memory of Joan Sims Vaughan of Clarksville.

HCR 159, Commemorating the 30th anniversary of the creation of the Texas Guaranteed Student Loan Corporation.

HCR 162, Congratulating Eddie W. Klatt on his retirement from the Midland Fire Department.

HCR 172, Congratulating Michelle Jackson on her selection as the 2009 Cherry Blossom Princess for the State of Texas.

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

HOUSE CONCURRENT RESOLUTION 172

The President Pro Tempore laid before the Senate the following resolution:

WHEREAS, Michelle Jackson has been named a Cherry Blossom Princess, and this notable young Texan is serving as a worthy representative for the Lone Star State as a participant in the 2009 National Cherry Blossom Festival; and

WHEREAS, Held March 28 through April 12 this year, the annual event commemorates the 1912 gift of 3,000 cherry trees to the city of Washington from Mayor Yukio Ozaki of Tokyo; more than 700,000 people visit our nation's capital each year to admire the blossoming cherry trees that herald the beginning of spring and celebrate the special friendship between Japan and the United States; and

WHEREAS, Since 1948, each state has selected an accomplished young woman to share its traditions and history with national and international visitors and dignitaries; designated Cherry Blossom Princesses, they participate in educational, leadership, and cultural activities as ambassadors of their state and nation; and

WHEREAS, A most deserving honoree, Michelle Jackson is the daughter of Senator Mike Jackson and his wife, Vickie; Ms. Jackson is knowledgeable about Texas history and government as a former tour guide at the State Capitol and intern for Congressman John Culberson; and

WHEREAS, Ms. Jackson is a magna cum laude graduate of St. Edward's University, where she volunteered her time to benefit others as a member of the Alpha Psi Omega theater service fraternity; as a high school student in her hometown of La Porte, she was active in student council, the National Honor Society, and Girl Scouts; she also distinguished herself as first vice chair of the La Porte 4-H, president of her school's orchestra, and vice president of her senior class; and

WHEREAS, In addition to earning the Gold Award, the highest achievement in the Girl Scout program, Ms. Jackson was named Outstanding Girl for 2004 by the La Porte-Bayshore Chamber of Commerce; and

WHEREAS, Michelle Jackson has long demonstrated great talent, leadership, and initiative, and her efforts have made her an outstanding recipient of this prestigious honor; now, therefore, be it

RESOLVED, That the 81st Legislature of the State of Texas hereby congratulate Michelle Jackson on her selection as the 2009 Cherry Blossom Princess for the State of Texas and extend to her sincere best wishes for continued success in all of her endeavors; and, be it further

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

WHITMIRE

HCR 172 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.

GUESTS PRESENTED

Senator Whitmire was recognized and introduced to the Senate Michelle Jackson, 2009 Cherry Blossom Princess and daughter of Senator Jackson, accompanied by her mother, Vickie Jackson.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Jackson was recognized and introduced to the Senate representatives of the Texas City–La Marque and the Galveston Chambers of Commerce.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Van de Putte was recognized and introduced to the Senate Robert Marbut, Professor and President/Chief Executive Officer of Haven for Hope, accompanied by a group of students from Northwest Vista College in San Antonio.

The Senate welcomed its guests.

PHYSICIAN OF THE DAY

Senator Watson was recognized and presented Dr. Dan Freeland of Austin as the Physician of the Day.

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

SENATE BILLS ON FIRST READING

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

SB 2527 by Hinojosa

Relating to creating the health care access fund to recruit health care providers in health professional shortage areas and to support federally-qualified health centers and to using for those purposes revenue from a tax imposed on certain tobacco products.

To Committee on Health and Human Services.

SB 2528 by Jackson

Relating to the creation of the League City Improvement District; providing authority to impose an assessment, impose a tax, and issue bonds.

To Committee on Intergovernmental Relations.

SB 2529 by Estes

Relating to the creation of the Red River Groundwater Conservation District; providing authority to issue bonds.

To Committee on Natural Resources.

SB 2530 by Wentworth

Relating to a study of the availability and sustainability of groundwater in the Hays Trinity Groundwater Conservation District; providing funds for the study.

To Committee on Natural Resources.

HOUSE BILLS ON FIRST READING

The following bills received from the House were read first time and referred to the committees indicated:

HB 407 to Committee on State Affairs.

HB 609 to Committee on Jurisprudence.

HB 709 to Committee on Education.

HB 780 to Committee on Intergovernmental Relations.

HB 987 to Committee on Intergovernmental Relations.

HB 1060 to Committee on Criminal Justice.

HB 1240 to Committee on Health and Human Services.

HB 1454 to Committee on Health and Human Services.

HB 1615 to Committee on Natural Resources.

HB 1757 to Committee on Business and Commerce.

HB 1947 to Committee on Natural Resources.

HB 2062 to Committee on Criminal Justice.

HB 2074 to Committee on Natural Resources.

HB 2113 to Committee on Intergovernmental Relations.

HB 2387 to Committee on Natural Resources.

HB 2569 to Committee on Business and Commerce.

HB 2814 to Committee on Finance.

HB 3113 to Committee on State Affairs.

HB 3519 to Committee on Economic Development.

HB 4004 to Committee on International Relations and Trade.

HB 4359 to Committee on Business and Commerce.

BILL SIGNED

The President Pro Tempore announced the signing of the following enrolled bill in the presence of the Senate after the caption had been read: **SB 731**.

CONCLUSION OF MORNING CALL

The President Pro Tempore at 12:03 p.m. announced the conclusion of morning call.

(Senator Eltife in Chair)

**COMMITTEE SUBSTITUTE
SENATE BILL 2043 ON SECOND READING**

On motion of Senator Williams and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 2043** at this time on its second reading:

CSSB 2043, Relating to the closure of certain man-made passes between the Gulf of Mexico and inland bays by the commissioner of the General Land Office.

The bill was read second time.

Senator Huffman offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 2043** (Senate committee printing) as follows:

(1) In SECTION 1 of the bill, in the heading to added Section 33.613, Natural Resources Code, between "CLOSURE" and "OF" (page 1, line 16), insert "OR MODIFICATION".

(2) In SECTION 1 of the bill, in added Section 33.613(a), Natural Resources Code (page 1, line 18), strike "close a man-made pass" and substitute "undertake the closure or modification of a man-made pass or its environs".

The amendment to **CSSB 2043** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1.

Senator Ogden offered the following amendment to the bill:

Floor Amendment No. 2

Amend **CSSB 2043** by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill appropriately:

SECTION _____. This Act does not make an appropriation. This Act takes effect only if a specific appropriation for the implementation of the Act is provided in a general appropriations act of the 81st Legislature.

The amendment to **CSSB 2043** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 2.

On motion of Senator Williams and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

CSSB 2043 as amended was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment.

