

SENATE JOURNAL

EIGHTY-SECOND LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

EIGHTEENTH DAY

(Monday, February 28, 2011)

The Senate met at 1:38 p.m. pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Birdwell, Carona, 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.

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

Pastor Jack B. Chatman, Jr., Sabbath Rest Nondenominational Ministry, Port Arthur, offered the invocation as follows:

Father, we present ourselves today as humbly and lovingly as we possibly can. We ask that You grant us wisdom, knowledge, and understanding today. Allow us to make right and prudent decisions today with only the hearts of the people in mind. We thank You, God, for safe travel, health, and sound mind. Bless us as the leaders You have established. You, O God, have placed us in positions of authority. Please lead us here in local government, at state level, and at national level. Father, bless all Your children and bless America. In Jesus' 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.

PHYSICIAN OF THE DAY

Senator Wentworth was recognized and presented Dr. Brent Sanderlin of Kyle as the Physician of the Day.

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

MESSAGES FROM THE GOVERNOR

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

February 23, 2011
Austin, Texas

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

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

To be the Injured Employee Public Counsel for a term to expire February 1, 2013:

Norman Darwin
Benbrook, Texas

Mr. Darwin is being reappointed.

To be members of the Texas Department of Motor Vehicles Board for terms to expire February 1, 2017:

Blake Ingram

Sunnyvale, Texas

(replacing James Campbell, Jr. of Sachse whose term expired)

John H. Walker, III

Houston, Texas

(Mr. Walker is being reappointed)

W. Marvin Rush

Seguin, Texas

(Mr. Rush is being reappointed)

Respectfully submitted,

/s/Rick Perry
Governor

GUESTS PRESENTED

Senator Hegar was recognized and introduced to the Senate a delegation from Saint Philip Catholic School.

The Senate welcomed its guests.

SENATE RESOLUTION 340

Senator Uresti offered the following resolution:

SR 340, Recognizing February 28, 2011, as Val Verde County Day at the Capitol.

The resolution was read and was adopted without objection.

GUESTS PRESENTED

Senator Uresti was recognized and introduced to the Senate a Val Verde County delegation: Roberto Chavira, Roberto Fernandez, Joe Frank Martinez, Al Arreola, Jr., and Laura Allen.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Zaffirini, joined by Senator Wentworth, was recognized and introduced to the Senate a Northeast Partnership for Economic Development delegation: Mayor Al Suarez, Converse; Mayor Mary Dennis, Live Oak; Mayor Hal Baldwin, Schertz; Mayor Tom Daly, Selma; Mayor John Williams, Universal City; and Mayor Jay Feibelman, Garden Ridge.

The Senate welcomed its guests.

SENATE RESOLUTION 381

Senator Williams offered the following resolution:

WHEREAS, The Senate of the State of Texas is proud to join the citizens of Jefferson and Orange Counties in the joyous celebration of Golden Triangle Days at the State Capitol February 28 through March 1, 2011; and

WHEREAS, Hundreds of visitors from throughout the energy-rich and culturally unique region of Southeast Texas formed by the cities of Beaumont, Orange, and Port Arthur have come to Austin to meet with elected officials and representatives of state agencies to express appreciation for their actions on behalf of the region as well as to inform lawmakers of opportunities to further strengthen their respective communities; and

WHEREAS, Jefferson and Orange County residents have gathered for this and other special events and activities in order to work together for the good of their region and the great state of Texas; and

WHEREAS, To that end, the chambers of commerce from Beaumont, Bridge City, Groves, Nederland, Orange, Port Arthur, Port Neches, and Vidor have adopted unified positions on relevant business issues with a single voice; and

WHEREAS, The area chambers of commerce work closely with the Counties of Jefferson and Orange, along with their respective cities, other taxing entities, business organizations, and the community at large to create a great business climate for the entire citizenry with its great diversity and varying socioeconomic levels; and

WHEREAS, Jefferson and Orange Counties continue to recover from Hurricane Ike on September 13, 2008, and have made great strides with the more than \$15 billion of industrial expansion and growth devoted to supplying the energy needs of the State of Texas and the nation; and

