

SENATE JOURNAL

EIGHTY-SECOND LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

NINTH DAY

(Wednesday, February 2, 2011)

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: Birdwell, Davis, Deuell, Duncan, Ellis, Eltife, Estes, Fraser, Gallegos, Harris, Hegar, Hinojosa, Huffman, Jackson, Lucio, Nelson, Nichols, Ogden, Patrick, Rodriguez, Seliger, Shapiro, Uresti, Van de Putte, Watson, Wentworth, West, Whitmire, Williams, Zaffirini.

Absent-excused: Carona.

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

Pastor Keith Born, Immanuel Lutheran Church, Pflugerville, offered the invocation as follows:

Dear heavenly Father, You have given all the men and women gathered in this Chamber the willingness and courage to serve on behalf of the residents of our state. I offer thanksgiving for them and their service. Bless them always with Your presence, give them compassion, and strengthen and enable them to work together, through debate and compromise, for the benefit of all Texans. In these challenging times, help us all, elected officials and residents alike, to approach each challenge with a positive attitude and to work together to seek opportunities for growth and advancement for our neighborhoods, cities, state, and country. I offer this prayer in Your most holy name. Amen.

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

The motion prevailed without objection.

LEAVE OF ABSENCE

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

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

February 2, 2011

The Honorable President of the Senate

Senate Chamber

Austin, Texas

Mr. President:

I am directed by the House to inform the Senate that the House has taken the following action:

THE HOUSE HAS PASSED THE FOLLOWING MEASURES:**HCR 40**, Designating the Sunday through Saturday surrounding World Suicide Prevention Day, September 10, each year as Texas Suicide Prevention Week.

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives**PHYSICIAN OF THE DAY**

Senator Hegar was recognized and presented Dr. Russell Thomas of Eagle Lake as the Physician of the Day.

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

SENATE RESOLUTION 157

Senator Nelson offered the following resolution:

SR 157, Recognizing February 4, 2011, as National Wear Red Day in Texas.NELSON
SHAPIRO

The resolution was read.

On motion of Senator Lucio and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Nelson, the resolution was adopted without objection.

GUESTS PRESENTED

Senator Nelson was recognized and introduced to the Senate members of the American Heart Association.

The Senate welcomed its guests.

RESOLUTION SIGNED

The President announced the signing of the following enrolled resolution in the presence of the Senate: **HCR 41**.

SENATE RESOLUTION 88

Senator Van de Putte offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to recognize Dr. John Wesley Boldt for his many outstanding contributions to the field of medicine; and

WHEREAS, A 1954 graduate of the Vanderbilt University School of Medicine, Dr. Boldt joined the staff at Robert B. Green Hospital in San Antonio in 1961, where he taught gynecologic surgery and provided patient care to local citizens; and

WHEREAS, Dr. Boldt supervised the formation of the United States Air Force obstetrics and gynecology residency program at Wilford Hall Hospital and served as a civilian consultant and instructor for nearly a decade; in 1968, he was appointed Clinical Professor of Obstetrics and Gynecology at the medical school now known as The University of Texas Health Science Center at San Antonio; and

WHEREAS, A founding member of the Society for Gynecologic Surgeons, Dr. Boldt is a member of the Bexar County Medical Society and the Felix Rutledge Society; in 2009, a permanent endowment was established in his name at The University of Texas Health Science Center at San Antonio to honor his excellence in patient care, education, and research in his field; and

WHEREAS, Dr. Boldt continues to provide his patients with exceptional care and to serve as a mentor and guide to medical students; he is truly deserving of recognition for his legacy of compassion, professionalism, and dedication; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 82nd Legislature, hereby commend Dr. John Wesley Boldt on his many achievements and extend to him best wishes for continued success in all his endeavors; 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 88 was again read.

The resolution was previously adopted on Tuesday, January 25, 2011.

