

SENATE JOURNAL

EIGHTY-SECOND LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

TWENTY-SIXTH DAY

(Continued)

(Thursday, March 17, 2011)

AFTER RECESS

The Senate met at 8:30 a.m. and was called to order by Senator Eltife.

SENATOR ANNOUNCED PRESENT

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

SENATE BILLS ON FIRST READING

The following bills, filed on or before Friday, March 11, 2011, were introduced, read first time, and referred to the committees indicated:

SB 454 by Ellis

Relating to improving state energy conservation, including through the use of thermostat settings and building efficiency.

To Committee on Natural Resources.

SB 457 by Ellis

Relating to minimum efficiency standards for certain products; providing a civil penalty.

To Committee on Natural Resources.

SB 459 by Seliger

Relating to voluntary assessment of property owners by a municipality to finance water or energy efficiency improvements.

To Committee on Intergovernmental Relations.

SB 492 by Fraser

Relating to the creation of a distributed solar generation incentive program.

To Committee on Natural Resources.

SB 552 by Carona

Relating to the creation of the Energy Efficiency Coordination Council and to statewide energy efficiency; providing penalties.

To Committee on Natural Resources.

SB 619 by Rodriguez

Relating to requiring solar panels to be offered by certain builders of new homes.
To Committee on Business and Commerce.

SB 898 by Carona

Relating to energy efficiency programs in institutions of higher education and certain governmental entities.
To Committee on Business and Commerce.

SB 908 by Fraser

Relating to requirements for businesses that offer plastic checkout bags to customers.
To Committee on Natural Resources.

SB 924 by Carona

Relating to energy efficiency reports by municipally owned utilities and electric cooperatives.
To Committee on Business and Commerce.

SB 937 by Lucio

Relating to priorities for restoration of electric service following an extended power outage.
To Committee on Business and Commerce.

SB 940 by Estes

Relating to competition in the electric utility market of certain municipalities.
To Committee on Business and Commerce.

SB 943 by Carona

Relating to the classification and use of energy storage equipment or facilities and the provision of studies and reports regarding energy storage equipment or those facilities.
To Committee on Business and Commerce.

SB 948 by Davis

Relating to the requirement that electric utilities offer a standard retail service package on a standard form with standard terms to a customer.
To Committee on Business and Commerce.

SB 950 by Davis

Relating to retail electric provider customer choice information.
To Committee on Business and Commerce.

SB 979 by Carona

Relating to energy efficiency market emission reduction credit programs established by emission reduction credit organizations.
To Committee on Natural Resources.

SB 981 by Carona

Relating to the regulation of distributed generation of electricity.
To Committee on Business and Commerce.

**SESSION HELD FOR
LOCAL AND UNCONTESTED CALENDAR**

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

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

SB 41 (Zaffirini)

Relating to the use of restraints in state supported living centers.
(viva voce vote) (31-0) (31-0)

SB 43 (Zaffirini)

Relating to the civil liability of an employer or former employer of a mental health services provider who engages in sexual exploitation of a patient or former patient.
(viva voce vote) (31-0) (31-0)

SB 67 (Zaffirini)

Relating to leave for junior college district or university system employees who are physically assaulted while on duty.
(viva voce vote) (31-0) (31-0)

SB 74 (Nelson)

Relating to the disposition of surplus or salvage data processing equipment of a university system or an institution or agency of higher education.
(viva voce vote) (31-0) (31-0)

CSSB 78 (Nelson)

Relating to adverse licensing, listing, or registration decisions by certain health and human services agencies.
(viva voce vote) (31-0) (31-0)

SB 79 (Nelson)

Relating to the contents and applicability of a school district's grading policy.
(viva voce vote) (31-0) (31-0)

SB 81 (Nelson)

Relating to food manufacturers, food wholesalers, and warehouse operators required to hold a license.
(viva voce vote) (31-0) (31-0)

SB 85 (Nelson)

Relating to the duties of the county tax assessor-collector and voter registrar regarding exemptions from jury service.
(viva voce vote) (31-0) (31-0)

SB 118 (Uresti)

Relating to a court's authority to order a proposed patient to receive extended outpatient mental health services.