WHEREAS, The distinctive cultural and historic contributions of this proud region are highlighted by numerous tourist attractions and are matched only by the region's economic contributions, featuring America's Energy Gateway, the deepwater ports of Beaumont, Orange, Port Arthur, and Sabine Pass, and the private terminals

along the Sabine-Neches Waterway; Lamar University, Lamar State College–Orange, Lamar State College–Port Arthur, and the Lamar Institute of Technology; and many other assets, which significantly impact the growth and health of the state; and

WHEREAS, The people of Orange and Jefferson County have been building a vibrant, forward-reaching region, and it is a pleasure to acknowledge the public-spirited citizens from the Golden Triangle here today for their dedication and commitment to their communities and this great state; now, therefore, be it

RESOLVED, That the Senate of the State of Texas 82nd Legislature, hereby recognize February 28 through March 1, 2011 as Golden Triangle Days at the Capitol and welcome the region's visitors to Austin; and, be it further

RESOLVED, That a copy of this Resolution be prepared in honor of Golden Triangle Days at the Capitol in 2011.

WILLIAMS
HUFFMAN

SR 381 was read and was adopted without objection.

GUESTS PRESENTED

Senator Williams was recognized and introduced to the Senate Jefferson County Judge Jeff Branick, Orange County Judge Carl Thibodeaux, Beaumont Mayor Becky Ames, Port Arthur Mayor Deloris "Bobby" Prince, and City of Orange Councilmember Jimmy Sims.

The Senate welcomed its guests.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Monday, February 28, 2011 - 1

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 32 Craddick
In memory of Lindley Paul Latham of Midland.

HCR 38 Eiland
Paying tribute to the life of Texas heroine Jane Herbert Wilkinson Long.

HCR 47 Guillen
In memory of U.S. Army Private First Class Ira Benjamin Laningham IV of Zapata.

HCR 59 Berman
Designating February 28 to March 1, 2011, as East Texas Coalition Days at the State Capitol.

HCR 70 Coleman
Recognizing February 28, 2011, as Texas Southern University Day at the State Capitol.

HCR 175 Branch
Commemorating the 175th anniversary of the adoption of the Texas Declaration of Independence.

SCR 17 Whitmire Sponsor: Legler
Granting the legislature permission to adjourn for more than three days during the period beginning on Thursday, February 17, 2011, and ending on Tuesday, February 22, 2011.

SCR 21 Whitmire Sponsor: Legler
Granting the legislature permission to adjourn for more than three days during the period beginning on Wednesday, February 23, 2011, and ending on Monday, February 28, 2011.

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

SENATE RESOLUTION 349

Senator West offered the following resolution:

SR 349, Recognizing February 28, 2011, as The Links, Incorporated, Day at the State Capitol.

The resolution was read and was adopted without objection.

GUESTS PRESENTED

Senator West was recognized and introduced to the Senate a delegation from The Links: Roslyn Goodall, Western Area Chair; Sandra Malone, Dallas Immediate Past Chair, Western Area; Susie Bell, Past Chair, Women's Issues and Economic Empowerment; Beverly Lyde, Mid Cities, member; and Chrystle Swain, Austin Chair, Public Relations.

The Senate welcomed its guests.

SENATE RESOLUTION 382

Senator Williams offered the following resolution:

SR 382, Recognizing the Texas Bar-B-Q Festival Cook-off as a Texas State Barbecue Championship competition.

The resolution was read and was adopted without objection.

GUESTS PRESENTED

Senator Williams was recognized and introduced to the Senate a delegation from the Vidor Chamber of Commerce and Visitors Bureau.

The Senate welcomed its guests.

(President Pro Tempore Ogden in Chair)

SENATE CONCURRENT RESOLUTION 22

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

WHEREAS, A number of proud Texans are visiting Austin on February 28, 2011, to celebrate Texas Southern University Day at the State Capitol; and

WHEREAS, Founded in 1927, with a loan from the Houston Public School Board, Texas Southern University opened its doors as Houston Colored Junior College; the school was highly successful and enrollment grew quickly, leading to the transition to a four-year institution in 1934, with a graduate program added in 1943; the Texas Legislature appropriated \$2 million in 1947 to buy the campus of what was then Houston College for Negroes in order to create a new state-supported university, and four years later the school assumed the name Texas Southern University; and