**COMMITTEE SUBSTITUTE
SENATE BILL 2043 ON THIRD READING**

Senator Williams moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 2043** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Wentworth.

Reason for Vote

Senator Wentworth submitted the following reason for vote on suspension of the Constitutional Three-day Rule:

I cast a "No" vote on the procedural motion to suspend the Constitutional Rule requiring that bills be read on three several days in order to take up and consider **CSSB 2043**, because in my judgment no circumstance exists in this case to justify the extraordinary act of suspending a requirement of the Texas Constitution. The suspension of this Constitutional Rule has the direct and immediate effect of denying the people of Texas knowledge and notice of the passage of this measure until it has already been finally passed on third reading. Were we to have followed the requirement of the Texas Constitution, third reading and a vote on **CSSB 2043** would have occurred on the next legislative day, allowing for Texans to have learned through news reports of our second reading vote exactly what we had tentatively passed. Third reading and a vote on the next legislative day would also have allowed our professional staff an opportunity overnight to make sure any amendments passed on second reading are technically correct.

/s/Jeff Wentworth
Senator, District 25

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

REMARKS ORDERED PRINTED

On motion of Senator Williams and by unanimous consent, the exchange between Senator Huffman and Senator Williams and Senator Williams' final remarks regarding **CSSB 2043** were ordered reduced to writing and printed in the *Senate Journal* as follows:

Senator Huffman: Senator Williams, could I ask you just a couple of questions about your bill to—

Senator Williams: Yes.

Senator Huffman: Clarify how it might affect—

Senator Williams: I wish you would.

Senator Huffman: Thank you. I would, what I want to know is, is it the intent of this bill to mandate the closure of Rollover Pass in, on the Bolivar–

Senator Williams: Senator Huffman, I'm glad–

Senator Huffman: Peninsula?

Senator Williams: That you asked this question. The bill simply grants authority to the Land Commissioner to close the pass or make the necessary modifications to the pass if the Commissioner determines that such action would reduce erosion in the area of the Bolivar Peninsula.

Senator Huffman: If that decision is made, do you think it would be beneficial to both private property and public property on the Bolivar Peninsula?

Senator Williams: I do believe it would be.

Senator Huffman: And do you think that this bill addresses the potential loss of recreational fishing opportunities along the Bolivar Peninsula?

Senator Williams: I do, and I'm very sensitive to that. I know that this peninsula is in your district and it's very close to mine, and I have a lot of constituents down there with beach houses, and I, as a child, you know, I grew up going to the Bolivar Peninsula. This is where we often went on family vacations. So, I care a lot about the future of this area. The bill requires that the Commissioner of the General Land Office develop a mitigation plan that addresses the loss of any activities if the pass is closed or modified. And the plan must consider the feasibility of the construction of a fishing pier and of public boat ramps, and it must be made available for public comment. And I believe there are also provisions in the bill that require the, instruct the general, the Commissioner of the General Land Office to involve the local elected officials from the county and the communities on the Bolivar Peninsula in this process.

Senator Huffman: Thank you, Senator Williams, and thank you for the work that you put into this bill and for considering the many interests that were involved. Thank you for your time on this.

Senator Williams: Thank you.

Senator Huffman: Thank you.

Presiding Officer: Senator Williams, would you like to make your statement now?

Senator Williams: I would, Mr. President. I would like to clarify and make a part of the record the Land Commissioner's authority to close the pass would also involve potential environmental impacts under consideration. Under federal law the closure of the pass would require a U.S. Army Corps of Engineers permit. The permitting process requires that an environmental assessment, comments from the applicable federal and state natural resource agencies, such as the U.S. Fish and Wildlife Service, the Texas Parks and Wildlife Department, and the Texas Commission on Environmental Quality, and the public. Only after the permit is issued can the Commissioner close the pass. And so, the purpose of this bill is to initiate the beginning of the study and the permitting process that would be necessary to determine the appropriate action to take on Rollover Pass.

SENATE BILL 587 ON SECOND READING

On motion of Senator Shapiro and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 587** at this time on its second reading:

SB 587, Relating to the eligibility of school districts for state assistance with payment of existing debt.

The bill was read second time and was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment.

SENATE BILL 587 ON THIRD READING

Senator Shapiro moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 587** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Wentworth.

Reason for Vote

Senator Wentworth submitted the following reason for vote on suspension of the Constitutional Three-day Rule:

I cast a "No" vote on the procedural motion to suspend the Constitutional Rule requiring that bills be read on three several days in order to take up and consider **SB 587**, because in my judgment no circumstance exists in this case to justify the extraordinary act of suspending a requirement of the Texas Constitution. The suspension of this Constitutional Rule has the direct and immediate effect of denying the people of Texas knowledge and notice of the passage of this measure until it has already been finally passed on third reading. Were we to have followed the requirement of the Texas Constitution, third reading and a vote on **SB 587** would have occurred on the next legislative day, allowing for Texans to have learned through news reports of our second reading vote exactly what we had tentatively passed. Third reading and a vote on the next legislative day would also have allowed our professional staff an opportunity overnight to make sure any amendments passed on second reading are technically correct.

/s/Jeff Wentworth
Senator, District 25

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

SENATE BILL 1574 ON SECOND READING

Senator Hinojosa moved to suspend the regular order of business to take up for consideration **SB 1574** at this time on its second reading:

SB 1574, Relating to the requirement that the county clerk of certain counties prepare a written records management and preservation services plan.

The motion prevailed.

Senator Shapiro asked to be recorded as voting "Nay" on suspension of the regular order of business.

The bill was read second time and was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment except as follows:

Nays: Shapiro.

SENATE BILL 1574 ON THIRD READING

Senator Hinojosa moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 1574** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 2.

Yeas: Averitt, Carona, Davis, Deuell, Duncan, Ellis, Eltife, Estes, Fraser, Gallegos, Harris, Hegar, Hinojosa, Huffman, Jackson, Lucio, Nelson, Nichols, Ogden, Patrick, Seliger, Shapleigh, Uresti, Van de Putte, Watson, West, Whitmire, Williams, Zaffirini.

Nays: Shapiro, Wentworth.

Reason for Vote

Senator Wentworth submitted the following reason for vote on suspension of the Constitutional Three-day Rule:

I cast a "No" vote on the procedural motion to suspend the Constitutional Rule requiring that bills be read on three several days in order to take up and consider **SB 1574**, because in my judgment no circumstance exists in this case to justify the extraordinary act of suspending a requirement of the Texas Constitution. The suspension of this Constitutional Rule has the direct and immediate effect of denying the people of Texas knowledge and notice of the passage of this measure until it has already been finally passed on third reading. Were we to have followed the requirement of the Texas Constitution, third reading and a vote on **SB 1574** would have occurred on the next legislative day, allowing for Texans to have learned through news reports of our second reading vote exactly what we had tentatively passed. Third reading and a vote on the next legislative day would also have allowed our professional staff an opportunity overnight to make sure any amendments passed on second reading are technically correct.