GUESTS PRESENTED

Senator Van de Putte was recognized and introduced to the Senate Dr. John Wesley Boldt; his wife, Veronica Boldt; Dr. Robert Schenken, The University of Texas Health Science Center at San Antonio; Dr. Francisco Gonzalez-Scarano, The University of Texas Health Science Center at San Antonio; Dr. Francisco Cigarroa, The University of Texas System Chancellor; and Senator Van de Putte's daughter, Dr. Nichole Van de Putte. Also recognized were Bill Boldt; Robert and Cheryl Stocker; Norman and Jan Boldt Saathoff; Dr. Boldt's grandchildren: Elizabeth, Caroline, Susannah, Margaret, James, and Jordan; and Drs. Elly Xenakis, Mark Funk, Karen Diaz, Kevin Hall, Blake Berryhill, Emma Rodriguez, Omoteotl Acosta, Torri Janecek, and Yadira Anca.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Eltife was recognized and introduced to the Senate students from Panola College and Kilgore College.

The Senate welcomed its guests.

SENATE RESOLUTION 145

Senator Seliger offered the following resolution:

SR 145, Recognizing February 2, 2011, as Texas Food Bank Day at the State Capitol.

The resolution was read and was adopted without objection.

GUESTS PRESENTED

Senator Seliger was recognized and introduced to the Senate representatives of the Texas Food Bank Network.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Zaffirini was recognized and introduced to the Senate representatives of Laredo Community College, Northeast Texas Community College, and South Texas College.

The Senate welcomed its guests.

SENATE RESOLUTION 164

Senator Hinojosa offered the following resolution:

SR 164, Commending the Texas 4-H and Youth Development Program on its many contributions to the young people of Texas.

The resolution was read and was adopted without objection.

GUESTS PRESENTED

Senator Hinojosa was recognized and introduced to the Senate Preston Sturdivant, Allison Lochte, Kelley Ullrich, Bonnie McGee, and a delegation of Texas 4-H and Youth Development Program students.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Birdwell was recognized and introduced to the Senate students from Texas State Technical College, Hill College, McLennan Community College, and Navarro College.

The Senate welcomed its guests.

SENATE CONCURRENT RESOLUTION 12

The President laid before the Senate the following resolution:

WHEREAS, Section 17, Article III, Texas Constitution, provides that neither house of the legislature may adjourn for more than three days without the consent of the other house; now, therefore, be it

RESOLVED by the 82nd Legislature of the State of Texas, That each house grant the other permission to adjourn for more than three days during the period beginning on Wednesday, February 2, 2011, and ending on Monday, February 7, 2011.

WHITMIRE

SCR 12 was read.

On motion of Senator Whitmire, the resolution was considered immediately and was adopted by the following vote: Yeas 30, Nays 0.

Absent-excused: Carona.

CO-AUTHOR OF SENATE BILL 16

On motion of Senator Patrick, Senator Hegar will be shown as Co-author of **SB 16**.

CO-AUTHORS OF SENATE BILL 18

On motion of Senator Estes, Senators Davis, Deuell, Eltife, Fraser, Hegar, Hinojosa, Huffman, Jackson, Lucio, Nelson, Ogden, Seliger, Shapiro, Uresti, Watson, Wentworth, and Williams will be shown as Co-authors of **SB 18**.

CO-AUTHORS OF SENATE BILL 321

On motion of Senator Hegar, Senators Patrick, Watson, and Wentworth will be shown as Co-authors of **SB 321**.

MOTION TO ADJOURN

On motion of Senator Whitmire and by unanimous consent, the Senate at 11:50 a.m. agreed to adjourn, upon completion of the introduction of bills and resolutions on first reading, until 1:30 p.m. Monday, February 7, 2011.

SENATE BILLS AND RESOLUTIONS ON FIRST READING

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

SB 301 by Wentworth

Relating to filing a complaint against a person licensed to engage in a business, occupation, or profession; providing civil and criminal penalties.

To Committee on Business and Commerce.

SB 302 by Wentworth

Relating to the regulation of solar energy devices by a property owners' association.

To Committee on Intergovernmental Relations.

SB 303 by Nichols

Relating to health care services provided or paid by a hospital district or public hospital.

To Committee on State Affairs.

SB 304 by Nichols

Relating to employment services programs for certain residents receiving services from public hospitals or hospital districts.

