

SENATE JOURNAL

EIGHTY-FIRST LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

FORTY-SIXTH DAY
(Tuesday, April 28, 2009)

The Senate met at 11:09 a.m. pursuant to adjournment and was called to order by the President.

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

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

The Reverend Dr. Thomas W. Estes, Central Presbyterian Church, Austin, offered the invocation as follows:

Gracious God, source of every good and perfect gift, we thank You for the challenge of public service and for the trust invested in this body. By what we say and do help us to make a positive difference for all of Your people whatever their condition. May we be thoughtful in our words, sound in our leadership, and brave in our decision making. Hear every sincere and hope-filled prayer we pray. Amen.

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

The motion prevailed without objection.

CO-AUTHORS OF SENATE BILL 20

On motion of Senator Williams, Senators Patrick and Shapleigh will be shown as Co-authors of **SB 20**.

CO-AUTHOR OF SENATE BILL 1405

On motion of Senator Shapleigh, Senator Watson will be shown as Co-author of **SB 1405**.

CO-AUTHOR OF SENATE BILL 1406

On motion of Senator Shapleigh, Senator Watson will be shown as Co-author of **SB 1406**.

CO-SPONSOR OF HOUSE BILL 3113

On motion of Senator Lucio, Senator Van de Putte will be shown as Co-sponsor of **HB 3113**.

MESSAGES FROM THE GOVERNOR

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

Austin, Texas
April 27, 2009

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

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

To be a member of the Finance Commission of Texas for a term to expire February 1, 2014:

Lori B. McCool
Boerne, Texas

(Ms. McCool is replacing Stanley Rosenberg of San Antonio who resigned)

To be a member of the State Commission on Judicial Conduct for a term to expire November 19, 2011:

Patti H. Johnson
Canyon Lake, Texas

(Ms. Johnson is replacing Connie de la Garza of Harlingen who resigned)

To be a member of the Crime Stoppers Advisory Council for a term to expire September 1, 2009:

William R. McDaniel
Montgomery, Texas

(Mr. McDaniel is replacing Brian Thomas of Amarillo who resigned)

To be a member of the Texas State Technical College System Board of Regents for a term to expire August 31, 2013:

Ellis M. Skinner II
Spicewood, Texas

(Mr. Skinner is replacing Cesar Maldonado of Harlingen who resigned)

To be members of the Produce Recovery Fund Board for terms to expire January 31, 2015:

Doyle "Neal" Newsom III
Plains, Texas

(replacing Joyce Obst of Alamo whose term expired)

Ly H. Nguyen
Sugar Land, Texas

(Ms. Nguyen is being reappointed)

To be members of the Product Development and Small Business Incubator Board for terms to expire as indicated:

To Expire February 1, 2011:

Guy K. Diedrich

Austin, Texas

(replacing Richard Ewing of College Station who is deceased)

To Expire February 1, 2015:

Daniel A. Hanson

Dallas, Texas

(Mr. Hanson is being reappointed)

Paul C. Maxwell

El Paso, Texas

(Dr. Maxwell is being reappointed)

Harvey Rosenblum

Dallas, Texas

(Mr. Rosenblum is being reappointed)

To be members of the Texas State Board of Dental Examiners for terms to expire February 1, 2015:

Mary Lynn Baty

Humble, Texas

(replacing Helen McKibbin of Lubbock whose term expired)

William R. Birdwell

Bryan, Texas

(replacing Norman Mason of Austin whose term expired)

Whitney Hyde

Midland, Texas

(replacing Charles Wetherbee of Boerne whose term expired)

Rodolfo G. Ramos, Jr.

Houston, Texas

(replacing George Strunk of Longview whose term expired)

Respectfully submitted,

/s/Rick Perry

Governor

PHYSICIAN OF THE DAY

Senator Van de Putte was recognized and presented Dr. Ashok Kumar of San Antonio as the Physician of the Day.

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

SENATE RESOLUTION 721

Senator Averitt offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to recognize James Langford on the occasion of his retirement from the Texas Farm Bureau Insurance Companies in Waco as vice president of compliance, regulatory and government affairs; and

WHEREAS, He began his career with Texas Farm Bureau Insurance Companies as a management trainee in its policy services department and subsequently held a variety of management positions; and

WHEREAS, Mr. Langford earned a bachelor of business administration degree from Baylor University in 1968 with a double major in management and marketing; he continued his education by earning designation as a chartered property casualty underwriter, an associate in management, an associate in reinsurance, and a certificate of completion in insurance regulation; and

WHEREAS, He is chair of the Texas Windstorm Insurance Association and the Texas Fair Plan Association; he previously held executive positions with the Southwestern Insurance Information Service, the Texas Property and Casualty Insurance Guaranty Association, and the Insurance Council of Texas; and

WHEREAS, He chaired the executive committee of the Texas Market Assistance Program and served as president of the Heart of Texas Chapter of the Society of Chartered Property and Casualty Underwriters and the Association of Fire and Casualty Companies in Texas; and

WHEREAS, The recipient of the Raymond Mauk Leadership Award, James Langford earned the admiration and respect of his colleagues in the insurance industry and of all those with whom he has worked; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 81st Legislature, hereby commend James Langford for his leadership and outstanding work in the insurance industry and extend to him best wishes for the future; and be it further

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

SR 721 was read and was adopted without objection.

GUEST PRESENTED

Senator Averitt was recognized and introduced to the Senate James Langford of Waco.

The Senate welcomed its guest.

SENATE RESOLUTION 716

Senator Hegar offered the following resolution:

WHEREAS, The Senate of the State of Texas takes pleasure in recognizing the Juvenile Justice Association of Texas and the Texas Juvenile Probation System by declaring April 28, 2009, as Texas Juvenile Probation Day; and

WHEREAS, The State of Texas and county governments are partners in providing one of the most progressive juvenile probation systems in the nation; and

WHEREAS, The Texas Juvenile Probation System is composed of 169 community-based probation departments, which serve youth and families in all 254 counties of this state in partnership with the Texas Juvenile Probation Commission; and

WHEREAS, With increased resources, juvenile probation system professionals are able to make a positive difference in the lives of many Texas youth and their families; and

WHEREAS, The juvenile probation departments handle 100 percent of the referrals of juveniles to the juvenile system each year through the efforts of more than 8,200 certified juvenile probation and detention officers, and departments continue to provide services at the local level to 95 percent of referrals; and

WHEREAS, These dedicated juvenile probation and detention officers are represented by the Juvenile Justice Association of Texas, whose mission is to promote advocacy for Texas children by providing quality juvenile services through leadership, professional development, training, and education; and

WHEREAS, The persons who enter the field of juvenile probation accept a great responsibility to the youth and families of Texas; they work tirelessly and courageously to rehabilitate the lives of youth and maintain the security and safety of our state's communities; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 81st Legislature, hereby commend the outstanding professionals of our juvenile probation system for their vital contributions to the citizens of this state and extend sincere appreciation to them on Texas Juvenile Probation Day 2009; and, be it further

RESOLVED, That a copy of this Resolution be prepared in honor of the Texas Juvenile Probation Day.