WHEREAS, Today, Texas Southern is one of the largest of the historically black colleges and universities in the United States; located in Houston's Third Ward, it enrolls more than 9,500 students from throughout the country and around the world, and it employs nearly 1,500 faculty and staff; it is composed of nine schools and colleges that offer 53 baccalaureate academic majors, as well as 36 master's and 6 doctoral degree programs; and

WHEREAS, Texas Southern University is committed to serving students of diverse cultural, religious, educational, and economic backgrounds and to preparing them for future leadership roles; the university trains the majority of African American lawyers in Houston and African American teachers in the Houston Independent School District, and it has historically graduated more than 27 percent of the African American pharmacists in the United States; in addition, the university's Thurgood Marshall School of Law has been recognized by *U.S. News & World Report* as the most diverse law school in the nation; and

WHEREAS, Throughout its history, Texas Southern University has provided its students with a solid foundation for achievement, and it has been a powerful force for social progress and economic development in the Lone Star State; now, therefore, be it

RESOLVED, That the 82nd Legislature of the State of Texas hereby recognize February 28, 2011, as Texas Southern University Day at the State Capitol and extend to all those associated with this notable institution sincere best wishes for continued success; and, be it further

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

ELLIS

SCR 22 was read.

On motion of Senator Ellis, the resolution was considered immediately and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of the resolution.

GUESTS PRESENTED

Senator Ellis was recognized and introduced to the Senate a Texas Southern University delegation: Glenn Lewis, Chairman of the Board of Regents; Dr. John M. Rudley, President; Dr. Sunny Ohia, Provost and Vice-president for Academic Affairs and Research; Dr. James Douglas, Executive Vice-president; Dr. Charles McClelland, Athletics Director; and members of the football team, accompanied by Head Coach Johnnie Cole.

The Senate welcomed its guests.

SENATE RESOLUTION 279

Senator Van de Putte offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to recognize Dan Leija, who has been named State Teacher of the Year; and

WHEREAS, A fifth grade mathematics and science teacher at Esparza Elementary School in San Antonio, Dan Leija is an innovative and resourceful educator who has had a profound influence on the lives of his students; and

WHEREAS, Through a combination of alternative teaching methods and obvious concern for his students' well-being, Mr. Leija is able to reinforce the connection between what is being taught and its real-world application, so that students can become fully invested in their education; and

WHEREAS, Known throughout his school as Dan, Dan, the Science Man for the wide array of unique objects in his room and his weekly schoolwide science experiments, Mr. Leija has made science education a living experience for all his students, who have demonstrated impressive success on the Texas Assessment of Knowledge and Skills test; and

WHEREAS, Mr. Leija has received recognition for his advancement of improved teaching practices; he appeared on the Public Broadcasting Service nationwide broadcast of a program in which he discussed innovative ways to teach at-risk students, and he has created and managed programs to help parents and fellow teachers alike; and

WHEREAS, Dan Leija has made countless contributions to his students and his community, and it is truly fitting that he be recognized with this signal honor; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 82nd Legislature, hereby commend Dan Leija on his commitment to his students and his profession and extend congratulations to him on being named State Teacher of the Year; and, be it further

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

SR 279 was read and was adopted without objection.

GUESTS PRESENTED

Senator Van de Putte was recognized and introduced to the Senate fifth grade math teacher, Esparza Elementary School, Dan Leija; his wife, Mary Ann; Dr. John Folks, Northside ISD Superintendent; and George Torres, Deputy Superintendent for Business and Financial Services.

The Senate welcomed its guests.

SENATE RESOLUTION 359

Senator West offered the following resolution:

SR 359, Recognizing February 28, 2011, as Alpha Kappa Alpha Day at the State Capitol.

The resolution was read and was adopted without objection.

GUESTS PRESENTED

Senator West was recognized and introduced to the Senate Jackie Gorman-Johnson, Bessie Shaw, Gwinevere Nelson, Darlene Dodd, La Shante Williams, Vickki Coleman-Melton, and Carol West, wife of Senator West.

The Senate welcomed its guests.

SENATE RESOLUTIONS

Senator Watson offered the following resolutions:

SR 403, In memory of Emma Jackson Long of Austin.

The resolution was read.

SR 404, In memory of Sue Brandt McBee of Austin.

The resolution was read.