To Committee on Health and Human Services.

SB 305 by Huffman

Relating to the punishment prescribed for burglary of a vehicle and to grants of community supervision to persons who commit that offense.

To Committee on Criminal Justice.

SB 306 by Huffman

Relating to the filing of an affidavit to perfect a restitution lien in a criminal case.

To Committee on Criminal Justice.

SB 307 by Seliger

Relating to the composition of the districts for the election of members of the State Board of Education.

To Committee on Redistricting.

SB 308 by Seliger

Relating to the composition of the congressional districts for the State of Texas.

To Committee on Redistricting.

SB 309 by Harris

Relating to the events eligible to receive funding through a major events trust fund.

To Committee on Economic Development.

SB 310 by Seliger

Relating to the Dallam-Hartley Counties Hospital District.

To Committee on Intergovernmental Relations.

SB 311 by Seliger

Relating to the authority of the board of directors of the Ochiltree County Hospital District to employ health care providers.

To Committee on Intergovernmental Relations.

SB 312 by Seliger

Relating to the exemption of certain electric cooperatives from certain regulations.

To Committee on Natural Resources.

SB 313 by Seliger

Relating to priority groundwater management areas.

To Committee on Natural Resources.

SB 314 by Zaffirini

Relating to unemployment compensation eligibility and chargebacks regarding certain persons who are victims or whose immediate family members are victims of sexual assault.

To Committee on Economic Development.

SB 315 by Carona

Relating to the agencies and entities responsible for compiling and maintaining information pertaining to criminal combinations and criminal street gangs.

To Committee on Transportation and Homeland Security.

SB 316 by Whitmire

Relating to criminal asset forfeiture, the disposition of proceeds and property from criminal asset forfeiture, and accountability for that disposition; providing civil penalties.

To Committee on Criminal Justice.

SB 317 by Whitmire

Relating to procedures for applications for writs of habeas corpus based on relevant scientific evidence.

To Committee on Criminal Justice.

SB 318 by Van de Putte

Relating to the provision of pharmaceutical services through informal and voluntary networks in the workers' compensation system; providing an administrative violation.

To Committee on State Affairs.

SB 319 by Carona

Relating to financing programs for low-income electric customers and certain other electric customers.

To Committee on Finance.

SB 320 by Carona

Relating to the practice of psychological associates.

To Committee on Health and Human Services.

SB 321 by Hegar, Birdwell

Relating to an employee's transportation and storage of certain firearms or ammunition while on certain property owned or controlled by the employee's employer.

To Committee on Criminal Justice.

SB 322 by Carona

Relating to the requirements for reinsurance contracts covering title insurance policies issued in this state.

To Committee on Business and Commerce.

SB 323 by Carona

Relating to the applicability of certain laws governing corporations to limited liability companies.

To Committee on Business and Commerce.

SB 324 by Jackson

Relating to the course levels offered by the University of Houston–Clear Lake.
To Committee on Higher Education.

SB 325 by Van de Putte

Relating to the automatic enrollment of certain women in the demonstration project for women's health care services.
To Committee on Health and Human Services.

SB 326 by Duncan

Relating to the exemption from ad valorem taxation of certain tangible personal property stored temporarily at a location in this state.
To Committee on Finance.

SB 327 by Van de Putte, Davis

Relating to including certain veterans service organizations as small businesses for the purpose of state contracting.
To Committee on Government Organization.

SB 328 by Carona

Relating to notice of a hospital lien.
To Committee on State Affairs.

SB 329 by Watson

Relating to the sale, recovery, and recycling of certain television equipment; providing administrative penalties.
To Committee on Natural Resources.

SB 330 by Watson

Relating to renewable energy capacity, jobs, and trading credits.
To Committee on Natural Resources.

SB 332 by Fraser

Relating to the vested ownership interest in groundwater beneath the surface and the right to produce that groundwater.
To Committee on Natural Resources.

SB 333 by Fraser

Relating to election procedures and qualifications of members of boards of directors for water supply or sewer service corporations.
To Committee on Natural Resources.