SR 716 was read and was adopted without objection.

GUESTS PRESENTED

Senator Hegar was recognized and introduced to the Senate Estela P. Medina, Chief Juvenile Probation Officer, Travis County, Austin; John Perry, Chief Juvenile Probation Officer, Hopkins County, Sulphur Springs; William Carter, Supervisor, Fort Bend County Juvenile Probation Department, Fort Bend; and Bing Canion, Chief Juvenile Probation Officer, Gregg County, Longview; accompanied by a delegation representing the Texas Juvenile Probation System.

The Senate welcomed its guests.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

April 28, 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:

HB 1462, Relating to leave for certain state employees who volunteer or participate in training for Court Appointed Special Advocates.

HJR 36, Proposing a constitutional amendment authorizing the legislature to provide for the ad valorem taxation of a residence homestead solely on the basis of the property's value as a residence homestead; and authorizing the legislature to authorize a single board of equalization for two or more adjoining appraisal entities that elect to provide for consolidated equalizations.

HJR 77, Proposing a constitutional amendment to create the Permanent School Fund Management Council to assume the duty of the State Board of Education to manage the permanent school fund and to allow the School Land Board to transfer funds from the permanent school fund to the available school fund.

THE HOUSE HAS GRANTED THE REQUEST OF THE SENATE FOR THE APPOINTMENT OF A CONFERENCE COMMITTEE ON THE FOLLOWING MEASURES:

SB 1 (non-record vote)

House Conferees with Instructions: Pitts - Chair/McClendon/Otto/Raymond/Zerwas

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

GUESTS PRESENTED

Senator Lucio was recognized and introduced to the Senate seventh-grade students from First Baptist School in Brownsville, accompanied by their teachers, parents, and sponsors.

The Senate welcomed its guests.

SENATE RESOLUTION 598

Senator Ogden offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to recognize the citizens of Williamson County who have come to the Capitol in celebration of Williamson County Day on April 28, 2009; and

WHEREAS, Williamson County is among the fastest-growing counties in the nation, with five of the fastest-growing cities in the country, including Hutto, which has grown by 1,270 percent since 2000; and

WHEREAS, Williamson County is home to one of the fastest-growing health care clusters in America, with five new or expanded hospitals and the new Texas A&M Health Science Center; and

WHEREAS, Williamson County is a center for higher learning, with historic Southwestern University, Texas State University's Round Rock campus, Austin Community College, and the East Williamson County Higher Education Center, all of which have plans for major expansion in the near future; and

WHEREAS, Williamson County is home to the Electric Reliability Council of Texas in Taylor, which manages the majority of the state's electrical grid, and is home to leading-edge companies focused on the creation of clean, renewable energy for the future; and

WHEREAS, The Texas Life-Sciences Collaboration Center in Georgetown is a growing and vital resource for the recruitment of emerging biotechnology, nanotechnology, and medical device companies and for the enhancement of scientific education in area public schools and universities; and

WHEREAS, The transportation infrastructure of Williamson County continues to be expanded to accommodate the area's growth and to ensure the safety of its residents and visitors; Leander leads Central Texas with its planned Transportation Oriented Development and active engagement in the completion of Capital Metro's new commuter rail system; and

WHEREAS, Williamson County is among the safest places in the nation, with one of the lowest crime rates anywhere, and Round Rock, Cedar Park, and Georgetown have been listed among the best places to live, ride out the recession, launch a new business, and retire in America; and

WHEREAS, Williamson County honors its fallen heroes in Afghanistan and Iraq with the Nathan Chapman Memorial and with generous support for scholarships and other assistance to the families of these honored dead; and

WHEREAS, Williamson County and its communities have adopted and actively support the Aviation Battalion of the 4th Infantry Division, its soldiers and their families, and looks forward to welcoming these brave soldiers home soon; and

WHEREAS, Williamson County is widely known for its exceptional quality of life and for the hospitality, good will, and civic engagement of its citizens; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 81st Legislature, hereby declare April 28, 2009, Williamson County Day; and, be it further

RESOLVED, That a copy of this Resolution be prepared for the delegation from Williamson County as a memento of this special day.

SR 598 was read and was adopted without objection.

GUESTS PRESENTED

Senator Ogden was recognized and introduced to the Senate a delegation of citizens representing Williamson County.

The Senate welcomed its guests.

SENATE RESOLUTION 564

Senator West offered the following resolution:

WHEREAS, The Senate of the State of Texas honors and commemorates the life of noted attorney Frederick Martin Baron, who died October 30, 2008, at the age of 61; and

WHEREAS, Fred Baron earned renown for his pioneering litigation representing victims of toxic substances and his active role in revitalizing the Democratic Party in Texas; and

WHEREAS, He was born in Cedar Rapids, Iowa, and moved to Smithville, Texas, with his mother when he was 15 years old; he graduated from The University of Texas with a bachelor's degree in 1968 and a law degree in 1971; and

WHEREAS, Inspired to pursue an asbestos litigation case that his employer's firm had rejected, Mr. Baron founded his own law firm in Dallas in 1977; he went on to build a flourishing practice and generously shared his financial success with a number of causes from the arts to the Texas Democratic Trust, which he founded in 2005 to support Democratic candidates; and

WHEREAS, Mr. Baron was passionate about helping others, and he was a fierce advocate for those who believed they had no voice; with his wife, he founded the Baron and Blue Foundation, which is dedicated to eliminating homelessness and improving low-cost housing in the Dallas area; he also opened his home to host fund-raising events for countless charitable organizations; and

WHEREAS, After his election as president of the Association of Trial Lawyers of America in 2002, Mr. Baron sold his law firm and moved to Washington, D.C., where he worked closely with a number of national political figures, including former president Bill Clinton; he became the lead fund-raiser for John Edwards in 2003 and headed the Kerry-Edwards 2004 general election finance team; he also led the finance team for the 2008 John Edwards presidential bid; and

WHEREAS, Fred Baron received numerous honors and accolades during his lifetime; he was named as one of the nation's top plaintiff's attorneys by *Forbes* magazine and as one of the top lawyers in Dallas by *D Magazine*; he was listed as one of the 100 most influential lawyers in the United States in 2006 by *The National Law Journal*, and he was honored as a lawyer who helped shape Texas law during the 20th century by *Texas Lawyer*; and

WHEREAS, Fred Baron will long be remembered for his commitment to helping others, his passion for politics, and his philanthropic efforts; a devoted husband and father, he leaves behind memories that will be treasured by his family and his many friends; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 81st Legislature, hereby extend sincere condolences to the bereaved family of Frederick Martin Baron: his wife, Lisa Blue-Baron, and his children, Andrew, Courtney, Alessandra, Nathalie, and Caroline Baron; and, be it further

RESOLVED, That a copy of this Resolution be prepared for his family as an expression of deepest sympathy from the Texas Senate, and that when the Senate adjourns this day, it do so in memory of Frederick M. Baron.

WEST	ELLIS
CARONA	LUCIO
DAVIS	NELSON
DEUELL	SHAPIRO

SR 564 was read and was adopted by a rising vote of the Senate.