/s/Jeff Wentworth
Senator, District 25

The bill was read third time and was passed by the following vote: Yeas 30, Nays 1.

Nays: Shapiro.

**COMMITTEE SUBSTITUTE
SENATE BILL 1163 ON SECOND READING**

Senator Seliger moved to suspend the regular order of business to take up for consideration **CSSB 1163** at this time on its second reading:

CSSB 1163, Relating to the penalties for theft of cattle, horses, exotic livestock, exotic fowl, sheep, swine, or goats.

The motion prevailed by the following vote: Yeas 29, Nays 2.

Yeas: Averitt, Carona, Deuell, Duncan, Ellis, Eltife, Estes, Fraser, Gallegos, Harris, Hegar, Hinojosa, Huffman, Jackson, Lucio, Nelson, Nichols, Ogden, Patrick, Seliger, Shapiro, Shapleigh, Van de Putte, Watson, Wentworth, West, Whitmire, Williams, Zaffirini.

Nays: Davis, Uresti.

The bill was read second time and was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment except as follows:

Nays: Davis, Uresti.

**COMMITTEE SUBSTITUTE
SENATE BILL 1163 ON THIRD READING**

Senator Seliger moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1163** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 3.

Yeas: Averitt, Carona, Deuell, Duncan, Ellis, Eltife, Estes, Fraser, Gallegos, Harris, Hegar, Hinojosa, Huffman, Jackson, Lucio, Nelson, Nichols, Ogden, Patrick, Seliger, Shapiro, Shapleigh, Van de Putte, Watson, West, Whitmire, Williams, Zaffirini.

Nays: Davis, Uresti, Wentworth.

Reason for Vote

Senator Wentworth submitted the following reason for vote on suspension of the Constitutional Three-day Rule:

I cast a "No" vote on the procedural motion to suspend the Constitutional Rule requiring that bills be read on three several days in order to take up and consider **CSSB 1163**, because in my judgment no circumstance exists in this case to justify the extraordinary act of suspending a requirement of the Texas Constitution. The suspension of this Constitutional Rule has the direct and immediate effect of denying the people of Texas knowledge and notice of the passage of this measure until it has

already been finally passed on third reading. Were we to have followed the requirement of the Texas Constitution, third reading and a vote on **CSSB 1163** would have occurred on the next legislative day, allowing for Texans to have learned through news reports of our second reading vote exactly what we had tentatively passed. Third reading and a vote on the next legislative day would also have allowed our professional staff an opportunity overnight to make sure any amendments passed on second reading are technically correct.

/s/Jeff Wentworth
Senator, District 25

The bill was read third time and was passed by the following vote: Yeas 29, Nays 2.

Yeas: Averitt, Carona, Deuell, Duncan, Ellis, Eltife, Estes, Fraser, Gallegos, Harris, Hegar, Hinojosa, Huffman, Jackson, Lucio, Nelson, Nichols, Ogden, Patrick, Seliger, Shapiro, Shapleigh, Van de Putte, Watson, Wentworth, West, Whitmire, Williams, Zaffirini.

Nays: Davis, Uresti.

COMMITTEE SUBSTITUTE
SENATE JOINT RESOLUTION 52 ON THIRD READING

Senator Davis moved to suspend the regular order of business to take up for consideration **CSSJR 52** at this time on its third reading and final passage:

CSSJR 52, Proposing a constitutional amendment authorizing the legislature by general law to permit counties to assess and collect a local motor fuels tax and an additional vehicle registration fee to be used for mobility improvement projects.

The motion prevailed by the following vote: Yeas 22, Nays 9.

Yeas: Averitt, Carona, Davis, Deuell, Ellis, Eltife, Estes, Gallegos, Hinojosa, Lucio, Nichols, Seliger, Shapiro, Shapleigh, Uresti, Van de Putte, Watson, Wentworth, West, Whitmire, Williams, Zaffirini.

Nays: Duncan, Fraser, Harris, Hegar, Huffman, Jackson, Nelson, Ogden, Patrick.

The resolution was read third time and was passed by the following vote: Yeas 22, Nays 9. (Same as previous roll call)

COMMITTEE SUBSTITUTE
SENATE BILL 294 ON SECOND READING

Senator Hinojosa moved to suspend the regular order of business to take up for consideration **CSSB 294** at this time on its second reading:

CSSB 294, Relating to optional fees on the registration of a vehicle imposed by a county.

The motion prevailed by the following vote: Yeas 20, Nays 10.

Yeas: Averitt, Carona, Davis, Deuell, Ellis, Eltife, Gallegos, Hegar, Hinojosa, Lucio, Seliger, Shapleigh, Uresti, Van de Putte, Watson, Wentworth, West, Whitmire, Williams, Zaffirini.

Nays: Duncan, Estes, Harris, Huffman, Jackson, Nelson, Nichols, Ogden, Patrick, Shapiro.

Absent: Fraser.

The bill was read second time.

Senator Hinojosa offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 294** in SECTION 2 of the bill, immediately following proposed Section 502.1725(k), Transportation Code (committee printing page 2, between lines 42 and 43), by inserting the following:

(l) This subsection applies only if S.B. No. 855, 81st Legislature, Regular Session, 2009, or other similar legislation providing for or authorizing the imposition of a county, municipal, or other local mobility improvement fee or other similar fee for transportation or mobility projects is enacted by the legislature and becomes law, regardless of the relative dates of enactment. The total amount of fees imposed under this section and any mobility improvement fee or other similar fee imposed under S.B. No. 855 or other similar legislation may not exceed \$60. If S.B. No. 855 or other similar legislation does not become law, this subsection expires January 1, 2011.

The amendment to **CSSB 294** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1.

Senator Williams offered the following amendment to the bill:

Floor Amendment No. 2

Amend **CSSB 294** (Senate committee printing) as follows:

(1) Add a new section, appropriately numbered to read as follows, and renumber the sections of the bill accordingly:

SECTION _____. Amend Section 502.103, Transportation Code to read as follows:

Sec. 502.103. DISPOSITION OF OPTIONAL COUNTY ROAD AND BRIDGE FEE AND OPTIONAL COUNTY FEE IN LARGE COUNTIES. Each Monday a county assessor-collector shall apportion the collections for the preceding week for a fee imposed under Section 502.172, and in a county with a population of 3.3 million or more, a fee imposed under Section 502.1725, by:

(1) crediting an amount equal to 97 percent of the collections to the county road and bridge fund; and

(2) sending to the department an amount equal to three percent of the collections to defray the department's costs of administering Section 502.172 and Section 502.1725.