On motion of Senator Watson, **SR 403** and **SR 404** were adopted by a rising vote of the Senate.

In honor of the memory of Emma Jackson Long and Sue Brandt McBee, the text of the resolutions are printed at the end of today's *Senate Journal*.

GUESTS PRESENTED

Senator Watson was recognized and introduced to the Senate Jefferson Paine Long, Jeb Jackson Long, and Vicky Long Alanis. Senator Watson also introduced Robert McBee and Marilyn McBee Moore.

The Senate welcomed its guests and extended its sympathy.

SENATE RESOLUTION 214

Senator Duncan offered the following resolution:

SR 214, Congratulating the Idalou High School football team on winning the 2010 UIL Class 2A Division 2 state championship.

The resolution was read and was adopted without objection.

GUESTS PRESENTED

Senator Duncan was recognized and introduced to the Senate Coach Don Long, Idalou ISD Superintendent Jim Waller, and Coach Johnny Taylor.

The Senate welcomed its guests.

SENATE RESOLUTION 387

Senator Seliger offered the following resolution:

WHEREAS, The Senate of the State of Texas takes great pride in recognizing the honorees of the 2011 Texas Medal of Arts Awards; and

WHEREAS, The honorees were selected by the Texas Cultural Trust for their outstanding talents and for their exceptional contributions to the artistic disciplines in the Lone Star State; the arts enrich and broaden the lives of our citizens, and each of these honorees has played a significant role in that capacity; and

WHEREAS, Barbara Smith Conrad, a mezzo-soprano of international fame and a civil rights icon, received the Lifetime Achievement award; Robert M. Edsel, an author and the founder of the Monuments Men Foundation for the Preservation of Art, received the Literary award; Thomas F. Staley, a renowned educator and the director of the Harry Ransom Center at The University of Texas at Austin, received the Art Education award; and James Drake, an internationally acclaimed artist with works in the permanent collections of over 30 museums around the world, received the Visual Arts award; and

WHEREAS, The Alley Theatre, an internationally recognized company and a recipient of the Tony Award, received the Theatre award; H-E-B, a major grocer with stores throughout the state and a longtime supporter of the arts in Texas, received the Corporate award; Bob Schieffer, longtime CBS news anchor and chief Washington correspondent, received the Television award; and Ray Benson, the nine-time Grammy-winning front man of the Western swing band Asleep at the Wheel, received the Multi-Media award; and

WHEREAS, Ernest and Sarah Butler, major donors to numerous local arts organizations and to The University of Texas at Austin School of Music, received the Individual Patrons award; Marcia Gay Harden, the Oscar-winning actress with roles in such films as *Pollock* and *The First Wives Club*, received the Film-Actress award; Bill Paxton, the four-time Golden Globe nominee and a star in the hit series *Big Love* and in *Apollo 13* and *Titanic*, received the Film-Actor award; and ZZ Top, the legendary rock band that has sold over 50 million albums worldwide with eight Top 40 hits, received the Music award; and

WHEREAS, These honorees have contributed greatly to the rich cultural heritage of our state, and they have the deep admiration and esteem of citizens across our state; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 82nd Legislature, hereby commend the recipients of the 2011 Texas Medal of Arts Awards on their outstanding achievements and their dedication to the advancement of the arts in Texas; and, be it further

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

SR 387 was read and was adopted without objection.

SENATE RESOLUTION 380

Senator Williams offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to recognize the Hughen Center in Port Arthur on the occasion of its 75th anniversary, which is being celebrated March 18, 2011; and

WHEREAS, Incorporated in 1936 as the Port Arthur Society for Crippled Children, the Huguen Center has for 75 years sought to remove the barriers to education, family life, adequate health care, and other basic activities faced by children with disabilities; it is named in honor of prominent Port Arthur philanthropists and benefactors Thomas Huguen and his wife, Juliet; and

WHEREAS, The early successes of the center played a major role in the passage of the Texas State Education Act of 1945, groundbreaking legislation that is widely recognized as the founding of Texas' special education for handicapped children; and

WHEREAS, The Huguen Center has received national attention for its outstanding work and has garnered support from such legendary figures as Bob Hope, Jimmy Durante, and Bum Phillips; Mr. Hope appeared at numerous fund-raisers for the center, and the Fraternal Order of Eagles Memorial Foundation established the Bob and Dolores Hope Scholarship in his honor; and

WHEREAS, Today, the Huguen Center provides a comprehensive array of services and therapies, including skilled nursing care and life skills training; it is truly deserving of recognition for the profound difference it has made in the lives of countless people with special needs; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 82nd Legislature, hereby commend the Huguen Center on its legacy of outstanding care and extend best wishes for a memorable 75th anniversary celebration; and, be it further

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

SR 380 was read and was adopted without objection.