GUESTS PRESENTED

Senator West was recognized and introduced to the Senate Lisa Blue, widow of Frederick Martin Baron, and family friends Matt Angle and Aimee Boone.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Ellis was recognized and introduced to the Senate students from the North Forest Independent School District, accompanied by their Superintendent Adrain Johnson and teachers.

The Senate welcomed its guests.

SENATE BILL ON FIRST READING

The following bill was introduced, read first time, and referred to the committee indicated:

SB 2564 by Wentworth

Relating to the creation of the Driftwood Economic Development Municipal Management District; providing authority to impose a tax.
To Committee on Intergovernmental Relations.

HOUSE BILL ON FIRST READING

The following bill received from the House was read first time and referred to the committee indicated:

HB 2591 to Committee on Finance.

CONCLUSION OF MORNING CALL

The President at 11:49 a.m. announced the conclusion of morning call.

COMMITTEE SUBSTITUTE

SENATE BILL 2270 ON SECOND READING

On motion of Senator Gallegos and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 2270** at this time on its second reading:

CSSB 2270, Relating to consideration of mitigating factors in determining appropriate disciplinary action to be taken against a public school student.

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 2270 ON THIRD READING

Senator Gallegos moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 2270** 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 2270**, 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 2270** 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 2479 ON SECOND READING

On motion of Senator Jackson and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 2479** at this time on its second reading:

SB 2479, Relating to the creation of the Country Place Management District; providing authority to impose an assessment, impose a tax, and issue bonds.

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 2479 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 **SB 2479** 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 2479**, 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 2479** 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.

(Senator Eltife in Chair)

SENATE BILL 1405 ON SECOND READING

Senator Shapleigh moved to suspend the regular order of business to take up for consideration **SB 1405** at this time on its second reading:

SB 1405, Relating to the establishment of an advisory committee to assist the Texas Water Development Board in incorporating the potential effects of climate variability into the state water plan.

The motion prevailed.

Senators Fraser, Nichols, Patrick, and Seliger 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: Fraser, Nichols, Patrick, Seliger.

SENATE BILL 1405 ON THIRD READING

Senator Shapleigh moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 1405** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 26, Nays 5.

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

Nays: Fraser, Nichols, Patrick, Seliger, 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 1405**, 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 1405** 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 27, Nays 4.

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

Nays: Fraser, Nichols, Patrick, Seliger.

COMMITTEE SUBSTITUTE SENATE BILL 2298 ON SECOND READING

On motion of Senator Watson and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 2298** at this time on its second reading:

CSSB 2298, Relating to compensation of certain state employees.

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 2298 ON THIRD READING

Senator Watson moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 2298** 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 2298**, 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 2298** 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 1629 ON THIRD READING

On motion of Senator Wentworth and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1629** at this time on its third reading and final passage:

CSSB 1629, Relating to the persons exempted from the required prepayment of the personnel costs incurred by a governmental body in responding to requests from a requestor under the public information law that require large amounts of personnel time.

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

SENATE BILL 2522 ON SECOND READING

On motion of Senator Gallegos and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 2522** at this time on its second reading:

SB 2522, Relating to the board of directors of the Greater East End Management District.

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 2522 ON THIRD READING

Senator Gallegos moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 2522** 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 2522**, 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 2522** 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 2126 ON SECOND READING

Senator Estes moved to suspend the regular order of business to take up for consideration **SB 2126** at this time on its second reading:

SB 2126, Relating to the authority of owners and managers of apartment houses to assess a service charge for the submetering of water and wastewater services.

The motion prevailed.

Senator Zaffirini 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: Zaffirini.

SENATE BILL 2126 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 2126** 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, Shapiro, Shapleigh, Uresti, Van de Putte, Watson, West, Whitmire, Williams.

Nays: Wentworth, Zaffirini.

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 2126**, 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 2126** 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: Zaffirini.

COMMITTEE SUBSTITUTE SENATE BILL 1350 ON SECOND READING

On motion of Senator Carona and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1350** at this time on its second reading:

CSSB 1350, Relating to the creation, administration, financing, and use of a Texas Transportation Revolving Fund; granting the authority to issue bonds.

The bill was read second time.

Senator Carona offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 1350** (Senate committee printing) in Section 1 of the bill in proposed Sec. 222.131 Transportation Code (page 1, lines 31-55), by striking subdivision (7) and substituting the following:

(7) "Transportation project" means a tolled or nontolled highway improvement project.

The amendment to **CSSB 1350** 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 Carona offered the following amendment to the bill:

Floor Amendment No. 2

Amend **CSSB 1350** (Senate committee printing) as follows:

- 1) On page 2, line 4, after the word "governor" insert ", lieutenant governor,"
- 2) On page 2, line 12 delete "and"
- 3) On page 2, line 14 after the word "fund" and before the period insert "; and
(6) the details of any transportation project for which financial assistance is received from the fund, including the identity of any highway directly affected by the project, and the degree to which the project is designed to reduce congestion, improve traffic safety, and enhance connectivity"

The amendment to **CSSB 1350** 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 Carona offered the following amendment to the bill:

Floor Amendment No. 3

Amend **CSSB 1350** (Senate committee printing) as follows:

- 1) On page 3, lines 34 and 35 delete "or private"
- 2) On page 3, line 38 delete "or private"
- 3) On page 3, line 41 delete "or private"
- 4) On page 3, line 43 delete "or private"
- 5) On page 3, line 45 delete "or private"
- 6) On page 3, delete proposed Sec. 222.137(e), Transportation Code (lines 60-67)
- 7) On page 4, line 2 delete "or private"
- 8) On page 4, line 5 delete "or private"
- 9) On page 4, line 7 delete "or private"
- 10) On page 5, line 32 delete "or a private entity"

The amendment to **CSSB 1350** 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 Carona and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

CSSB 1350 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 1350 ON THIRD READING**

Senator Carona moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1350** 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 1350**, 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 1350** 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 644 ON SECOND READING**

On motion of Senator Shapiro and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 644** at this time on its second reading:

CSSB 644, Relating to modifications, adjustments, and reimbursements under the public school finance system and contract delegation authority for a school district located in a disaster area.

The bill was read second time.

Senator Shapiro offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 644** (Senate committee printing) as follows:

(1) Strike SECTION 1 of the bill, adding Section 41.0931, Education Code (page 1, lines 14-51), and renumber the subsequent SECTIONS of the bill accordingly.

(2) In SECTION 3 of the bill, strike added Section 42.2524(c), Education Code (page 2, lines 48-52), and substitute the following:

(c) The commissioner may provide reimbursement under this section only if:

(1) funds are specifically appropriated for purposes of this section; or

(2) Foundation School Program funds are available for purposes of this section, based on a determination by the commissioner that the amount appropriated for the Foundation School Program, including the facilities component as provided by Chapter 46, exceeds the amount to which districts are entitled under this chapter and Chapter 46.

(3) In SECTION 3 of the bill, strike added Sections 42.2524(e) and (f), Education Code (page 2, lines 56-64), and substitute the following:

(e) If the amount of money available for purposes of this section is not sufficient to fully reimburse each district's disaster remediation costs, the commissioner shall reduce the amount of assistance provided under this section to each district proportionately.