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

SB 131 (Wentworth)

Relating to cemeteries in certain municipalities.

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

CSSB 140 (Shapiro)

Relating to minimum public school attendance for class credit or a final grade.

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

SB 155 (Huffman)

Relating to the eligibility of certain school district employees to participate or be enrolled in certain group health benefit programs.

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

CSSB 156 (Huffman)

Relating to health care data collected by the Department of State Health Services and access to certain confidential patient information within the department.

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

SB 176 (Huffman)

Relating to student eligibility for tuition rebates offered by general academic teaching institutions.

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

SB 179 (Estes)

Relating to the service area of the North Central Texas College District.

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

CSSB 187 (Nelson)

Relating to human body and anatomical specimen donation.

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

SB 189 (Nelson)

Relating to the eligibility of certain aliens for a license to practice medicine in this state.

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

CSSB 190 (Nelson)

Relating to the licensing and regulation of physicians, physician assistants, acupuncturists, and surgical assistants.

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

(Senator Uresti in Chair)**SB 191** (Nelson)

Relating to disposition of a contested case by the Texas Medical Board.

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

SB 192 (Nelson)

Relating to patient advocacy activities by nurses and certain other persons; providing an administrative penalty.

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

SB 209 (Zaffirini)

Relating to the supervision of certain juvenile case managers.

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

SB 244 (Patrick)

Relating to the continuing education requirements for certain peace officers.

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

SB 247 (Shapiro)

Relating to the authority of the Texas Holocaust and Genocide Commission to participate in the establishment and operation of an affiliated nonprofit organization and provide grants.

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

CSSB 263 (Carona)

Relating to the revocation, suspension, or restriction of the license of a physician placed on deferred adjudication community supervision or arrested for certain offenses.

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

SB 316 (Whitmire)

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

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

CSSB 322 (Carona)

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

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

SB 323 (Carona)

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

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

CSSB 328 (Carona)

Relating to notice of a hospital lien.

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

SB 386 (Williams)

Relating to the Lone Star College System District service area.

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

CSSB 391 (Patrick)

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

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

SB 396 (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.

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

CSSB 416 (Deuell)

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

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

SB 422 (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.

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

(Senator Eltife in Chair)**SB 426** (Duncan)

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

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

SB 428 (Huffman)

Relating to notice to a judgment debtor of the filing of a foreign judgment.

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

SB 436 (Nelson)

Relating to the authority of a county to inspect day-care centers and group day-care homes.

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

CSSB 472 (West)

Relating to voting practices and elections of property owners' associations.

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

SB 489 (Fraser)

Relating to the Texas State Technical College System.

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

SB 508 (Lucio)

Relating to the extent of extraterritorial jurisdiction of certain less populous municipalities located on a barrier island.

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

SB 509 (Lucio)

Relating to the validation of a home-rule charter for certain municipalities.

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

CSSB 510 (Van de Putte)

Relating to a voluntary statewide diabetes mellitus registry.

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

SB 528 (Huffman)

Relating to meetings of the University of Houston System Board of Regents.

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

SB 539 (Carona)

Relating to the award of costs and attorney's fees in certain proceedings concerning mechanic's, contractor's, or materialman's liens.

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

SB 735 (Carona)

Relating to prohibition of certain extra hazardous coverages by title insurance companies.

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

SB 747 (Carona)

Relating to the professions regulated by the Texas Real Estate Commission.

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

CSSB 748 (Carona)

Relating to business entities and associations.

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

CSSB 796 (Nelson)

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

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

SCR 5 (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.

(viva voce vote)

ADJOURNMENT

Pursuant to a previously adopted motion, the Senate at 8:45 a.m. adjourned, in memory of Ignacia Mogas Czar "Nachita" Hopkins and Danny Keith Gunn, until 10:00 a.m. today.