GUESTS PRESENTED

Senator Williams was recognized and introduced to the Senate Randy Sonnier, Huguen Center Board President, and Monte Osburn, CEO and Executive Director of the Huguen Center.

The Senate welcomed its guests.

SENATE RESOLUTION 361

Senator Deuell offered the following resolution:

SR 361, Celebrating February 28, 2011, as Rowlett Chamber of Commerce Government Affairs Day at the State Capitol.

The resolution was again read.

The resolution was previously adopted on Wednesday, February 23, 2011.

GUESTS PRESENTED

Senator Deuell was recognized and introduced to the Senate Barry Young, Rowlett Chamber of Commerce Board Chair-elect, and Tina Stelnicki, Rowlett Chamber of Commerce Interim President, accompanied by citizens of Rowlett, Diane Lemmons and Ben White.

The Senate welcomed its guests.

SENATE BILLS AND RESOLUTION ON FIRST READING

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

SB 21 by Williams

Relating to the establishment of a voluntary compensation plan as an alternative to litigation.

To Committee on State Affairs.

SB 473 by West

Relating to adverse possession of real property by a cotenant heir against other cotenant heirs.

To Committee on Jurisprudence.

SB 550 by Eltife

Relating to the required public notice of the names of a certain number of finalists for the position of superintendent of a public school district.

To Committee on Open Government.

SB 588 by Uresti

Relating to a documented member of the Kickapoo Traditional Tribe of Texas hunting certain deer.

To Committee on Agriculture and Rural Affairs.

SB 624 by Whitmire

Relating to the repeal of the driver responsibility program.

To Committee on Finance.

SB 645 by Nichols, Hegar

Relating to the continuation and functions of the State Soil and Water Conservation Board.

To Committee on Government Organization.

SB 646 by Nichols, Hegar

Relating to the continuation and functions of the Texas Forest Service.

To Committee on Government Organization.

SB 647 by Hegar

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

To Committee on Government Organization.

SB 651 by Huffman, Hegar

Relating to the continuation and functions of the office of injured employee counsel under the workers' compensation program.

To Committee on Government Organization.

SB 796 by Nelson

Relating to reporting on the prevention and treatment of diabetes in the state.

To Committee on Health and Human Services.

SB 912 by West, Davis, Duncan, Shapiro

Relating to temporary modification under certain circumstances of procedures authorized for the nonrenewal of public school teacher term contracts.

To Committee on Education.

SCR 20 by Fraser

Urging the United States Congress to prevent the Environmental Protection Agency from regulating greenhouse gases for stationary sources.

To Committee on Natural Resources.

SENATE RESOLUTION 323

Senator Gallegos offered the following resolution:

SR 323, Recognizing the students, faculty, and staff of DeVry University for their commitment to excellence in education.

GALLEGOS
WHITMIRE

The resolution was read and was adopted without objection.

GUESTS PRESENTED

Senator Gallegos was recognized and introduced to the Senate DeVry University students: Luis Soriano, Jimmy Espinoza, William Campoverde, Claude Toland, and Abel Garza, as well as Teddy Ivanitzki, Dean of Engineering, and Kevin Good, Parks and Wildlife Department.

The Senate welcomed its guests.