(f) Notwithstanding any other provision of law, a district that is required to purchase attendance credits under Chapter 41 is eligible to receive assistance under this section in the same manner as any other district. A district may, at its discretion, receive assistance either as a payment of state aid under this chapter or as a reduction in the total amount required to be paid by the district for attendance credits under Section 41.093.

The amendment to **CSSB 644** 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 644** 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 644** 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 Shapiro and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

CSSB 644 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 644 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 **CSSB 644** 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 644**, 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 644** 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 1740 ON SECOND READING

On motion of Senator Uresti and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 1740** at this time on its second reading:

SB 1740, Relating to the creation of three additional county courts at law in Bexar County.

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 1740 ON THIRD READING

Senator Uresti moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 1740** 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 1740**, 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 1740** 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 2529 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 2529** at this time on its second reading:

SB 2529, Relating to the creation of the Red River Groundwater Conservation District; providing authority to issue bonds; granting the power of eminent domain.

The bill was read second time.

Senator Estes offered the following committee amendment to the bill:

Committee Amendment No. 1

Amend **SB 2529** (introduced version) by striking SECTION 4 of the bill (page 15, lines 12-16) and substituting:

SECTION 4. This Act takes effect September 1, 2009.

ESTES
FRASER

The amendment to **SB 2529** was read and was adopted by a viva voce vote.

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

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

SB 2529 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 2529 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 2529** 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 2529**, 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 2529** 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.

MOTION TO PLACE SENATE BILL 1687 ON SECOND READING

Senator Hinojosa moved to suspend the regular order of business to take up for consideration **SB 1687** at this time on its second reading:

SB 1687, Relating to the right of certain counties to maintain local control over wages, hours, and other terms and conditions of employment.

The motion was lost by the following vote: Yeas 17, Nays 14. (Not receiving two-thirds vote of Members present)

Yeas: Averitt, Carona, Davis, Ellis, Gallegos, Hinojosa, Lucio, Nichols, Ogden, Shapleigh, Uresti, Van de Putte, Watson, West, Whitmire, Williams, Zaffirini.

Nays: Deuell, Duncan, Eltife, Estes, Fraser, Harris, Hegar, Huffman, Jackson, Nelson, Patrick, Seliger, Shapiro, Wentworth.

SENATE BILL 860 ON SECOND READING

On motion of Senator Hegar and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 860** at this time on its second reading:

SB 860, Relating to the creation of the Fort Bend-Waller Counties Municipal Utility District No. 2; providing authority to impose a tax and issue bonds; granting a limited power of eminent domain.

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 860 ON THIRD READING

Senator Hegar moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 860** 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 860**, 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 860** 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 1508 ON SECOND READING

Senator Carona moved to suspend the regular order of business to take up for consideration **CSSB 1508** at this time on its second reading:

CSSB 1508, Relating to the authority of certain transportation and transit authorities to enforce compliance with high occupancy vehicle lane restrictions by an automated enforcement system; providing for the imposition of penalties.

The motion prevailed.

Senators Duncan, Estes, Fraser, and Patrick asked to be recorded as voting "Nay" on suspension of the regular order of business.

The bill was read second time.

Senator Carona offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 1508** (Senate committee printing) as follows:

(1) In SECTION 1 of the bill, immediately following added Section 451.0615(b), Transportation Code (page 1, between lines 41 and 42), insert new subsection:

(b-1) A resolution adopted under Subsection (b) may not provide for the imposition of a penalty for a vehicle that is operated in violation of the minimum number of persons requirement for use of a high occupancy vehicle lane or for the purpose of enforcing compliance with posted speed limits.

(2) In SECTION 2 of the bill, immediately following added Section 452.0615(c), Transportation Code (page 2, between lines 46 and 47), insert the following new subsection:

(c-1) A resolution adopted under Subsection (c) may not provide for the imposition of a penalty for a vehicle that is operated in violation of the minimum number of persons requirement for use of a high occupancy vehicle lane or for the purpose of enforcing compliance with posted speed limits.

The amendment to **CSSB 1508** 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 except as follows:

Nays: Duncan, Estes, Fraser.

Senator Jackson offered the following amendment to the bill:

Floor Amendment No. 2

Amend **CSSB 1508** (Senate committee printing), in SECTION 1 of the bill, immediately following added Section 451.0615, Transportation Code (page 2, between lines 11 and 12), by inserting the following new subsection:

(f) This section does not apply to an authority in which the principal municipality has a population of more than 1.9 million.

The amendment to **CSSB 1508** was read and was adopted by the following vote: Yeas 21, Nays 8, Present-not voting 2.

Yeas: Carona, Davis, Deuell, Duncan, Eltife, Fraser, Harris, Hegar, Huffman, Jackson, Nelson, Nichols, Ogden, Patrick, Seliger, Shapiro, Uresti, Van de Putte, Whitmire, Williams, Zaffirini.

Nays: Ellis, Estes, Gallegos, Hinojosa, Lucio, Shapleigh, Watson, West.

Present-not voting: Averitt, Wentworth.

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

CSSB 1508 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, Fraser, Hegar.

COMMITTEE SUBSTITUTE SENATE BILL 1508 ON THIRD READING

Senator Carona moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1508** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 27, Nays 4.

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

Nays: Duncan, Estes, Fraser, 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 1508**, 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 1508** 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 27, Nays 4.

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

Nays: Duncan, Estes, Fraser, Hegar.

GUESTS PRESENTED

Senator Watson was recognized and introduced to the Senate seventh-grade students from the Kealing Magnet Program at Kealing Middle School in Austin, accompanied by their teacher.

The Senate welcomed its guests.

COMMITTEE SUBSTITUTE SENATE BILL 2514 ON SECOND READING

On motion of Senator Hegar and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 2514** at this time on its second reading:

CSSB 2514, Relating to the powers of the North Fort Bend Water Authority.

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 2514 ON THIRD READING

Senator Hegar moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 2514** 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 2514**, 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 2514** 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 45 ON SECOND READING

On motion of Senator Zaffirini and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 45** at this time on its second reading:

SB 45, Relating to tuition exemptions at public institutions of higher education for students enrolled in certain interinstitutional academic programs.

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 45 ON THIRD READING

Senator Zaffirini moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 45** 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 45**, 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 45** 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 1862 ON SECOND READING

Senator Ellis moved to suspend the regular order of business to take up for consideration **SB 1862** at this time on its second reading:

SB 1862, Relating to state purchasing of certain environmentally friendly items.

The motion prevailed.

Senators Estes and Williams asked to be recorded as voting "Nay" on suspension of the regular order of business.

The bill was read second time.

Senator Ellis offered the following amendment to the bill:

Floor Amendment No. 1

Amend **SB 1862** (Senate committee printing) as follows:

(1) In SECTION 2 of the bill, in added Section 2158.351, Government Code (page 1, line 39), strike "A state" and substitute "(a) Except as provided by Subsection (b), a state".