SB 335 by Fraser

Relating to an exemption from regulation as health spas for certain governmental hospitals and clinics.
To Committee on Health and Human Services.

SB 336 by Gallegos

Relating to the composition of certain regional planning commissions.
To Committee on Intergovernmental Relations.

SB 337 by Gallegos

Relating to the authority of certain counties to enact noise regulations; providing a criminal penalty.

To Committee on Intergovernmental Relations.

SB 338 by Gallegos

Relating to penalty assessment for violations of the Texas Clean Air Act committed by major sources.

To Committee on Natural Resources.

SB 339 by Gallegos

Relating to disclosure by the Texas Commission on Environmental Quality of information related to emissions events.

To Committee on Natural Resources.

SB 340 by Gallegos

Relating to the reporting of emissions events under the Clean Air Act.

To Committee on Natural Resources.

SB 342 by Carona

Relating to the power of the office of the attorney general to make certain examinations and inquiries.

To Committee on Business and Commerce.

SB 343 by Davis

Relating to the administrative fee charged for the collection of an unpaid toll.

To Committee on Transportation and Homeland Security.

SB 344 by Gallegos

Relating to municipal civil service for firefighters and police officers.

To Committee on State Affairs.

SB 345 by Gallegos

Relating to staff development training for certain public school administrators regarding student discipline management.

To Committee on Education.

SB 346 by Gallegos

Relating to the curriculum that must be provided by a disciplinary alternative education program.

To Committee on Education.

SB 347 by Watson

Relating to the creation of the Texas Center for Sustainable Business.

To Committee on Natural Resources.

SB 348 by Estes

Relating to the sale or delivery of salvia divinorum or Salvinorin A to a child; providing a penalty.

To Committee on Criminal Justice.

SB 349 by Eltife

Relating to the hotel occupancy tax rate in certain municipalities.
To Committee on Finance.

SB 350 by Williams

Relating to the restructuring of fund obligations and accounts of the Texas Municipal Retirement System and related actuarial and accounting procedures.
To Committee on State Affairs.

SB 351 by Williams

Relating to the maximum capacity of a container of wine sold to a retail dealer.
To Committee on Business and Commerce.

SB 352 by Williams

Relating to the creation of the Harris County Municipal Utility District No. 528; providing authority to impose a tax and issue bonds; granting a limited power of eminent domain.
To Committee on Intergovernmental Relations.

SB 354 by Wentworth, Birdwell, Carona, Deuell, Eltife, Estes, Fraser, Harris, Hegar, Jackson, Nelson, Patrick, Seliger, Williams

Relating to the carrying of concealed handguns on the campuses of institutions of higher education.
To Committee on Criminal Justice.

SB 355 by Ellis

Relating to the elimination of smoking in certain workplaces and public places; providing penalties.
To Committee on Health and Human Services.

SB 356 by Watson

Relating to awards for certain members of the state military forces inducted into federal service in support of Operations Iraqi Freedom, New Dawn, and Enduring Freedom.
To Committee on Veteran Affairs and Military Installations.

SB 357 by Van de Putte, Davis, Deuell, Ellis, Hinojosa, Lucio, Rodriguez, Uresti, Watson, Zaffirini

Relating to an exemption from ad valorem taxation of the residence homestead of the surviving spouse of a 100 percent or totally disabled veteran or the principal residence of the surviving minor children of such a disabled veteran.
To Committee on Finance.

SB 358 by Wentworth

Relating to the waiver of sovereign and governmental immunity in this state.
To Committee on State Affairs.

SB 359 by Wentworth

Relating to the powers and duties of certain emergency services districts.
To Committee on Intergovernmental Relations.

SB 360 by Fraser

Relating to the composition and use of money in the rural water assistance fund.
To Committee on Natural Resources.

SB 361 by Duncan

Relating to indemnification provisions in construction contracts.
To Committee on State Affairs.

SB 362 by Carona

Relating to the presumed abandonment date for stored value cards.
To Committee on Business and Commerce.