(2) In SECTION 2 of the bill, in amended Section 502.1725, Transportation Code (page 2, between lines 16 and 17) by inserting the following:

(e-2) If the county imposing the fee under this chapter has a population of 3.3 million or more or if the county imposing the fee under this chapter is adjacent to a county that has a population of 3.3 million or more, the county may contract with a transportation governmental entity designated by the county.

The amendment to **CSSB 294** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 2.

Senator Lucio offered the following amendment to the bill:

Floor Amendment No. 3

Amend **CSSB 294** (committee printing) as follows:

(1) In SECTION 2 of the bill, in amended Section 502.1725, Transportation Code (page 1, line 26), strike "The" and substitute "Except as provided by Subsection (1), the [The]".

(2) In SECTION 2 of the bill, immediately following proposed Section 502.1725(k), Transportation Code (page 2, between lines 42 and 43), insert the following:

(1) The commissioners court of a county shall call an election on the issue of imposing a fee under this section. The election must be held on a uniform election date under Section 41.001, Election Code. If a majority of the votes cast at the election approve the imposition of the fee, the fee is imposed. The county must notify the department not later than September 1 of the year preceding the year in which the fee takes effect. Notwithstanding Subsection (d), the county may order the fee removed and shall notify the department not later than September 1 of the year preceding the year in which the removal takes effect. This subsection applies only to a county that has a population of more than 325,000 and that is located adjacent to:

(1) an international border; and

(2) a county with a population of more than 550,000.

The amendment to **CSSB 294** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 3.

On motion of Senator Hinojosa and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

CSSB 294 as amended was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment except as follows:

Nays: Duncan, Estes, Harris, Huffman, Jackson, Nelson, Nichols, Ogden, Patrick, Shapiro, West.

COMMITTEE SUBSTITUTE SENATE BILL 1952 ON SECOND READING

On motion of Senator Jackson and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1952** at this time on its second reading:

CSSB 1952, Relating to the authorization of certain municipalities and counties to issue public securities for the financing of permanent improvements for use by an institution of higher education.

The bill was read second time and was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment.

**COMMITTEE SUBSTITUTE
SENATE BILL 1952 ON THIRD READING**

Senator Jackson moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1952** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Wentworth.

Reason for Vote

Senator Wentworth submitted the following reason for vote on suspension of the Constitutional Three-day Rule:

I cast a "No" vote on the procedural motion to suspend the Constitutional Rule requiring that bills be read on three several days in order to take up and consider **CSSB 1952**, because in my judgment no circumstance exists in this case to justify the extraordinary act of suspending a requirement of the Texas Constitution. The suspension of this Constitutional Rule has the direct and immediate effect of denying the people of Texas knowledge and notice of the passage of this measure until it has already been finally passed on third reading. Were we to have followed the requirement of the Texas Constitution, third reading and a vote on **CSSB 1952** would have occurred on the next legislative day, allowing for Texans to have learned through news reports of our second reading vote exactly what we had tentatively passed. Third reading and a vote on the next legislative day would also have allowed our professional staff an opportunity overnight to make sure any amendments passed on second reading are technically correct.

/s/Jeff Wentworth
Senator, District 25

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

**COMMITTEE SUBSTITUTE
SENATE BILL 983 ON SECOND READING**

On motion of Senator Davis and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 983** at this time on its second reading:

CSSB 983, Relating to providing certain documents and training to children in the conservatorship of the Department of Family and Protective Services.

The bill was read second time and was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment.

COMMITTEE SUBSTITUTE
SENATE BILL 983 ON THIRD READING

Senator Davis moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 983** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Wentworth.

Reason for Vote

Senator Wentworth submitted the following reason for vote on suspension of the Constitutional Three-day Rule:

I cast a "No" vote on the procedural motion to suspend the Constitutional Rule requiring that bills be read on three several days in order to take up and consider **CSSB 983**, because in my judgment no circumstance exists in this case to justify the extraordinary act of suspending a requirement of the Texas Constitution. The suspension of this Constitutional Rule has the direct and immediate effect of denying the people of Texas knowledge and notice of the passage of this measure until it has already been finally passed on third reading. Were we to have followed the requirement of the Texas Constitution, third reading and a vote on **CSSB 983** would have occurred on the next legislative day, allowing for Texans to have learned through news reports of our second reading vote exactly what we had tentatively passed. Third reading and a vote on the next legislative day would also have allowed our professional staff an opportunity overnight to make sure any amendments passed on second reading are technically correct.

/s/Jeff Wentworth
Senator, District 25

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

SENATE BILL 254 ON SECOND READING

On motion of Senator Estes and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 254** at this time on its second reading:

SB 254, Relating to the exemption of volunteer fire departments from certain motor fuel taxes.

The bill was read second time and was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment.

SENATE BILL 254 ON THIRD READING

Senator Estes moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 254** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Wentworth.

Reason for Vote

Senator Wentworth submitted the following reason for vote on suspension of the Constitutional Three-day Rule:

I cast a "No" vote on the procedural motion to suspend the Constitutional Rule requiring that bills be read on three several days in order to take up and consider **SB 254**, because in my judgment no circumstance exists in this case to justify the extraordinary act of suspending a requirement of the Texas Constitution. The suspension of this Constitutional Rule has the direct and immediate effect of denying the people of Texas knowledge and notice of the passage of this measure until it has already been finally passed on third reading. Were we to have followed the requirement of the Texas Constitution, third reading and a vote on **SB 254** would have occurred on the next legislative day, allowing for Texans to have learned through news reports of our second reading vote exactly what we had tentatively passed. Third reading and a vote on the next legislative day would also have allowed our professional staff an opportunity overnight to make sure any amendments passed on second reading are technically correct.

/s/Jeff Wentworth
Senator, District 25

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

SENATE BILL 809 ON SECOND READING

On motion of Senator Whitmire and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 809** at this time on its second reading:

SB 809, Relating to the issuance of an occupational license to certain applicants with criminal convictions.

The bill was read second time.

Senator Huffman offered the following amendment to the bill:

Floor Amendment No. 1

Amend **SB 809** (Senate committee report) as follows:

(1) In SECTION 1 of the bill (page 1, line 24) insert the following new Subsection (3) and renumber the subsequent subsections accordingly:

(3) a person licensed or applying for a license under Chapter 1702;

The amendment to **SB 809** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1.

On motion of Senator Whitmire and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

SB 809 as amended was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment.

SENATE BILL 809 ON THIRD READING

Senator Whitmire moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 809** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Wentworth.