(2) In SECTION 2 of the bill, in added Section 2158.351, Government Code (page 1, line 42), immediately following the period, insert the following:

(b) The comptroller may exempt from the requirements of this section a state agency that submits written justification demonstrating the reasons a propane, natural gas, or electrically powered lawnmower or other landscaping equipment does not fulfill the required functionality of a gasoline or diesel powered lawnmower or other landscaping equipment.

The amendment to **SB 1862** 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 Watson offered the following amendment to the bill:

Floor Amendment No. 2

Amend **SB 1862** (committee printing) by adding the following sections and renumbering accordingly:

SECTION _____. Section 2158.009, Government Code, is amended by amending Subsection (b) and adding Subsection (d) to read as follows:

(b) A state agency authorized to purchase passenger vehicles or other ground transportation vehicles for general use shall ensure that not less than 50 ~~[40]~~ percent of the vehicles the agency ~~[its vehicle]~~ purchases during any state fiscal biennium, other than vehicles the purchase of which is exempted from this subsection by Subsection (c) or (d), are ~~[purchases of]~~ vehicles that meet or exceed the emissions standards necessary to be rated by the United States Environmental Protection Agency as a Tier II, Bin 3, emissions standard vehicle that has a greenhouse gas score of eight under regulations of that agency as they existed September 1, 2007.

(d) Subsection (b) does not apply to a state agency's purchase of a vehicle to be used by a peace officer, as defined by Article 2.12, Code of Criminal Procedure, whose duties include the apprehension of persons for violation of a criminal law of this state.

SECTION _____. Section 2158.009(a), Government Code, is repealed.

The amendment to **SB 1862** was read.

Senator Watson withdrew Floor Amendment No. 2.

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

SB 1862 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: Williams.

SENATE BILL 1862 ON THIRD READING

Senator Ellis moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 1862** 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, Shapiro, Shapleigh, Uresti, Van de Putte, Watson, West, Whitmire, Zaffirini.

Nays: Wentworth, Williams.

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 1862**, 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 1862** 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: Williams.

COMMITTEE SUBSTITUTE SENATE BILL 20 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 20** at this time on its second reading:

CSSB 20, Relating to ad valorem taxation.

The bill was read second time.

Senator Williams offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 20** (Senate committee printing) by striking SECTION 2.02 of the bill (page 1, lines 48 through 54) and substituting the following:

SECTION 2.02. (a) Subject to Subsection (b) of this section, this article takes effect only if the constitutional amendment proposed by the 81st Legislature, Regular Session, 2009, authorizing the legislature to provide for the ad valorem taxation of a residence homestead solely on the basis of the property's value as a residence homestead is approved by the voters. If that amendment is not approved by the voters, this article has no effect.

(b) This article takes effect only if a specific appropriation to the Texas Education Agency is included in Senate Bill No. 1 (General Appropriations Act), Acts of the 81st Legislature, Regular Session, 2009, intended to offset the cost to the Foundation School Program resulting from the implementation of this article.

The amendment to **CSSB 20** 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 Watson offered the following amendment to the bill:

Floor Amendment No. 2

Amend **CSSB 20** (Senate committee printing) as follows:

(1) Add the following appropriately numbered ARTICLE to the bill and renumber subsequent ARTICLES of the bill accordingly:

ARTICLE ____. STUDY REGARDING CIRCUIT BREAKER PROGRAMS

SECTION __.01. (a) In this section, "circuit breaker program" means a program that limits the amount of ad valorem taxes that may be imposed on a residence homestead based on the owner's annual income.

(b) The comptroller shall conduct a study to examine circuit breaker programs.

(c) Before collecting information for purposes of the study, the comptroller shall establish an advisory committee to assist the comptroller in conducting the study. The advisory committee must be composed of representatives of:

- (1) school districts and other taxing units;
- (2) home builders;
- (3) real estate agents;
- (4) mortgage lenders;
- (5) financial agencies involved in mortgage markets;
- (6) organizations interested in housing for low-income and moderate-income households;
- (7) organizations interested in the effect of ad valorem taxes on low-income and moderate-income households;
- (8) organizations interested in the effect of public policy on low-income and moderate-income households; and
- (9) other appropriate, interested organizations or members of the public, as determined by the comptroller.

(d) The comptroller, with the assistance of the advisory committee, shall study:

- (1) methods to implement a circuit breaker program, including the use of rebates or tax credits;
- (2) methods to create a simple, transparent process for the owner of a residence homestead to apply for and receive a limitation on the amount of ad valorem taxes that may be imposed on the homestead under a circuit breaker program;
- (3) the effects of different designs of a circuit breaker program, including the effect of:
 - (A) limiting which taxing units are involved;
 - (B) basing eligibility on a maximum annual income level;
 - (C) limiting the dollar amount of the benefit that a property owner could receive in the program; and
 - (D) basing eligibility on a minimum ratio of residence homestead ad valorem taxes imposed to annual income, including a progressive scale of minimum ratios based on annual income; and
- (4) methods to ensure the reliability of a property owner's statement of annual income.

(e) The comptroller and the advisory committee shall analyze the information studied and prepare a report that:

- (1) describes the parameters, techniques, and legal assumptions established under Subsection (d) of this section that were used in conducting the study;

(2) estimates the benefit of alternative designs of a circuit breaker program for property owners in various annual income brackets and with varying amounts of residence homestead ad valorem tax liability, including an estimate of the percentage of property owners in various annual income brackets that would benefit and the dollar amount of the benefit to those property owners;

(3) estimates the cost to the state and taxing units of implementing alternative designs of a circuit breaker program, including the percentage by which the amount of ad valorem taxes collected would be reduced;

(4) analyzes the effects on this state's economy of implementing a circuit breaker program, including the effect on home ownership rates, the residential housing market, and economic development; and

(5) specifies any necessary statutory changes the comptroller and the advisory committee determine are necessary to implement a circuit breaker program described by the study.

(f) The comptroller may contract with appraisal districts, taxing units, or other appropriate organizations for assistance and to obtain information necessary to conduct the study. A state agency, appraisal district, or taxing unit shall assist the comptroller if the comptroller requests information or assistance in conducting the study.

(g) Not later than December 1, 2010, the comptroller shall submit to the governor, lieutenant governor, and speaker of the house of representatives the report prepared under Subsection (e) of this section.

SECTION __.02. This article expires September 1, 2011.

SECTION __.03. This article takes effect September 1, 2009.

(2) In SECTION 9.02 of the bill (page 11, line 60), strike "This" and substitute "Except as otherwise provided by this Act, this".

The amendment to **CSSB 20** 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 20 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 20 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 20** 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 20**, 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 20** 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 1062 ON SECOND READING

On motion of Senator Shapiro and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1062** at this time on its second reading:

CSSB 1062, Relating to creating an online resource center for individuals handling child abuse and neglect cases.

The bill was read second time.

Senator Shapiro offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 1062** 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. A provision in this Act 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.

The amendment to **CSSB 1062** 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 Shapiro and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

CSSB 1062 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 1062 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 **CSSB 1062** 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 1062**, 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 1062** 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 2046 ON SECOND READING**

Senator Williams moved to suspend the regular order of business to take up for consideration **CSSB 2046** at this time on its second reading:

CSSB 2046, Relating to requiring criminal history background checks for employees of public institutions of higher education.