SENATE CONCURRENT RESOLUTION 19

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

WHEREAS, The Legislature of the State of Texas is pleased to recognize the Reach Out and Read program for its outstanding efforts to ensure that young children are prepared to succeed in school; and

WHEREAS, Reach Out and Read was developed by pediatricians and early childhood educators to make literacy promotion a regular part of pediatric checkups; and

WHEREAS, Studies have shown that exposure to books and reading in the first years of life increases the probability of a child's healthy development and success in school; approximately a third of American children entering kindergarten lack the basic language skills they need in order to learn to read, with children living in poverty especially at risk; and

WHEREAS, Reach Out and Read addresses this problem by having doctors and nurses go beyond traditional medical care to provide parents with information on how to read to children at each developmental stage; they further provide each young patient with an age-appropriate book to take home, which serves to encourage parents to make reading aloud a routine activity; and

WHEREAS, This exemplary program has been implemented in nearly 250 clinics, hospitals, and military installations across Texas and reaches more than 245,000 young Texans each year; it is truly deserving of recognition for its record of success in encouraging families to read together; now, therefore, be it

RESOLVED, That the 82nd Legislature of the State of Texas hereby commend the doctors, educators, and parents who participate in the Reach Out and Read program for their exemplary work in helping prepare children to succeed in school and in life; and, be it further

RESOLVED, That a copy of this resolution be prepared for them as an expression of esteem from the Texas Senate and House of Representatives.

VAN DE PUTTE

SCR 19 was read.

On motion of Senator Van de Putte, the resolution was considered immediately and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of the resolution.

GUESTS PRESENTED

Senator Van de Putte was recognized and introduced to the Senate Amanda Marlow, Director of Reach Out and Read Texas; Dr. John Gasko, Director of State Initiatives for the Children's Learning Institute; and Jan Stone, Austin Regional Coordinator for Reach Out and Read Texas.

The Senate welcomed its guests.

SENATE RULES SUSPENDED (Posting Rules)

On motion of Senator Shapiro and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Education might meet and consider **SB 912** today.

CO-AUTHOR OF SENATE BILL 19

On motion of Senator Nichols, Senator Watson will be shown as Co-author of **SB 19**.

CO-AUTHOR OF SENATE BILL 88

On motion of Senator Lucio, Senator Uresti will be shown as Co-author of **SB 88**.

CO-AUTHOR OF SENATE BILL 89

On motion of Senator Lucio, Senator Uresti will be shown as Co-author of **SB 89**.

CO-AUTHOR OF SENATE BILL 201

On motion of Senator Uresti, Senator Van de Putte will be shown as Co-author of **SB 201**.

CO-AUTHOR OF SENATE BILL 242

On motion of Senator Davis, Senator Lucio will be shown as Co-author of **SB 242**.

CO-AUTHOR OF SENATE BILL 288

On motion of Senator Lucio, Senator Uresti will be shown as Co-author of **SB 288**.

CO-AUTHORS OF SENATE BILL 355

On motion of Senator Ellis, Senators Davis, Hinojosa, Rodriguez, and Zaffirini will be shown as Co-authors of **SB 355**.

CO-AUTHOR OF SENATE BILL 497

On motion of Senator Jackson, Senator Lucio will be shown as Co-author of **SB 497**.

CO-AUTHOR OF SENATE BILL 504

On motion of Senator Davis, Senator Whitmire will be shown as Co-author of **SB 504**.

CO-AUTHOR OF SENATE BILL 548

On motion of Senator Nichols, Senator Wentworth will be shown as Co-author of **SB 548**.

RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

Memorial Resolutions

SR 368 by Watson, In memory of Micheline Trigaci Kay of Austin.

SR 369 by Watson, In memory of Joe R. Greenhill.

SR 372 by Watson, In memory of Samuel E. Kinch, Jr.

SR 374 by Watson, In memory of Teresa Dianne May of Austin.

SR 375 by Watson, In memory of Morris Jay Beachy of Austin.

SR 376 by Uresti, In memory of Fred T. Rangel of Fort Stockton and Balmorhea.

SR 383 by Wentworth and Van de Putte, In memory of Jack Paul Leon of San Antonio.

SR 392 by Harris and Davis, In memory of Tom Vandergriff of Arlington.

SR 393 by Lucio, In memory of René Arcadio Rocha.

Welcome and Congratulatory Resolutions

SR 364 by Birdwell, Welcoming members of the Leadership Waxahachie Class XVII to the State Capitol.

SR 366 by Hinojosa and Lucio, Recognizing the Valley Alliance of Mentors for Opportunities and Scholarships on the occasion of its 15th anniversary.

SR 367 by Ellis, Congratulating the Texas Southern University football team on winning the 2010 Southwestern Athletic Conference championship.