Reason for Vote

Senator Wentworth submitted the following reason for vote on suspension of the Constitutional Three-day Rule:

I cast a "No" vote on the procedural motion to suspend the Constitutional Rule requiring that bills be read on three several days in order to take up and consider **SB 809**, because in my judgment no circumstance exists in this case to justify the extraordinary act of suspending a requirement of the Texas Constitution. The suspension of this Constitutional Rule has the direct and immediate effect of denying the people of Texas knowledge and notice of the passage of this measure until it has already been finally passed on third reading. Were we to have followed the requirement of the Texas Constitution, third reading and a vote on **SB 809** would have occurred on the next legislative day, allowing for Texans to have learned through news reports of our second reading vote exactly what we had tentatively passed. Third reading and a vote on the next legislative day would also have allowed our professional staff an opportunity overnight to make sure any amendments passed on second reading are technically correct.

/s/Jeff Wentworth
Senator, District 25

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

SENATE BILL 100 ON SECOND READING

On motion of Senator Lucio and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 100** at this time on its second reading:

SB 100, Relating to professional development institutes for public school teachers and paraprofessionals regarding education of students with disabilities.

The bill was read second time.

Senator Lucio offered the following amendment to the bill:

Floor Amendment No. 1

Amend **SB 100** as follows:

(1) In SECTION 1 of the bill, in added Subsection (b)(2), Section 21.461, Education Code (committee printing page 1, line 25-26), between "scientifically based research" and "to be effective" insert "-, as defined by Section 9101, No Child Left Behind Act of 2001 (20 U.S.C. Section 7801),"

(2) In SECTION 1 of the bill, in added Subsection (d), Section 21.461 (committee printing page 1, line 36-37), between "for the purpose," and "the commissioner shall pay" insert "as well as other available sources,"

The amendment to **SB 100** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1.

Senator Lucio offered the following amendment to the bill:

Floor Amendment No. 2

Amend **SB 100** by adding the following appropriately numbered section to the bill and renumbering subsequent sections of the bill as appropriate:

SECTION _____. This Act does not make an appropriation. This Act takes effect only if a specific appropriation for the implementation of the Act is provided in a general appropriations act of the 81st Legislature.

The amendment to **SB 100** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 2.

On motion of Senator Lucio and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

SB 100 as amended was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment.

SENATE BILL 100 ON THIRD READING

Senator Lucio moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 100** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Wentworth.

Reason for Vote

Senator Wentworth submitted the following reason for vote on suspension of the Constitutional Three-day Rule:

I cast a "No" vote on the procedural motion to suspend the Constitutional Rule requiring that bills be read on three several days in order to take up and consider **SB 100**, because in my judgment no circumstance exists in this case to justify the

extraordinary act of suspending a requirement of the Texas Constitution. The suspension of this Constitutional Rule has the direct and immediate effect of denying the people of Texas knowledge and notice of the passage of this measure until it has already been finally passed on third reading. Were we to have followed the requirement of the Texas Constitution, third reading and a vote on **SB 100** would have occurred on the next legislative day, allowing for Texans to have learned through news reports of our second reading vote exactly what we had tentatively passed. Third reading and a vote on the next legislative day would also have allowed our professional staff an opportunity overnight to make sure any amendments passed on second reading are technically correct.

/s/Jeff Wentworth
Senator, District 25

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

**COMMITTEE SUBSTITUTE
SENATE BILL 1207 ON SECOND READING**

On motion of Senator Seliger and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1207** at this time on its second reading:

CSSB 1207, Relating to the use of municipal hotel occupancy tax revenue to finance a convention center hotel in certain municipalities.

The bill was read second time and was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment.

**COMMITTEE SUBSTITUTE
SENATE BILL 1207 ON THIRD READING**

Senator Seliger moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1207** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Wentworth.

Reason for Vote

Senator Wentworth submitted the following reason for vote on suspension of the Constitutional Three-day Rule:

I cast a "No" vote on the procedural motion to suspend the Constitutional Rule requiring that bills be read on three several days in order to take up and consider **CSSB 1207**, because in my judgment no circumstance exists in this case to justify the extraordinary act of suspending a requirement of the Texas Constitution. The suspension of this Constitutional Rule has the direct and immediate effect of denying the people of Texas knowledge and notice of the passage of this measure until it has already been finally passed on third reading. Were we to have followed the

requirement of the Texas Constitution, third reading and a vote on **CSSB 1207** would have occurred on the next legislative day, allowing for Texans to have learned through news reports of our second reading vote exactly what we had tentatively passed. Third reading and a vote on the next legislative day would also have allowed our professional staff an opportunity overnight to make sure any amendments passed on second reading are technically correct.

/s/Jeff Wentworth
Senator, District 25

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

SENATE BILL 1997 ON SECOND READING

On motion of Senator Lucio and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 1997** at this time on its second reading:

SB 1997, Relating to the designation of Farm-to-Market Road 1015 in Hidalgo County as the Bill Summers International Boulevard.

The bill was read second time and was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment.

SENATE BILL 1997 ON THIRD READING

Senator Lucio moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 1997** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Wentworth.

Reason for Vote

Senator Wentworth submitted the following reason for vote on suspension of the Constitutional Three-day Rule:

I cast a "No" vote on the procedural motion to suspend the Constitutional Rule requiring that bills be read on three several days in order to take up and consider **SB 1997**, because in my judgment no circumstance exists in this case to justify the extraordinary act of suspending a requirement of the Texas Constitution. The suspension of this Constitutional Rule has the direct and immediate effect of denying the people of Texas knowledge and notice of the passage of this measure until it has already been finally passed on third reading. Were we to have followed the requirement of the Texas Constitution, third reading and a vote on **SB 1997** would have occurred on the next legislative day, allowing for Texans to have learned through news reports of our second reading vote exactly what we had tentatively passed.

Third reading and a vote on the next legislative day would also have allowed our professional staff an opportunity overnight to make sure any amendments passed on second reading are technically correct.

/s/Jeff Wentworth
Senator, District 25

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

**COMMITTEE SUBSTITUTE
SENATE BILL 1016 ON SECOND READING**

On motion of Senator Estes and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1016** at this time on its second reading:

CSSB 1016, Relating to the continuation and functions of the Department of Agriculture and the Prescribed Burning Board and the abolition of the Texas-Israel Exchange Fund Board; providing penalties.

The bill was read second time.

Senator Estes offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 1016**, SECTION 9.19 by adding the following appropriately lettered subsection to the bill:

() SECTION 9.02 in this Act does not make an appropriation. A provision in SECTION 9.02 that creates a new governmental program, creates a new entitlement, or imposes a new duty on a governmental entity is not mandatory during a fiscal period for which the legislature has not made a specific appropriation to implement the provision. A change in law made in SECTION 9.02 of this Act may not receive an appropriation of more than \$4,000,000 during the fiscal period in which the legislation becomes effective.

The amendment to **CSSB 1016** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1.

Senator Lucio offered the following amendment to the bill:

Floor Amendment No. 2

Amend **CSSB 1016** (committee printing) by striking, on page 29, line 36 through line 12, on page 30.