The motion prevailed.

Senators Fraser and Zaffirini asked to be recorded as voting "Nay" on suspension of the regular order of business.

The bill was read second time.

Senator Ogden offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 2046** 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. A provision in this Act 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.

The amendment to **CSSB 2046** 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 except as follows:

Nays: Fraser, Zaffirini.

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

CSSB 2046 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: Fraser, Zaffirini.

**COMMITTEE SUBSTITUTE
SENATE BILL 2046 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 2046** be placed on its third reading and final passage.

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

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

Nays: Fraser, Wentworth, Zaffirini.

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 2046**, 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 2046** 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, Davis, Deuell, Duncan, Ellis, Eltife, Estes, Gallegos, Harris, Hegar, Hinojosa, Huffman, Jackson, Lucio, Nelson, Nichols, Ogden, Patrick, Seliger, Shapiro, Shapleigh, Uresti, Van de Putte, Watson, Wentworth, West, Whitmire, Williams.

Nays: Fraser, Zaffirini.

COMMITTEE SUBSTITUTE SENATE BILL 2323 ON SECOND READING

On motion of Senator Carona and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 2323** at this time on its second reading:

CSSB 2323, Relating to the functions of the Texas School Safety Center and safety and security at public educational institutions.

The bill was read second time.

Senator Carona offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 2323** (Senate committee printing) as follows:

(1) In SECTION 2 of the bill, in the introductory language (page 1, lines 17 and 18), strike "(e) and (f)" and substitute "(c-1), (c-3), (e), and (f)".

(2) In SECTION 2 of the bill, immediately following amended Section 37.108(c), Education Code (page 1, between lines 50 and 51), insert the following:

(c-1) Except as provided by Subsection (c-3), any document or information collected, developed, or produced during a safety and security audit conducted under Subsection (b) is not subject to disclosure under Chapter 552, Government Code.

(c-3) A document relating to an institution of higher education's multihazard emergency operations plan is subject to disclosure if the document enables a person to:

(1) verify that the institution has established a plan and determine the agencies involved in the development of the plan and the agencies coordinating with the institution to respond to an emergency, including local emergency services agencies, law enforcement agencies, and fire departments;

(2) verify that the institution's plan was reviewed within the last 12 months and determine the specific review dates;

(3) verify that the plan addresses the four phases of emergency management under Subsection (a);

(4) verify that institution employees have been trained to respond to an emergency and determine the types of training, the number of employees trained, and the person conducting the training;

(5) verify that each campus of the institution has conducted mandatory emergency drills and exercises in accordance with the plan and determine the frequency of the drills;

(6) verify that the institution has completed a safety and security audit under Subsection (b) and determine the date the audit was conducted, the person conducting the audit, and the date the institution presented the results of the audit to the board of regents;

(7) verify that the institution has addressed any recommendations by the board of regents for improvement of the plan and determine the institution's progress within the last 12 months; and

(8) verify that the institution has established a visitor policy and identify the provisions governing access to an institution building or other institution property.

(3) Between SECTIONS 14 and 15 of the bill (page 5, between lines 53 and 54), insert the following appropriately numbered SECTION and renumber subsequent SECTIONS of the bill accordingly:

SECTION _____. Sections 37.108(c-1) and (c-3), Education Code, as added by this Act, apply only to a request for documents or information that is received by an institution of higher education on or after the effective date of this Act. A request for documents or information that was received before the effective date of this Act is governed by the law in effect on the date the request was received, and the former law is continued in effect for that purpose.

The amendment to **CSSB 2323** 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 Carona offered the following amendment to the bill:

Floor Amendment No. 2

Amend **CSSB 2323** (Senate committee printing) as follows:

(1) In SECTION 2 of the bill, in the introductory language (page 1, lines 17 and 18), strike "Subsections (e) and (f)" and substitute "Subsection (e)".

(2) In SECTION 2 of the bill, in amended Section 37.108, Education Code (page 1, lines 51-55), strike added Subsection (e).

(3) In SECTION 2 of the bill, in added Section 37.108(f), Education Code (page 1, line 56), strike "(f)" and substitute "(e)".

(4) In SECTION 10 of the bill, in amended Section 37.213(f), Education Code (page 5, line 3), strike "1092(f)." and substitute "1092(f)".

(5) In SECTION 10 of the bill, in amended Section 37.213, Education Code (page 5, lines 4-7), strike added Subsection (g).

(6) On page 5, between lines 57 and 58, add the following appropriately numbered SECTION and renumber subsequent SECTIONS of the bill accordingly:

SECTION _____. This Act does not make an appropriation. A provision in this Act 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.

The amendment to **CSSB 2323** 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 Carona offered the following amendment to the bill:

Floor Amendment No. 3

Amend **CSSB 2323** (Senate committee printing) as follows:

(1) In SECTION 7 of the bill, in amended Section 37.207(a)(2), Education Code (page 3, line 12), between "reviewing" and "each", insert "elements of".

(2) In SECTION 7 of the bill, in amended Section 37.207(a)(2), Education Code (page 3, line 14), strike "the audit" and substitute "that review [~~the audit~~"]".

(3) In SECTION 12 of the bill, in added Section 37.2161(a)(1), Education Code (page 5, line 34), between "(1)" and "each", insert "elements of".

(4) In SECTION 12 of the bill, in added Section 37.2161(a)(2), Education Code (page 5, line 36), between "(2)" and "each", insert "elements of".

The amendment to **CSSB 2323** 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.

Senator Carona offered the following amendment to the bill:

Floor Amendment No. 4

Amend **CSSB 2323** (Senate committee printing) in SECTION 9 of the bill, in added Section 37.2091(e), Education Code (page 3, line 65), by striking "annual" and substituting "biennial".

The amendment to **CSSB 2323** 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. 4.

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

CSSB 2323 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 2323 ON THIRD READING

Senator Carona moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 2323** 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 2323**, 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 2323** 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 783 ON SECOND READING

On motion of Senator Shapiro and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 783** at this time on its second reading:

CSSB 783, Relating to the Texas emerging technology fund.

The bill was read second time.

Senator Shapiro offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 783** by striking SECTION 3 of the bill (Senate committee printing, page 2, line 55, through page 3, line 1) and renumbering subsequent SECTIONS of the bill accordingly.

The amendment to **CSSB 783** 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 Shapiro offered the following amendment to the bill:

Floor Amendment No. 2

Amend **CSSB 783** (Senate committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS accordingly:

SECTION ___. Subchapter C, Chapter 490, Government Code, is amended by adding Section 490.104 to read as follows:

Sec. 490.104. TRANSFERS BETWEEN TEXAS EMERGING TECHNOLOGY FUND AND TEXAS ENTERPRISE FUND. Notwithstanding any other law, including an appropriations act, the governor may not, without the prior written approval of the Legislative Budget Board:

(1) make an award or transfer otherwise authorized by law from the Texas Emerging Technology Fund to the Texas Enterprise Fund under Section 481.078 for purposes of making a grant or other expenditure from the Texas Enterprise Fund; or

(2) make a grant or transfer otherwise authorized by law from the Texas Enterprise Fund to the Texas Emerging Technology Fund for purposes of making an award or other expenditure from the Texas Emerging Technology Fund.