SB 363 by Ogden

Relating to the cessation of tolls by toll project entities in certain circumstances.
To Committee on Transportation and Homeland Security.

SB 364 by Ogden

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

SB 365 by Ogden

Relating to distributed generation of electric power.
To Committee on Business and Commerce.

SB 366 by Ogden

Relating to the repeal of information disclosure exemptions for public power utilities.
To Committee on Business and Commerce.

SB 367 by Ogden

Relating to the review by the attorney general of invoices related to legal services provided to state agencies by outside counsel.
To Committee on State Affairs.

SB 368 by Seliger

Relating to limits on the purpose of a fresh water supply district and on a district's exercise of the power of eminent domain.
To Committee on Natural Resources.

SB 369 by Seliger

Relating to the issuance of specialty license plates for women veterans.
To Committee on Transportation and Homeland Security.

SB 370 by Seliger

Relating to the authority of the Texas Water Development Board to provide financial assistance for certain projects if the applicant has failed to complete a request for information relevant to the project.
To Committee on Natural Resources.

SB 371 by Seliger

Relating to the eligibility for service retirement annuities of certain elected officials convicted of certain crimes.
To Committee on State Affairs.

SB 372 by Seliger

Relating to certain reports, communications, and publications involving the attorney general.

To Committee on State Affairs.

SB 373 by Duncan

Relating to the offices of county treasurer and county auditor.

To Committee on Intergovernmental Relations.

SB 374 by Wentworth

Relating to the amount of the fee paid by a defendant for a peace officer's services in executing or processing an arrest warrant, *capias*, or *capias pro fine*.

To Committee on Criminal Justice.

SB 376 by Wentworth

Relating to a fee collected for a jury trial in a civil case.

To Committee on Jurisprudence.

SB 377 by Huffman, Patrick

Relating to the murder of a child as a capital offense.

To Committee on Criminal Justice.

SB 378 by Hegar

Relating to the date by which a pest management zone may request an extension of the cotton stalk destruction deadline.

To Committee on Agriculture and Rural Affairs.

SB 379 by Nichols

Relating to the issuance and renewal of a real estate inspector license.

To Committee on Business and Commerce.

SB 380 by Wentworth

Relating to the election of the governing body of certain municipalities.

To Committee on State Affairs.

SB 381 by Wentworth

Relating to partial surrender of or withdrawals from annuity contracts, life insurance policies, and endowment contracts.

To Committee on State Affairs.

SB 382 by Harris

Relating to an administrative fee for defendants required by a court to perform community service in lieu of serving a term of confinement in county jail.

To Committee on Criminal Justice.

SB 383 by Harris

Relating to the imposition and use of certain court costs for breath alcohol testing programs.

To Committee on Criminal Justice.

SB 384 by Harris

Relating to the cancellation of the voter registrations of persons who are not United States citizens.

To Committee on State Affairs.

SB 385 by Williams

Relating to the creation of an alternative fuel program to be funded by the Texas emissions reduction plan fund.

To Committee on Natural Resources.

SB 386 by Williams

Relating to the Lone Star College System District service area.

To Committee on Higher Education.

SB 387 by Williams

Relating to the sale and consumption in this state of raw oysters harvested from Texas waters.

To Committee on Agriculture and Rural Affairs.

SB 388 by Williams

Relating to the offense of organized retail theft.

To Committee on Criminal Justice.

SB 389 by Williams

Relating to emergency preparedness during an extended power outage of a water service provider with at least 250 connections.

To Committee on Transportation and Homeland Security.

SB 390 by Hegar

Relating to the continuing issuance of freshwater fishing stamps by the Parks and Wildlife Department.

To Committee on Agriculture and Rural Affairs.

SB 391 by Patrick

Relating to the provision of electronic sample copies of a textbook adopted by the State Board of Education.

To Committee on Education.

SB 392 by Patrick

Relating to the classification of certain entities as primarily engaged in retail trade for purposes of the franchise tax.

To Committee on Finance.

SB 393 by Patrick

Relating to amended sales tax reports and the reallocation of sales tax revenue.

To Committee on Finance.