SR 370 by Watson, Recognizing Vivian and Gary M. Renfro on the occasion of their 10th pastoral anniversary at Corinth Missionary Baptist Church in Austin.

SR 371 by Watson, Recognizing Curt Fludd for his service to Celebrate Texas.

SR 373 by Watson, Recognizing Leland Lundgren for his accomplishments as a musician.

SR 377 by Whitmire, Recognizing the CARES Foundation, Incorporated, on the occasion of its third annual Everyone CARES Gala.

SR 378 by Duncan, Recognizing Matilda Branham of San Angelo on the occasion of her 90th birthday.

SR 384 by Rodriguez, Recognizing Jose F. Cardenas for his contributions to the profession of engineering.

SR 390 by Van de Putte, Commending the Girl Scouts of Southwest Texas for offering young girls a path to engaged citizenship.

SR 391 by Harris, Congratulating the Hebron High School Girls' Volleyball Team on winning the University Interscholastic League Class 5A state championship title.

SR 394 by Ellis, Congratulating H. Randolph Bailey on being named the Distinguished Houston Surgeon for 2011 by the Houston Surgical Society.

SR 395 by Ellis, Recognizing Florida Cooper for her courage as a cancer survivor.

SR 396 by Ellis, Recognizing Southeast Community Church of Houston on the occasion of its 52nd Annual Appreciation Day.

SR 398 by Nelson, Welcoming the members of Leadership Southlake to the Capitol.

SR 399 by Nelson, Welcoming members of the Leadership Hurst-Euless-Bedford Class of 2011 to the State Capitol.

SR 400 by Nelson, Recognizing members of Leadership Grapevine on the occasion of their visit to the Capitol.

SR 401 by Nelson, Welcoming members of the Northeast Tarrant Chamber Leadership Class of 2011 to the State Capitol.

SR 405 by Birdwell, Recognizing members of the Cleburne Chamber of Commerce and the Cleburne Tuesday Forum on the occasion of their visit to the Capitol.

SR 406 by Ellis, Recognizing the Caring for Children Foundation of Texas, Incorporated, on the occasion of its 20th anniversary.

HCR 49 (Watson), Commemorating the 20th anniversary of Austin Energy Green Building.

HCR 175 (Carona), Commemorating the 175th anniversary of the adoption of the Texas Declaration of Independence.

Official Designation Resolutions

SR 300 by Harris, Davis, and Nelson, Celebrating Tarrant County Days at the State Capitol on March 2 and 3, 2011.

SR 341 by Uresti, Celebrating Culberson County Day at the State Capitol.

SR 342 by Uresti, Celebrating Hudspeth County Day at the State Capitol.

SR 351 by West, Recognizing March 3, 2011, as Texas Association of Black Personnel in Higher Education Day.

SR 388 by Deuell, Celebrating March 29, 2011, as Hopkins County Day at the State Capitol.

SR 402 by Estes, Recognizing the annual Smokin' Possum Cook-off as a Texas State Barbecue Championship competition.

HCR 70 (Ellis), Recognizing February 28, 2011, as Texas Southern University Day at the State Capitol.

ADJOURNMENT

On motion of Senator Whitmire, the Senate at 2:54 p.m. adjourned, in memory of Merle Anthony, Frank Buckles, Emma Jackson Long, and Sue Brandt McBee, until 11:00 a.m. tomorrow.

APPENDIX

COMMITTEE REPORT

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

February 28, 2011

BUSINESS AND COMMERCE — CSSB 141

RESOLUTION ENGROSSED

February 23, 2011

SJR 1

RESOLUTIONS ENROLLED

February 23, 2011

SR 275, SR 278, SR 302, SR 310, SR 311, SR 316, SR 320, SR 348, SR 350, SR 352, SR 353, SR 354, SR 355, SR 356, SR 357, SR 358, SR 360, SR 361, SR 362, SR 363

In Memory
of
Emma Jackson Long
Senate Resolution 403

WHEREAS, The Senate of the State of Texas joins the citizens of Austin in mourning the loss of civic icon Emma Jackson Long, who died January 16, 2011, at the age of 98; and

WHEREAS, Emma Long was born February 29, 1912, in the Texas Panhandle town of Lefors; she graduated with honors from high school in Hereford before going on to earn a degree from The University of Texas, where she met and married her husband, the late Stuart Long; and