The amendment to **CSSB 1016** was read.

Senator Lucio withdrew Floor Amendment No. 2.

On motion of Senator Estes and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

CSSB 1016 as amended was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment.

**COMMITTEE SUBSTITUTE
SENATE BILL 1016 ON THIRD READING**

Senator Estes moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1016** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Wentworth.

Reason for Vote

Senator Wentworth submitted the following reason for vote on suspension of the Constitutional Three-day Rule:

I cast a "No" vote on the procedural motion to suspend the Constitutional Rule requiring that bills be read on three several days in order to take up and consider **CSSB 1016**, because in my judgment no circumstance exists in this case to justify the extraordinary act of suspending a requirement of the Texas Constitution. The suspension of this Constitutional Rule has the direct and immediate effect of denying the people of Texas knowledge and notice of the passage of this measure until it has already been finally passed on third reading. Were we to have followed the requirement of the Texas Constitution, third reading and a vote on **CSSB 1016** would have occurred on the next legislative day, allowing for Texans to have learned through news reports of our second reading vote exactly what we had tentatively passed. Third reading and a vote on the next legislative day would also have allowed our professional staff an opportunity overnight to make sure any amendments passed on second reading are technically correct.

/s/Jeff Wentworth
Senator, District 25

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

SENATE BILL 1838 ON SECOND READING

On motion of Senator Patrick and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 1838** at this time on its second reading:

SB 1838, Relating to involuntary termination of parental rights based on attempted murder or solicitation of murder of the child's other parent.

The bill was read second time and was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment.

SENATE BILL 1838 ON THIRD READING

Senator Patrick moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 1838** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Wentworth.

Reason for Vote

Senator Wentworth submitted the following reason for vote on suspension of the Constitutional Three-day Rule:

I cast a "No" vote on the procedural motion to suspend the Constitutional Rule requiring that bills be read on three several days in order to take up and consider **SB 1838**, because in my judgment no circumstance exists in this case to justify the extraordinary act of suspending a requirement of the Texas Constitution. The suspension of this Constitutional Rule has the direct and immediate effect of denying the people of Texas knowledge and notice of the passage of this measure until it has already been finally passed on third reading. Were we to have followed the requirement of the Texas Constitution, third reading and a vote on **SB 1838** would have occurred on the next legislative day, allowing for Texans to have learned through news reports of our second reading vote exactly what we had tentatively passed. Third reading and a vote on the next legislative day would also have allowed our professional staff an opportunity overnight to make sure any amendments passed on second reading are technically correct.

/s/Jeff Wentworth
Senator, District 25

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

AT EASE

The Presiding Officer, Senator Eltife in Chair, at 1:56 p.m. announced the Senate would stand At Ease subject to the call of the Chair.

IN LEGISLATIVE SESSION

Senator Eltife at 2:19 p.m. called the Senate to order as In Legislative Session.

**COMMITTEE SUBSTITUTE
SENATE BILL 861 ON SECOND READING**

On motion of Senator Wentworth and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 861** at this time on its second reading:

CSSB 861, Relating to the exchange of information among certain governmental entities concerning at-risk youth.

The bill was read second time and was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment.

**COMMITTEE SUBSTITUTE
SENATE BILL 1123 ON SECOND READING**

Senator Duncan moved to suspend the regular order of business to take up for consideration **CSSB 1123** at this time on its second reading:

CSSB 1123, Relating to the standard of causation in claims involving mesothelioma caused by exposure to asbestos fibers.

The motion prevailed by the following vote: Yeas 21, Nays 10.

Yeas: Averitt, Carona, Davis, Duncan, Ellis, Eltife, Gallegos, Harris, Hegar, Hinojosa, Lucio, Ogden, Seliger, Shapleigh, Uresti, Van de Putte, Watson, Wentworth, West, Whitmire, Zaffirini.

Nays: Deuell, Estes, Fraser, Huffman, Jackson, Nelson, Nichols, Patrick, Shapiro, Williams.

The bill was read second time and was passed to engrossment by the following vote: Yeas 20, Nays 11.

Yeas: Averitt, Carona, Davis, Duncan, Ellis, Eltife, Gallegos, Harris, Hinojosa, Lucio, Ogden, Seliger, Shapleigh, Uresti, Van de Putte, Watson, Wentworth, West, Whitmire, Zaffirini.

Nays: Deuell, Estes, Fraser, Hegar, Huffman, Jackson, Nelson, Nichols, Patrick, Shapiro, Williams.

(Senator Carona in Chair)

SENATE BILL 1281 ON SECOND READING

On motion of Senator Williams and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 1281** at this time on its second reading:

SB 1281, Relating to the fraudulent obtaining of a controlled substance from a practitioner; providing a penalty.

The bill was read second time and was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment.

SENATE BILL 1281 ON THIRD READING

Senator Williams moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 1281** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Wentworth.

Reason for Vote

Senator Wentworth submitted the following reason for vote on suspension of the Constitutional Three-day Rule:

I cast a "No" vote on the procedural motion to suspend the Constitutional Rule requiring that bills be read on three several days in order to take up and consider **SB 1281**, because in my judgment no circumstance exists in this case to justify the extraordinary act of suspending a requirement of the Texas Constitution. The suspension of this Constitutional Rule has the direct and immediate effect of denying

the people of Texas knowledge and notice of the passage of this measure until it has already been finally passed on third reading. Were we to have followed the requirement of the Texas Constitution, third reading and a vote on **SB 1281** would have occurred on the next legislative day, allowing for Texans to have learned through news reports of our second reading vote exactly what we had tentatively passed. Third reading and a vote on the next legislative day would also have allowed our professional staff an opportunity overnight to make sure any amendments passed on second reading are technically correct.

/s/Jeff Wentworth
Senator, District 25

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

**COMMITTEE SUBSTITUTE
SENATE BILL 1569 ON SECOND READING**

Senator Eltife moved to suspend the regular order of business to take up for consideration **CSSB 1569** at this time on its second reading:

CSSB 1569, Relating to unemployment compensation modernization.

The motion prevailed by the following vote: Yeas 22, Nays 9.

Yeas: Averitt, Carona, Davis, Deuell, Duncan, Ellis, Eltife, Estes, Gallegos, Harris, Hinojosa, Lucio, Ogden, Shapiro, Shapleigh, Uresti, Van de Putte, Watson, Wentworth, West, Whitmire, Zaffirini.

Nays: Fraser, Hegar, Huffman, Jackson, Nelson, Nichols, Patrick, Seliger, Williams.

The bill was read second time and was passed to engrossment by the following vote: Yeas 22, Nays 9. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
SENATE BILL 911 ON SECOND READING**

On motion of Senator Williams and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 911** at this time on its second reading:

CSSB 911, Relating to the certification and regulation of pain management clinics.

