

# SENATE JOURNAL

EIGHTY-SECOND LEGISLATURE — REGULAR SESSION

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AUSTIN, TEXAS

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PROCEEDINGS

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**THIRTIETH DAY**

(Continued)

(Thursday, March 24, 2011)

**AFTER RECESS**

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

**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 37** (Zaffirini)

Relating to the duration of the interagency task force on ensuring appropriate care settings for persons with disabilities.

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

**CSSB 61** (Zaffirini)

Relating to juvenile case managers.

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

**CSSB 72** (Nelson)

Relating to streamlining of and utilization management in Medicaid long-term care waiver programs.

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

**CSSB 77** (Nelson)

Relating to certain requirements for certain sponsoring organizations and other institutions participating in the Child and Adult Care Food Program.

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

**SB 80** (Nelson)

Relating to public health laboratories administered by the Department of State Health Services.

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

**CSSB 101** (Van de Putte)

Relating to the regulation of nonjudicial foreclosure on residences owned by certain members of the military, including foreclosure by a property owners' association.

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

**SB 132** (Wentworth)

Relating to registration with the Selective Service System of certain applicants for a driver's license or personal identification certificate.

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

**CSSB 193** (Nelson)

Relating to the regulation of the practice of nursing.

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

**SB 221** (Nelson)

Relating to the Department of Family and Protective Services, including protective services and investigations of alleged abuse, neglect, or exploitation for certain adults who are elderly or disabled; providing a criminal penalty.

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

**SB 228** (Nelson)

Relating to reporting requirements for institutions of higher education conducting human stem cell research.

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

**SB 250** (Zaffirini)

Relating to protective orders for stalking victims.

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

**SB 256** (Nelson)

Relating to requiring a private autopsy facility to post a notice for filing a complaint against a physician; providing a penalty.

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

**SB 279** (Davis)

Relating to inclusion of pets and other companion animals in protective orders; providing a penalty.

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

**CSSB 282** (Zaffirini)

Relating to eliminating certain reporting, planning, student developmental, and other requirements imposed on the Texas Higher Education Coordinating Board or public institutions of higher education.

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

**SB 283** (Harris)

Relating to the appointment of associate judges in child protective services cases.

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

**SB 286** (Harris)

Relating to attorney's fees and other amounts taxed as costs in guardianship proceedings.

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

**SB 333** (Fraser)

Relating to election procedures and qualifications of members of boards of directors for water supply or sewer service corporations.

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

**SB 335** (Fraser)

Relating to an exemption from regulation as health spas for certain governmental hospitals and clinics.

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

**SB 351** (Williams)

Relating to the maximum capacity of a container of wine sold to a retail dealer.

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

**SB 360** (Fraser)

Relating to the composition and use of money in the rural water assistance fund.

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

**(Senator Uresti in Chair)****SB 398** (Duncan)

Relating to the board of hospital managers of the Lubbock County Hospital District.

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

**SB 400** (Shapiro)

Relating to the entities eligible to make purchases using the cooperative purchasing program administered by the comptroller.

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

**SB 439** (Van de Putte)

Relating to an exclusion from unemployment compensation chargebacks for certain employers of uniformed service members.

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

**SB 458** (Seliger)

Relating to initial claims under the unemployment compensation system.

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

**SB 481** (Harris)

Relating to the removal of a guardian of an incapacitated person ordered by a court.

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

**SB 485** (Huffman)

Relating to proper venue for certain criminal prosecutions of mortgage fraud.

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

**CSSB 488** (Van de Putte)

Relating to criminal background checks on users of online dating services and to disclosures of online dating safety measures; providing a civil penalty.

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

**SB 490** (Fraser)

Relating to the Hamilton County Hospital District.

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

**SB 494** (Fraser)

Relating to the authority of certain local governmental entities to borrow money for a public hospital.

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

**SB 502** (West)

Relating to determinations of paternity; creating an offense.

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

**SB 503** (Jackson)

Relating to coverage for certain towing and storage expenses under a motor vehicle insurance policy.

(viva voce vote) Birdwell, Estes "Nay" (29-2) Birdwell, Estes "Nay" (29-2)  
Birdwell, Estes "Nay"

**CSSB 542** (Hegar)

Relating to the regulation of law enforcement officers by the Commission on Law Enforcement Officer Standards and Education.