SB 394 by Patrick

Relating to the creation of the offense of unlawful transport of an undocumented person.

To Committee on Transportation and Homeland Security.

SB 395 by Patrick

Relating to the punishment for certain intoxication offenses.
To Committee on Criminal Justice.

SB 396 by Deuell

Relating to the state fire marshal's investigation of the death of a firefighter who dies in the line of duty or in connection with an on-duty incident.
To Committee on Intergovernmental Relations.

SB 397 by Williams

Relating to the East Montgomery County Improvement District; imposing a tax.
To Committee on Intergovernmental Relations.

SB 398 by Duncan

Relating to the board of hospital managers of the Lubbock County Hospital District.
To Committee on Intergovernmental Relations.

SB 399 by Carona

Relating to a diesel vehicle emissions inspection and maintenance program and low-income vehicle repair assistance for diesel vehicles.
To Committee on Natural Resources.

SB 400 by Shapiro

Relating to the entities eligible to make purchases using the cooperative purchasing program administered by the comptroller.
To Committee on Government Organization.

SB 401 by Shapiro

Relating to the licensing and regulation of diagnostic imaging facilities and fluoroscopy-guided pain management procedure centers; providing penalties.
To Committee on Health and Human Services.

SB 402 by West

Relating to community land trusts.
To Committee on Intergovernmental Relations.

SB 403 by Eltife

Relating to the consideration of pension and other postemployment benefits in establishing the rates of a gas utility.
To Committee on Natural Resources.

SB 404 by Hegar

Relating to health plan and health benefit plan coverage for abortions.
To Committee on State Affairs.

SB 405 by Lucio

Relating to a notification requirement if a counselor is not assigned to a public school campus.
To Committee on Education.

SB 406 by Lucio

Relating to a notification requirement if a counselor is not assigned to a public school campus.

To Committee on Education.

SB 407 by Watson

Relating to the creation of the offense of electronic transmission of certain visual material depicting a minor and to certain educational programs concerning the prevention and awareness of that offense.

To Committee on Criminal Justice.

SB 408 by Estes

Relating to inspection of the John Graves Scenic Riverway.

To Committee on Natural Resources.

SB 409 by Estes

Relating to the appraisal for ad valorem tax purposes of open-space land devoted to water stewardship purposes on the basis of its productive capacity.

To Committee on Finance.

SB 410 by Eltife

Relating to the name and powers of the Red River Redevelopment Authority.

To Committee on Intergovernmental Relations.

SB 411 by Estes

Relating to the amount of wine certain wineries may sell directly to consumers.

To Committee on Business and Commerce.

SB 412 by West

Relating to payment of costs of improvements of a public improvement district designated by a municipality or county.

To Committee on Intergovernmental Relations.

SB 413 by West

Relating to the purchasing and contracting authority of counties.

To Committee on Intergovernmental Relations.

SB 414 by West

Relating to the liability of county officers.

To Committee on Intergovernmental Relations.

SB 415 by Zaffirini

Relating to individuals with intellectual disabilities committed to state supported living centers.

To Committee on Health and Human Services.

SB 416 by Deuell

Relating to the amount of outstanding total liability of a mortgage guaranty insurer.

To Committee on Business and Commerce.

SB 417 by West

Relating to the disclosure by a court of criminal history record information that is the subject of an order of nondisclosure.

To Committee on Criminal Justice.

SB 418 by Williams

Relating to the carrying of concealed handguns by certain persons attending a school board meeting.

To Committee on Criminal Justice.

SB 419 by West

Relating to prohibiting state funding to public junior colleges for physical education courses offered for joint high school and junior college credit.

To Committee on Higher Education.

SB 420 by Deuell

Relating to determining eligibility for indigent health care.

To Committee on Health and Human Services.

SB 421 by West

Relating to the computation of the state debt limit.

To Committee on Finance.

SB 422 by Duncan

Relating to the authority of a municipality or county to contract with another entity to collect certain assessments levied by the municipality or county.

To Committee on Intergovernmental Relations.

SB 423 by Lucio

Relating to health insurance coverage for eligible survivors of certain public servants killed in the line of duty.