The bill was read second time.

Senator Huffman offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 911** (Senate committee printing) as follows:

(1) In SECTION 1 of the bill, in added Section 167.201(b), Occupations Code (page 2, line 54), strike the "or" between "of" and "pled" and substitute ";".

(2) In SECTION 1 of the bill, in added Section 167.201(b), Occupations Code (page 2, line 55), between "to" and the colon, insert ", or received deferred adjudication for".

The amendment to **CSSB 911** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1.

On motion of Senator Williams and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

CSSB 911 as amended was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment.

COMMITTEE SUBSTITUTE SENATE BILL 911 ON THIRD READING

Senator Williams moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 911** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Wentworth.

Reason for Vote

Senator Wentworth submitted the following reason for vote on suspension of the Constitutional Three-day Rule:

I cast a "No" vote on the procedural motion to suspend the Constitutional Rule requiring that bills be read on three several days in order to take up and consider **CSSB 911**, because in my judgment no circumstance exists in this case to justify the extraordinary act of suspending a requirement of the Texas Constitution. The suspension of this Constitutional Rule has the direct and immediate effect of denying the people of Texas knowledge and notice of the passage of this measure until it has already been finally passed on third reading. Were we to have followed the requirement of the Texas Constitution, third reading and a vote on **CSSB 911** would have occurred on the next legislative day, allowing for Texans to have learned through news reports of our second reading vote exactly what we had tentatively passed. Third reading and a vote on the next legislative day would also have allowed our professional staff an opportunity overnight to make sure any amendments passed on second reading are technically correct.

/s/Jeff Wentworth
Senator, District 25

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

**COMMITTEE SUBSTITUTE
SENATE BILL 1414 ON SECOND READING**

On motion of Senator Williams and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1414** at this time on its second reading:

CSSB 1414, Relating to the regulation of certain aggregate production operations by the Texas Commission on Environmental Quality; providing penalties.

The bill was read second time.

Senator Williams offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 1414** in SECTION 1 of the bill, in added Section 28A.001(2), Water Code (Senate committee printing page 1, lines 46-47), by striking "shale utilized in the production of bricks or clay" and substituting "clay or shale mined for use in manufacturing structural clay products".

The amendment to **CSSB 1414** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1.

On motion of Senator Williams and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

CSSB 1414 as amended was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment.

**COMMITTEE SUBSTITUTE
SENATE BILL 1414 ON THIRD READING**

Senator Williams moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1414** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Wentworth.

Reason for Vote

Senator Wentworth submitted the following reason for vote on suspension of the Constitutional Three-day Rule:

I cast a "No" vote on the procedural motion to suspend the Constitutional Rule requiring that bills be read on three several days in order to take up and consider **CSSB 1414**, because in my judgment no circumstance exists in this case to justify the extraordinary act of suspending a requirement of the Texas Constitution. The suspension of this Constitutional Rule has the direct and immediate effect of denying the people of Texas knowledge and notice of the passage of this measure until it has already been finally passed on third reading. Were we to have followed the requirement of the Texas Constitution, third reading and a vote on **CSSB 1414** would have occurred on the next legislative day, allowing for Texans to have learned through

news reports of our second reading vote exactly what we had tentatively passed. Third reading and a vote on the next legislative day would also have allowed our professional staff an opportunity overnight to make sure any amendments passed on second reading are technically correct.

/s/Jeff Wentworth
Senator, District 25

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

SESSION TO CONSIDER EXECUTIVE APPOINTMENTS

The Presiding Officer, Senator Carona in Chair, announced the time had arrived to consider executive appointments to agencies, boards, and commissions. Notice of submission of these names for consideration was given yesterday by Senator Jackson.

Senator Jackson moved confirmation of the nominees reported yesterday by the Committee on Nominations.

The Presiding Officer asked if there were requests to sever nominees.

There were no requests offered.

NOMINEES CONFIRMED

The following nominees, as reported by the Committee on Nominations, were confirmed by the following vote: Yeas 31, Nays 0.

Judge, 134th Judicial District Court, Dallas County: James M. Stanton, Dallas County.

Adjutant General, Adjutant General's Department: Jose S. Mayorga, Williamson County.

Members, Advisory Committee to the Texas Board of Criminal Justice on Offenders with Medical or Mental Impairments: John M. Bradley, Williamson County; Kathy C. Flanagan, M.D., Harris County; M. Clara Hernandez, El Paso County; Kathryn J. Kotrla, M.D., Williamson County; Jan Krockner, Harris County; John L. Moore, Grayson County; Eulon Ross Taylor, M.D., Lubbock County.

Members, Governing Board, Texas School for the Blind and Visually Impaired: Mary K. Alexander, Cooke County; Gene Iran Brooks, Travis County; Bobby Druessedow, Parker County; Cynthia Phillips "Cindy" Finley, Lubbock County; Michael Edward Garrett, Fort Bend County; Joseph Muniz, Cameron County.

Member, On-site Wastewater Treatment Research Council: William F. "Dubb" Smith III, Hays County.

Members, Polygraph Examiners Board: Trenton R. Marshall, Tarrant County; Marla Spurgeon Williams, Freestone County.

Members, State Committee of Examiners in the Fitting and Dispensing of Hearing Instruments: Robert J. Gebhard, Jr., Harris County; James F. Leffingwell, M.D., Tarrant County; Benjamin W. Norris, McLennan County; Cindy Marie Steinbart, Williamson County; Amy Trost, Guadalupe County.

Members, Statewide Health Coordinating Council: Richard L. Beard, Dallas County; Davidica Blum, Williamson County; Lourdes M. Cuellar, Harris County; James A. Endicott, Jr., Bell County; Eric W. Ford, M.P.H., Ph.D., Lubbock County; John Q. Gowan, Dallas County; Ayeez A. Lalji, Fort Bend County; Elva Concha LeBlanc, Tarrant County; Lorraine O'Donnell, Ed.D., El Paso County.

Members, Texas Board of Chiropractic Examiners: Armando Elizarde, Jr., Cameron County; Jannette A. Kurban, D.C., Tarrant County; Larry R. Montgomery, D.C., Bell County; Cynthia L. Tays, D.C., Travis County; Patrick James Thomas, Nueces County; Thomas O'Neil Turner, Bexar County.

Commissioner of Education, Texas Education Agency: Robert P. Scott, Travis County.

Members, Texas Forensic Science Commission: Samuel E. Bassett, Travis County; Alan L. Levy, Tarrant County; Sridhar Natarajan, Kendall County; Aliece B. Watts, Tarrant County.