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

**SB 543** (Hegar)

Relating to a probate fee exemption for estates of certain law enforcement officers, firefighters, and others killed in the line of duty.

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

**CSSB 545** (Seliger)

Relating to employment records for law enforcement officers, including procedures to correct employment termination reports; providing an administrative penalty.

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

**SB 558** (Duncan)

Relating to the Swisher Memorial Hospital District.

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

**SB 559** (Duncan)

Relating to the Rankin County Hospital District.

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

**SB 563** (Jackson)

Relating to information regarding job matching services provided by the Texas Workforce Commission; providing a criminal penalty.

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

**SB 567** (Williams)

Relating to the Texas Life, Accident, Health, and Hospital Service Insurance Guaranty Association.

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

**SB 582** (Harris)

Relating to service of process on certain domestic and foreign entities for the collection of delinquent property taxes.

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

**SB 594** (Van de Putte)

Relating to certain procedures applicable to electronic prescriptions for Schedule II controlled substances.

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

**SB 633** (Hinojosa)

Relating to the educational scope of Texas A&M University–Corpus Christi.

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

**CSSB 638** (Jackson)

Relating to the computation of a surplus credit for certain successor employing units.

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

**CSSB 716** (Harris)

Relating to the periodic review of the child support guidelines.

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

**CSSB 761** (West)

Relating to the employment of physicians by certain hospitals associated with nonprofit fraternal organizations.

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

**SB 764** (Williams)

Relating to a prohibition against use of school district resources for a hotel.

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

**CSSB 785** (Harris)

Relating to the termination of the parent-child relationship and the duty to pay child support in circumstances involving mistaken paternity.

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

**SB 792** (Duncan)

Relating to the duties of the secretary of state.

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

**SB 799** (Nelson)

Relating to the definition of "first sale" for purposes of the taxes imposed on certain liquor.

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

**CSSB 850** (Zaffirini)

Relating to formula funding for certain semester credit hours earned for dual course credit.

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

**CSSB 851** (Zaffirini)

Relating to a uniform deadline for student financial assistance for public institutions of higher education other than public junior colleges.

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

**SB 859** (Duncan)

Relating to small and large employer health group cooperatives.

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

**SB 886** (Carona)

Relating to the execution docket and other records of certain court clerks.

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

**SB 890** (Carona)

Relating to certain promotional activities for certain alcoholic beverage permit holders.

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

**SB 892** (Carona)

Relating to the approval of designs, plans, and specifications of industrialized housing and buildings.

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

**SB 918** (Wentworth)

Relating to immunity for reporting insurance fraud.

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

**SB 944** (Jackson)

Relating to the creation of an advisory committee to make recommendations to the commissioner of insurance regarding certain automobile insurance claims.

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

**SB 983** (Carona)

Relating to the elimination of certain requirements for certain customer-specific communications contracts.

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

**SCR 11** (Hegar)

Designating May 22 of each year from 2011 through 2020 as William Elmo Merrem Day in honor of the first Eagle Scout from Texas.

(viva voce vote)

**SCR 16** (Nelson)

Designating the month of March each year from 2011 through 2020 as Women Veterans Month in tribute to the immeasurable contributions that women in the military have made to this nation.

(viva voce vote)

**ADJOURNMENT**

Pursuant to a previously adopted motion, the Senate at 9:00 a.m. adjourned, in memory of Tom Vandergriff, until 10:00 a.m. today.

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**APPENDIX**

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**COMMITTEE REPORTS**

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

March 23, 2011

JURISPRUDENCE — **SB 480, SB 587, SB 786, SB 519**

NATURAL RESOURCES — **SCR 20, SB 353, SB 385, SB 512, SB 691, SB 692, SB 728, SB 914, SB 1003**

BUSINESS AND COMMERCE — **CSSB 438, CSSB 579**

JURISPRUDENCE — **CSSB 285, CSSB 473, CSSB 482, CSSB 483, CSSB 819**

**BILLS ENGROSSED**

March 22, 2011

**SB 240, SB 313, SB 411, SB 461, SB 493, SB 576, SB 777, SB 832**

**RESOLUTIONS ENROLLED**

March 22, 2011

**SR 481, SR 515, SR 537, SR 558, SR 565, SR 566, SR 567, SR 568, SR 569, SR 570, SR 571, SR 572, SR 576, SR 577, SR 578, SR 579, SR 580, SR 581, SR 584, SR 585**