To Committee on State Affairs.

SB 424 by Ellis

Relating to the development of a climate adaptation plan by certain entities.

To Committee on Natural Resources.

SB 425 by Carona

Relating to property and casualty certificates of insurance and approval of property and casualty certificate of insurance forms by the Texas Department of Insurance; providing penalties.

To Committee on Business and Commerce.

SB 426 by Duncan

Relating to the liability of and payment of legal fees for court-appointed trustees of certain facilities.

To Committee on State Affairs.

SB 427 by Huffman

Relating to exempting United States attorneys and assistant United States attorneys from certain requirements for obtaining or renewing a concealed handgun license.

To Committee on Criminal Justice.

SB 428 by Huffman

Relating to notice to a judgment debtor of the filing of a foreign judgment.
To Committee on State Affairs.

SB 429 by Nichols

Relating to notification of applications for permits for certain injection wells.
To Committee on Natural Resources.

SB 430 by Nichols

Relating to written notice to a groundwater conservation district of groundwater contamination.
To Committee on Natural Resources.

SB 431 by Jackson

Relating to the use of fraudulent or fictitious military records; creating an offense.
To Committee on Veteran Affairs and Military Installations.

SB 432 by Jackson

Relating to the penalty for failure to make a timely installment payment of ad valorem taxes on property in a disaster area.
To Committee on Finance.

SB 434 by Nelson

Relating to the relationship between domestic violence and child abuse and neglect.
To Committee on Health and Human Services.

SB 435 by Nelson

Relating to the consolidation of the regional poison control centers into the Texas Poison Control Center.
To Committee on Health and Human Services.

SB 436 by Nelson

Relating to the authority of a county to inspect day-care centers and group day-care homes.
To Committee on Health and Human Services.

SB 437 by Nelson

Relating to residency requirements for voting in certain municipal utility district elections.
To Committee on Intergovernmental Relations.

SB 438 by Nelson

Relating to the number of days a winery may sell wine under a winery festival permit.
To Committee on Business and Commerce.

SB 439 by Van de Putte

Relating to an exclusion from unemployment compensation chargebacks for certain employers of uniformed service members.
To Committee on Economic Development.

SB 440 by Lucio, Davis

Relating to health benefit plan coverage for autism spectrum disorder under certain health benefit plans.

To Committee on State Affairs.

SB 441 by Lucio, Davis

Relating to coverage for autism spectrum disorder under certain health benefit plans.

To Committee on State Affairs.

SB 443 by Patrick

Relating to measures intended to provide flexibility and cost savings to school districts.

To Committee on Education.

SB 444 by Patrick

Relating to eliminating the set-aside of a portion of designated tuition for student financial assistance at public institutions of higher education.

To Committee on Higher Education.

SB 446 by Jackson

Relating to encumbrances that may be fixed on homestead property.

To Committee on Intergovernmental Relations.

SB 447 by Jackson

Relating to the regulation of solar energy devices by a property owners' association.

To Committee on Intergovernmental Relations.

SB 448 by Hegar

Relating to the amount of the permit fee for an on-site sewage disposal system.

To Committee on Natural Resources.

SB 449 by Watson, Estes

Relating to the appraisal for ad valorem tax purposes of open-space land devoted to water stewardship purposes on the basis of its productive capacity.

To Committee on Finance.

SB 450 by Duncan

Relating to the time for bringing an action on a consumer debt.

To Committee on State Affairs.

SCR 1 by Hegar, Nelson

Claiming sovereignty under the Tenth Amendment to the Constitution of the United States over all powers not otherwise enumerated and granted to the federal government by the United States Constitution, serving notice to the federal government to cease and desist certain mandates, affirming that the right to keep and bear arms was reserved to the states, and providing that all compulsory federal legislation be prohibited or repealed.

To Committee on State Affairs.

SCR 2 by Uresti

Urging Congress to reauthorize the Water Resources Development Act of 2007, Section 5056, and to appropriate sufficient funds so that efforts to solve the salt problem in the Amistad International Reservoir can continue.

To Committee on Natural Resources.