Members, Board of Directors, Texas Health Services Authority: Alesha Adamson, Bexar County; Fred Buckwold, Harris County; Raymond F. Davis, El Paso County; David C. Fleeger, M.D., Travis County; Matthew J. Hamlin, Denton County; Edward W. Marx, Tarrant County; Kathleen K. Mechler, Gillespie County; Donna Montemayor, Bexar County; J. Darren Rodgers, Dallas County; Manfred Sternberg, Harris County; Stephen Yurco, M.D., Travis County.

Members, Texas Lottery Commission: J. Winston Krause, Travis County; David Schenck, Dallas County; Mary Ann Williamson, Parker County.

Members, Texas Optometry Board: James Edward Dyess, Travis County; Larry Wayne Fields, Panola County; David Dixon Golden, Shelby County; Cynthia Tyson Jenkins, Dallas County; Randall N. Reichle, O.D., Harris County.

Members, Texas Private Security Board: John E. Chism, Dallas County; Charles E. Crenshaw, Travis County; Patrick A. Patterson, Bexar County; Mark L. Smith, Collin County; Doris Davis-Washington, Tarrant County.

Members, Texas State Board of Examiners for Speech-Language Pathology and Audiology: Tammy Michelle Camp, Lubbock County; Kimberly M. Carlisle, Collin County; Leila Ramirez Salmons, Harris County; Phillip L. Wilson, Dallas County.

Members, Texas State Board of Examiners of Marriage and Family Therapists: Timothy Brown, D.Min., Dallas County; Joe Ann Clack, Fort Bend County; Sandra L. DeSobe, Harris County; Michael R. Miller, Bell County; Michael R. Puhl, Collin County; Edna Reyes-Wilson, Ph.D., El Paso County; Jennifer Smothermon, Taylor County; Beverly Sue Walker Womack, Cherokee County.

Members, Texas State Board of Examiners of Psychologists: Tim F. Branaman, Collin County; Jo Ann Campbell, Taylor County; Carlos R. Chacón, El Paso County; Angela A. Downes, Dallas County; Narciso Escareno, Cameron County; Lou Ann Todd Mock, Harris County.

Members, Texas State Board of Social Worker Examiners: Jody Anne Montgomery Armstrong, Taylor County; Timothy Martel Brown, Dallas County; Stewart Ogden Geise, Travis County; Candace Y. Guillen, Cameron County; Denise V. Pratt, Harris County; Nary Spears, Harris County; Mark Talbot, Hidalgo County.

Members, Board of Directors, Texas Underground Facility Notification Corporation: Barbara J. Mathis, Angelina County; Rodney J. Unruh, Comal County.

SENATE BILL 2527 REREFERRED

Senator Hinojosa submitted a Motion In Writing requesting that **SB 2527** be withdrawn from the Committee on Health and Human Services and rereferred to the Committee on Finance.

The Motion In Writing prevailed without objection.

SENATE RULE 11.10(a) SUSPENDED (Public Notice of Committee Meetings)

On motion of Senator West and by unanimous consent, Senate Rule 11.10(a) was suspended in order that the Committee on Intergovernmental Relations might meet tomorrow.

SENATE RULE 11.10(a) SUSPENDED (Public Notice of Committee Meetings)

On motion of Senator Van de Putte and by unanimous consent, Senate Rule 11.10(a) was suspended in order that the Committee on Veteran Affairs and Military Installations might meet today.

SENATE RULE 11.10(a) SUSPENDED (Public Notice of Committee Meetings)

On motion of Senator Fraser and by unanimous consent, Senate Rule 11.10(a) was suspended in order that the Committee on Business and Commerce might meet today.

SENATE RULE 11.18(a) SUSPENDED (Public Hearings)

On motion of Senator Whitmire and by unanimous consent, Senate Rule 11.18(a) was suspended in order that the Committee on Criminal Justice might consider **SB 89** today.

RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

Memorial Resolution

SR 643 by Watson, In memory of Wayne Kelley of Austin.

Congratulatory Resolutions

SR 636 by Davis, Recognizing Wanda Collins of Arlington on the occasion of her 85th birthday.

SR 640 by Duncan, Recognizing the Big Country BBQ Cook-Off for being designated a Texas State Barbecue Championship competition.

SR 644 by Davis, Recognizing Jennifer and Mac Engel on the occasion of the birth of their daughter, Vivian McRae Engel.

Official Designation Resolution

SR 641 by Seliger, Recognizing April 26 through May 2, 2009, as National Crime Victims' Rights Week in Texas.

ADJOURNMENT

On motion of Senator Whitmire, the Senate at 6:02 p.m. adjourned until 10:00 a.m. tomorrow.

APPENDIX

COMMITTEE REPORTS

The following committee reports were received by the Secretary of the Senate in the order listed:

April 16, 2009

STATE AFFAIRS — **CSSB 2105, CSSB 1063, CSSB 2038**

FINANCE — **SB 1359**

TRANSPORTATION AND HOMELAND SECURITY — **SB 61, SB 1212, SB 1617, SB 1992, CSSB 2017, HB 2434**

INTERNATIONAL RELATIONS AND TRADE — **SB 1371, SB 1676, SB 2284, SB 2285, SB 2195**

JURISPRUDENCE — **SCR 47, SB 935, SB 1789, SB 1872, SB 2073, SB 2134, SB 2229, SB 2230, SB 2454**

STATE AFFAIRS — **CSSB 1500, CSSB 1812**

EDUCATION — **CSSB 282, CSSB 867, CSSB 1125, CSSB 1727**

HIGHER EDUCATION — **SB 45, SB 473, CSSB 816, SB 1179, SB 1327, SB 1334, SB 1729, CSSB 1760, SB 1849, SB 2210, SB 2244, SB 2246, SB 2262, SB 2465**

EDUCATION — **CSSB 1313**

NATURAL RESOURCES — **CSSB 1659, CSSB 2456**

FINANCE — **CSSB 471, CSSB 2146**

BUSINESS AND COMMERCE — **CSSB 2232, CSSB 2341, CSHB 2594**

NATURAL RESOURCES — **CSSB 1246, CSSB 1757, CSSB 1823, CSSB 1828**
TRANSPORTATION AND HOMELAND SECURITY — **CSSB 1507**

BILLS ENGROSSED

April 15, 2009

**SB 67, SB 75, SB 337, SB 817, SB 955, SB 956, SB 985, SB 1049, SB 1175,
SB 1211, SB 1254, SB 1325, SB 1362, SB 1515, SB 1821**

BILL AND RESOLUTIONS ENROLLED

April 15, 2009

**SB 731, SR 382, SR 615, SR 623, SR 624, SR 625, SR 626, SR 627, SR 628,
SR 629, SR 630, SR 631, SR 632, SR 633, SR 634, SR 635, SR 637, SR 638**

SENT TO GOVERNOR

April 16, 2009

SB 731

SIGNED BY GOVERNOR

April 16, 2009

SB 769