WHEREAS, Following World War II, she and her husband founded the Long News Service at the Texas Capitol, which provided news coverage to numerous state and national publications, including the *New York Times*, *Newsweek*, and *Time*; and

WHEREAS, Mrs. Long broke the gender barrier in Austin politics with her election to the city council in 1948; she was an unabashed liberal who fought for integration and for the rights of working people; and

WHEREAS, As a councilmember, Mrs. Long pushed for an overhaul of the city charter and sought salary increases for police and firefighters; she helped to integrate Lions Municipal Golf Course and the city's main library in the 1950s and worked to prohibit racial discrimination in housing; and

WHEREAS, She and her husband were longtime friends and supporters of President Lyndon Johnson, and she served as the United States representative to the World Population Commission in Geneva at his request; she was a delegate to numerous state and national Democratic Party conventions and served as a mentor to aspiring politicians; and

WHEREAS, Soft-spoken but tenacious, she fought tirelessly for the equal treatment of all, and her legacy of compassion and hard work was acknowledged when City Park was renamed Emma Long Metropolitan Park in her honor; and

WHEREAS, A woman of courage, strength, and unbridled energy, she gave unselfishly to the city she loved, and her wisdom, her commitment to equal rights for everyone, and her enthusiasm for living each day to the fullest will not be forgotten by those who knew her; and

WHEREAS, She was a devoted wife, mother, and grandmother, and she leaves behind memories that will be treasured forever by her family and countless friends; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 82nd Legislature, hereby extend sincere condolences to the bereaved family and friends of Emma Jackson Long; and, be it further

RESOLVED, That a copy of this Resolution be prepared for her 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 Emma Long.

WATSON

In Memory
of
Sue Brandt McBee
Senate Resolution 404

WHEREAS, The Senate of the State of Texas joins the citizens of Austin in mourning the loss of civic leader, journalist, and poet Sue Brandt McBee, who died January 3, 2011, at the age of 87; and

WHEREAS, Sue Brandt McBee was born September 23, 1923, in Hamburg, Germany; like countless immigrants before her, she entered the United States at Ellis Island; she lived in New York City for some years before moving with her family to Austin; and

WHEREAS, She graduated from Austin High School at the age of 16 before entering the Journalism School at The University of Texas, where she served as editor of the *Daily Texan*; she married fellow student Frank McBee in 1943 and the couple enjoyed a 57-year marriage of mutual respect and support; and

WHEREAS, After World War II, Mrs. McBee joined the staff of the *Austin American-Statesman* as a columnist; she went on to write *Austin: The Past Still Present*, a collection of stories about historically and architecturally significant buildings and homes in the city, and *Lines for a Texas Town*, a collection of her poetry, was published in 1999; and

WHEREAS, Mrs. McBee worked for many years to preserve historic homes and buildings throughout the city and held several offices with the Heritage Society of Austin, including chair of its foundation; she was also the founding president of the Austin History Center; and

WHEREAS, She was active in numerous civic and philanthropic organizations in addition to her historical preservation work; she served as a member of the board of trustees of the Headliners Club and in 1978 was the first woman to chair the United Way Capital Area Annual Drive; she contributed significantly to Saint Edward's University and was an avid supporter of the Laguna Gloria Art Museum; and

WHEREAS, She received numerous awards and commendations through the years; she was named an Outstanding Alumnus of the College of Communications at The University of Texas at Austin and received an honorary Doctorate of Humane Letters from Saint Edward's University; the honor of which she was perhaps most proud was the establishment of the Sue and Frank McBee Elementary School; and

WHEREAS, A woman of courage, strength, and boundless generosity, she gave unselfishly to all who knew her, from the waitresses and taxi drivers whose lives she took a genuine interest in to those who walked the halls of power; and

WHEREAS, She was a devoted wife, mother, and grandmother, and her family and countless friends will continue to live with the cherished memory of her life and her many accomplishments; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 82nd Legislature, hereby extend sincere condolences to the bereaved family of Sue Brandt McBee: her daughter, Marilyn McBee Moore; her son, Robert Frank McBee; and her grandson, Michael Brett Moore; and, be it further

RESOLVED, That a copy of this Resolution be prepared for her 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 Sue Brandt McBee.

WATSON