SCR 5 by Hinojosa

Requesting the lieutenant governor and the speaker of the house of representatives to provide for a joint interim legislative study regarding the development and potential economic impact of a cruise industry on the Texas coast between Calhoun and Cameron Counties.

To Committee on International Relations and Trade.

SJR 6 by Zaffirini

Proposing a constitutional amendment relating to the disposition of proceeds from the development or sale of the rights to natural resources or minerals in land held by Webb County for the county permanent school fund.

To Committee on Intergovernmental Relations.

SJR 7 by Patrick

Proposing a constitutional amendment to authorize the legislature to set a lower limit on the maximum appraised value of a residence homestead for ad valorem taxation.

To Committee on Finance.

SJR 8 by Wentworth

Proposing a constitutional amendment to limit the purposes for which revenues from motor vehicle registration fees, taxes on motor fuels and lubricants, and certain revenues received from the federal government may be used.

To Committee on Finance.

SJR 9 by West

Proposing a constitutional amendment authorizing the governor to grant a pardon to a person who successfully completes a term of deferred adjudication community supervision.

To Committee on Criminal Justice.

SJR 11 by Nichols

Proposing a constitutional amendment to authorize the legislature to limit the maximum appraised value of a residence homestead for ad valorem tax purposes to 105 percent or less of the appraised value of the property for the preceding tax year and to permit the voters of a county to establish a higher limitation not to exceed 110 percent on the maximum appraised value of a residence homestead in the county.

To Committee on Finance.

SJR 12 by Patrick

Proposing a constitutional amendment requiring certain tax bills to be approved by two-thirds of all the members elected to each house of the legislature.

To Committee on Finance.

SJR 13 by Harris, Davis, Shapiro

Proposing a constitutional amendment requiring certain revenue collected by a public entity from the use of a tolled highway project in this state to be used only for transportation projects.

To Committee on Transportation and Homeland Security.

SJR 14 by Van de Putte, Davis, Deuell, Ellis, Hinojosa, Lucio, Rodriguez, Uresti, Watson, Zaffirini

Proposing a constitutional amendment authorizing an exemption from ad valorem taxation of the residence homestead of the surviving spouse of a totally disabled veteran or the principal residence of the surviving minor children of such a disabled veteran.

To Committee on Finance.

SJR 16 by Estes

Proposing a constitutional amendment providing for the appraisal for ad valorem tax purposes of open-space land devoted to water stewardship purposes on the basis of its productive capacity.

To Committee on Finance.

SJR 17 by Carona

Proposing a constitutional amendment to restrict the power of the legislature to mandate requirements upon certain local governments.

To Committee on State Affairs.

SJR 19 by Jackson

Proposing a constitutional amendment permitting an encumbrance to be fixed on homestead property for an obligation to pay certain property owners' association fees and fines without permitting the forced sale of the homestead.

To Committee on Intergovernmental Relations.

RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

Memorial Resolution

SR 165 by Van de Putte, In memory of Nicolas O. Estrada of San Antonio.

Congratulatory Resolution

HCR 36 (Lucio), Commemorating the 25th anniversary of the establishment of the Texas Silver-Haired Legislature.

Official Designation Resolutions

SR 155 by Nelson, Recognizing February 2, 2011, as LIVESTRONG Texas Advocacy Day at the Capitol.

SR 166 by Birdwell, Celebrating February 23, 2011, as Hill County Day at the State Capitol.

SR 167 by Deuell, Recognizing February 16, 2011, as Dyslexia Awareness Day at the Capitol.

ADJOURNMENT

Pursuant to a previously adopted motion, the Senate at 12:21 p.m. adjourned until 1:30 p.m. Monday, February 7, 2011.

APPENDIX

COMMITTEE REPORTS

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

February 2, 2011

ADMINISTRATION — **SB 445, SJR 18**

RESOLUTIONS ENROLLED

February 1, 2011

SR 106, SR 111, SR 133, SR 144, SR 153, SR 160, SR 161

SENT TO SECRETARY OF STATE

February 2, 2011

SCR 7, SCR 8