The amendment to **CSSB 783** 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 Shapiro and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

CSSB 783 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 783 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 **CSSB 783** 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 783**, 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 783** 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 1548 ON SECOND READING

On motion of Senator Ogden and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1548** at this time on its second reading:

CSSB 1548, Relating to the monitoring and oversight of certain public retirement systems and public investments; providing civil penalties.

The bill was read second time.

Senator Duncan offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 1548** (committee printing) as follows:

- 1) On page 2, lines 36-37, deleted all proposed language and insert "adopt actuarial guidelines that may be used by public retirement systems;"
- 2) On page 3, line 51 between "801.201" and the period, insert "unless the information is confidential under law"

The amendment to **CSSB 1548** 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 Duncan offered the following amendment to the bill:

Floor Amendment No. 2

Amend **CSSB 1548** (Senate committee printing) as follows:

- 1) On page 3, delete lines 26-33 and insert the following:
(B) a public retirement system;
- 2) On page 3, delete lines 42, 43, and 44

The amendment to **CSSB 1548** was read.

Senator Duncan withdrew Floor Amendment No. 2.

Senator Ogden offered the following amendment to the bill:

Floor Amendment No. 3

Amend **CSSB 1548** 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. A provision in this Act 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.

The amendment to **CSSB 1548** 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 Ogden and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

CSSB 1548 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 1548 ON THIRD READING**

Senator Ogden moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1548** 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 1548**, 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 1548** 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 1406 ON SECOND READING**

Senator Shapleigh moved to suspend the regular order of business to take up for consideration **CSSB 1406** at this time on its second reading:

CSSB 1406, Relating to the consideration of the effects of climate variability on water supplies in regional and state water plans.

The motion prevailed.

Senators Fraser, Nichols, Patrick, Seliger, and Williams 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: Fraser, Nichols, Patrick, Seliger, Williams.

**COMMITTEE SUBSTITUTE
SENATE BILL 1406 ON THIRD READING**

Senator Shapleigh moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1406** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 25, Nays 6.

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

Nays: Fraser, Nichols, Patrick, Seliger, Wentworth, Williams.

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 1406**, 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 1406** 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 26, Nays 5.

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

Nays: Fraser, Nichols, Patrick, Seliger, Williams.

COMMITTEE SUBSTITUTE HOUSE BILL 670 ON SECOND READING

On motion of Senator Ellis and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 670** at this time on its second reading:

CSHB 670, Relating to a qualified privilege of a journalist not to testify.

The bill was read second time.

Senator Williams offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSHB 670** (Senate committee printing) as follows:

(1) In SECTION 1 of the bill, following added Section 22.027, Civil Practice and Remedies Code (page 3, between lines 24 and 25), insert the following:

Sec. 22.28. PUBLICATION OR DISTRIBUTION OF CONFIDENTIAL INFORMATION BY NEWS MEDIUM. (a) A news medium that distributes a report from a journalist that uses a confidential source for any information must publish and distribute one of the following two disclaimers in conjunction with the report:

(1) "This news report relies on a confidential source and contains confidential information. The name of the confidential source will not be voluntarily disclosed by the journalist. The journalist relying on this confidential source and the news medium distributing this information have NOT checked out the accuracy of this information and make no warranties as to truthfulness of the confidential source or the accuracy of any information obtained from the confidential source."; or

(2) "This news report relies on a confidential source and contains confidential information. The name of the confidential source will not be voluntarily disclosed by the journalist. The journalist relying on this confidential source and the news medium distributing this information have checked and CONFIRMED the accuracy of this information and stand by the truthfulness of the confidential source and the accuracy of all information obtained from the confidential source."

(2) Strike the recital for SECTION 2 of the bill (page 3, lines 25-26), and substitute the following:

Chapter 38, Code of Criminal Procedure, is amended by adding Articles 38.11, 38.111, and 38.112 to read as follows:

(3) In SECTION 2 of the bill, following added Article 38.111, Code of Criminal Procedure (page 6, between lines 34 and 35), insert the following:

Art. 38.112. PUBLICATION OR DISTRIBUTION OF CONFIDENTIAL INFORMATION BY NEWS MEDIUM. (a) A news medium that distributes a report from a journalist that uses a confidential source for any information must publish and distribute one of the following two disclaimers in conjunction with the report:

(1) "This news report relies on a confidential source and contains confidential information. The name of the confidential source will not be voluntarily disclosed by the journalist. The journalist relying on this confidential source and the news medium distributing this information have NOT checked out the accuracy of this information and make no warranties as to truthfulness of the confidential source or the accuracy of any information obtained from the confidential source."; or

(2) "This news report relies on a confidential source and contains confidential information. The name of the confidential source will not be voluntarily disclosed by the journalist. The journalist relying on this confidential source and the news medium distributing this information have checked and CONFIRMED the accuracy of this information and stand by the truthfulness of the confidential source and the accuracy of all information obtained from the confidential source."

The amendment to **CSHB 670** was read.

Senator Duncan moved to table Floor Amendment No. 1.

Senator Duncan withdrew the motion to table Floor Amendment No. 1.

Senator Williams withdrew Floor Amendment No. 1.

CSHB 670 was passed to third reading by a viva voce vote.

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

COMMITTEE SUBSTITUTE HOUSE BILL 670 ON THIRD READING

Senator Ellis moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 670** 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 **CSHB 670**, 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 **CSHB 670** 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 1492 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 1492** at this time on its second reading:

CSSB 1492, Relating to the delay of retail electric competition in the areas of the state covered by the Southeastern Electric Reliability Council and to the recovery of certain transmission costs by electric utilities in those areas.

The bill was read second time.

Senator Ogden offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 1492** (Senate committee printing) as follows:

(1) In SECTION 2 of the bill, on page 2, line 7, after "Subsection (f)." insert "If after the expiration of four years from the time the commission certifies a power region under Subsection (f), and after notice and a hearing, the commission determines consistent with the study required by Section 38.073 that the electric utility cannot comply with that section, it shall consider approving a plan under Subsection (g)."

(2) Add appropriately numbered SECTIONS to the bill to read as follows and renumber subsequent SECTIONS of the bill appropriately:

SECTION ____ . Subchapter D, Chapter 38, Utilities Code, is amended by adding Section 38.073 to read as follows:

Sec. 38.073. **AUTHORITY OF COMMISSION DURING AN EMERGENCY.**

(a) On a declaration of a natural disaster or other emergency by the governor, the commission may require an electric utility, municipally owned utility, electric cooperative, qualifying facility, power generation company, exempt wholesale generator, or power marketer to sell electricity to an electric utility, municipally owned utility, or electric cooperative that is unable to supply power to meet customer demand due to the natural disaster or other emergency. Any plant, property, equipment, or other items used to receive or deliver electricity under this subsection are used and useful in delivering service to the public, and the commission shall allow timely recovery for the costs of those items. The commission may order an electric utility, municipally owned utility, or electric cooperative to provide interconnection service to another electric utility, municipally owned utility, or electric cooperative to facilitate a

sale of electricity under this section. If the commission does not order the sale of electricity during a declared emergency as described by this subsection, the commission shall promptly submit to the legislature a report describing the reasons why the commission did not make that order.

(b) If an entity receives electricity under Subsection (a), the receiving entity shall reimburse the supplying entity for the actual cost of providing the electricity. The entity receiving the electricity is responsible for any transmission and distribution service charges specifically incurred in relation to providing the electricity.

(c) An entity that pays for electricity received under Subsection (b) and that is regulated by the commission may fully recover the cost of the electricity in a timely manner by:

(1) including the cost in the entity's fuel cost under Section 36.203; or

(2) notwithstanding Section 36.201, imposing a different surcharge.

SECTION _____. (a) Not later than November 1, 2009, the Public Utility Commission of Texas shall conduct and complete a study to evaluate:

(1) the locations in this state that are most likely to experience a natural disaster or other emergency;

(2) the ability of each entity described by Section 38.073(a), Utilities Code, as added by this Act, to comply with that section in the event of a natural disaster or other emergency; and

(3) any steps an entity described by Section 38.073(a), Utilities Code, as added by this Act, should take to prepare to comply with that section.

(b) An entity described by Section 38.073(a), Utilities Code, as added by this Act, shall comply with any order issued by the Public Utility Commission of Texas under that subsection while the study required by Subsection (a) of this section is conducted.

(c) The Public Utility Commission of Texas shall prepare a report based on the study conducted under Subsection (a) of this section. The report must include any recommendations the commission considers advisable in relation to the implementation of and compliance with Section 38.073, Utilities Code, as added by this Act. The commission may include the report in the report required by Section 31.003, Utilities Code.

The amendment to **CSSB 1492** 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 1492 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 1492 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 1492** 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 1492**, 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 1492** 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 BILLS REREFERRED

Senator Wentworth submitted a Motion In Writing requesting that **SB 2539** and **SB 2540** be withdrawn from the Committee on Intergovernmental Relations and rereferred to the Committee on Natural Resources.

The Motion In Writing prevailed without objection.

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

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

SENATE RULES SUSPENDED (Posting Rules)

On motion of Senator Lucio and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on International Relations and Trade might meet and consider **SB 952** today.

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

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

SENATE RULES SUSPENDED
(Posting Rules)

On motion of Senator Averitt and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Natural Resources might meet and consider **SB 2534** today.

SENATE RULES SUSPENDED
(Posting Rules)

On motion of Senator Whitmire and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Criminal Justice might meet and consider the following bills today: **SB 2075**, **SB 1844**.

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

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

SENATE RULES SUSPENDED
(Posting Rules)

On motion of Senator Shapleigh and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Subcommittee on Base Realignment and Closure might meet and consider **SB 2100** today.

RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

Memorial Resolutions

SR 746 by Uresti, In memory of Carlos Garcia, Sr., of Hondo.

SR 750 by Watson, In memory of Gina Rifino Ducloux.

SR 758 by Ellis, In memory of Margaret Louise Riggins Griffin of Houston.

Congratulatory Resolutions

SCR 66 by Van de Putte, Commending Tommy Nobis for his achievements in his football career.

SR 747 by Patrick, Recognizing Houston Community College Northwest on the occasion of the renaming of its Town and Country Campus as the Spring Branch Campus.

SR 748 by Seliger, Recognizing Mark Groneman of Vega for his contributions to his community.

SR 751 by Watson, Recognizing Nancy Jurecka Wilkins on the occasion of her retirement from the Office of the Comptroller of Public Accounts.

SR 753 by Shapleigh, Recognizing Gertrude "Sugar" Goodman for her contributions to the YWCA El Paso del Norte Region.

SR 754 by Wentworth, Congratulating Gene Powell for his appointment to The University of Texas System Board of Regents.

SR 755 by Carona, Congratulating Casey Miner of Richardson for receiving a Governor's Criminal Justice Volunteer Service Award.

SR 756 by West, Recognizing Dikita Enterprises, Incorporated, on the occasion of its 30th anniversary.

SR 757 by West, Recognizing Robert L. Nichols, Jr., on the occasion of his birthday.

SR 759 by Ellis, Congratulating Joanna and Drexell Owusu on the occasion of the birth of their son, Maxwell Arch Kwasi Owusu.

SR 760 by Ellis, Recognizing the University of Houston Black Alumni Association on the occasion of its 20th anniversary.

SR 761 by Ellis, Commending Seven Acres Jewish Senior Care Services in Houston for its contributions to the elderly.

Official Designation Resolutions

SCR 65 by Shapiro, Designating May 12, 2009, as Mary Kay Ash Day in the State of Texas.

SR 752 by Watson, Recognizing May 12, 2009, as National Fibromyalgia Awareness Day in Texas.

ADJOURNMENT

On motion of Senator Whitmire, the Senate at 2:50 p.m. adjourned until 11:00 a.m. tomorrow.

APPENDIX

COMMITTEE REPORTS

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

April 28, 2009

INTERGOVERNMENTAL RELATIONS — **CSSB 1222, CSSB 1483, CSSB 2506, CSSB 2518**

CRIMINAL JUSTICE — **SB 411, SB 413, SB 414, SB 415, SB 449, SB 549, SB 1530, SB 1531, SB 1840, SB 1909, SB 2048, SB 2162, SB 2228, HB 2626**

FINANCE — **CSSB 2064**

STATE AFFAIRS — **CSSB 392, CSSB 815, CSSB 1912, CSSB 2505, CSSB 1858**

EDUCATION — **CSSB 2258**

FINANCE — **SJR 43, SB 801**

INTERGOVERNMENTAL RELATIONS — **CSSB 749, CSSB 844, CSSB 2467, CSSB 2472, CSSB 2501**

VETERAN AFFAIRS AND MILITARY INSTALLATIONS — **SB 2256** (Amended)

INTERNATIONAL RELATIONS AND TRADE — **CSSB 2253**

GOVERNMENT ORGANIZATION — **SB 1467**

NATURAL RESOURCES — **HB 1213, HB 1615, SB 1688, SB 2486, SB 2489, SB 2491, SB 2509**

INTERGOVERNMENTAL RELATIONS — **CSSB 748**

BILLS ENGROSSED

April 27, 2009

SB 42, SB 89, SB 650, SB 1249, SB 1378, SB 1394, SB 1456, SB 1553, SB 1661, SB 1717, SB 1728, SB 1754, SB 1843, SB 1933, SB 2045, SB 2105, SB 2111, SB 2120, SB 2154, SB 2243, SB 2376, SB 2424, SB 2476

RESOLUTIONS ENROLLED

April 27, 2009

SR 480, SR 722, SR 723, SR 724, SR 725, SR 726, SR 727, SR 728, SR 729, SR 730, SR 731, SR 732, SR 733, SR 734, SR 735, SR 736, SR 739, SR 740, SR 741, SR 742, SR 743, SR 744

SIGNED BY GOVERNOR

April 28, 2009

SB 731