

SENATE JOURNAL

EIGHTY-SECOND LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

THIRTY-NINTH DAY
(Thursday, April 7, 2011)

The Senate met at 10:17 a.m. pursuant to adjournment and was called to order by Senator Eltife.

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 Presiding Officer announced that a quorum of the Senate was present.

Father Albert Laforet, Jr., Saint Mary Cathedral, Austin, offered the invocation as follows:

Almighty God, source of wisdom and truth, we come seeking Your gifts to aid this assembly in their work for the people of Texas. Protect and guide the people of our state that they might always enjoy Your abundant blessings. We entrust to Your mercy and goodness all of our needs. May Your blessings come to all who work here and to all the people of the State of Texas. 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.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Thursday, April 7, 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:

HB 444 Creighton

Relating to notification of applications for permits for certain injection wells.

HB 571 Huberty

Relating to the regulation of certain aggregate production operations by the Texas Commission on Environmental Quality; providing penalties.

HB 610 Zerwas

Relating to certain notices sent by the Texas Commission on Environmental Quality.

HB 645 Orr

Relating to the information required to be included on a form for an application for an exemption from ad valorem taxation of property owned by a charitable organization.

HB 675 Lucio III

Relating to football helmet safety requirements in public schools.

HB 690 Martinez Fischer

Relating to the punishment for the offense of graffiti.

HB 755 Cook

Relating to eligibility of certain dependents for coverage under the state employee group benefits program.

HB 849 Miller, Sid

Relating to notice of an application for a permit to dispose of oil and gas waste in a commercial disposal well; creating an offense.

HB 942 Dukes

Relating to an exemption for school districts from security for court costs and appeal bond.

HB 989 Kolkhorst

Relating to the listing of a business location of certain businesses in print advertisements or on Internet websites.

HB 1300 Guillen

Relating to funding for state sites and programs of the Parks and Wildlife Department through private contributions and partnerships and to commercial advertising on certain state sites.

HB 1405 Smithee

Relating to provision by a health benefit plan of prescription drug coverage specified by formulary.

HB 1732 Ritter

Relating to the applicability of the constitutional limit on state debt payable from the general revenues of the state to bonds issued by the Texas Water Development Board.

HB 2124 Workman

Relating to victim notification regarding the release of a defendant who was acquitted by reason of insanity in a criminal case.

HB 2154

Eiland

Relating to certain continuing education requirements for agents who sell Medicare-related products and annuities.

SCR 40

Fraser

Recognizing Wayne and Eileen Hurd for their contributions to the Horseshoe Bay community.

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

MESSAGES FROM THE GOVERNOR

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

April 6, 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 members of the Texas Industrialized Building Code Council for terms to expire February 1, 2013:

Robert L. Bowling, IV
El Paso, Texas
(Mr. Bowling is being reappointed)

Roland L. Brown
Midlothian, Texas
(Mr. Brown is being reappointed)

Scott A. McDonald
Canyon, Texas
(replacing Ravi Shah of The Colony whose term expired)

Douglas O. Robinson
Coppell, Texas
(replacing Mark Delaney of Tomball whose term expired)

Rolando R. Rubiano
Harlingen, Texas
(Mr. Rubiano is being reappointed)

Larry E. Wilkinson
Friendswood, Texas
(Mr. Wilkinson is being reappointed)

To be members of the Texas State Board of Examiners of Professional Counselors for terms to expire February 1, 2017:

Glynda Corley
Round Rock, Texas
(Ms. Corley is being reappointed)

Etienne H. Nguyen
Houston, Texas
(replacing Jaa St. Julien of Houston whose term expired)

Lauren Polunsky Dreszer
San Antonio, Texas
(replacing Michelle Eggleston of Amarillo whose term expired)

To be members of the Credit Union Commission for terms to expire February 15, 2017:

Manuel Cavazos, IV
Austin, Texas
(Mr. Cavazos is being reappointed)

Sherri Kay Brannon Merket
Midland, Texas
(replacing Pete Snow of Texarkana whose term expired)

Gary Tuma
Sugar Land, Texas
(replacing Barbara Sheffield of Sugar Land whose term expired)

Respectfully submitted,

/s/Rick Perry
Governor

SENATE RESOLUTION 688

Senator Birdwell offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to recognize April 7, 2011, as Texas State Technical College Day at the State Capitol; and

WHEREAS, Since the establishment of Texas State Technical College in 1965, more than 82,000 graduates of this outstanding institution have taken their places in the workforce; the college system has grown to include colleges in Harlingen, Marshall, and Waco and a West Texas college that has campuses in Abilene, Breckenridge, Brownwood, and Sweetwater, and partnerships with 55 colleges, school districts, and industry have further broadened the system's offerings; and

WHEREAS, Texas State Technical College is the only state-supported, two-year technical college system in Texas; it serves students from 220 of the state's 254 counties, including many who live in rural areas with limited access to institutions of higher education or workforce training; nearly 15,000 students are enrolled in its affordable, career-specific for-credit programs each year, and thousands more receive ongoing vocational training; and

WHEREAS, Texas State Technical College offers more than 120 associate of applied science degrees and certificates and provides innovative, customized training to persons already employed or who are seeking employment in Texas industries; and

WHEREAS, Many of the college's programs emphasize emerging technologies and vocational trades to help Texas meet the growing need for a highly trained workforce in an economy with global connections; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 82nd Legislature, hereby commend the administrators, faculty, and staff of Texas State Technical College for their many contributions to education and economic development in Texas and their dedication to helping students become skilled workers and leaders of the future; and, be it further

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

BIRDWELL
DUNCAN
ELTIFE

ESTES
FRASER
LUCIO

SR 688 was again read.

The resolution was previously adopted on Monday, April 4, 2011.

GUESTS PRESENTED

Senator Birdwell, joined by Senators Estes, Fraser, and Lucio, was recognized and introduced to the Senate a Texas State Technical College System delegation: Mike Reeser, Chancellor; Randall Wooten, Marshall President; Cesar Maldonado, Harlingen President; Elton Stuckly, Waco President; and Gail Lawrence, West Texas President.

The Senate welcomed its guests.

PHYSICIAN OF THE DAY

Senator Davis was recognized and presented Dr. Ricky Dale Edwards of Fort Worth as the Physician of the Day.

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

SENATE RESOLUTION 696

Senator Watson offered the following resolution:

SR 696, Recognizing April 7, 2011, as BCL of Texas Day at the State Capitol.

The resolution was read and was adopted without objection.

GUESTS PRESENTED

Senator Watson was recognized and introduced to the Senate a Business and Community Lenders of Texas delegation: Margie Moore, David Hensley, Guy Perry, Chris Robles, Rosa Rios Valdez, Celine Thomasson, La'Kisha Fredricks, and Flor Esquivel.

The Senate welcomed its guests.

**INTRODUCTION OF
BILLS AND RESOLUTIONS POSTPONED**

The Presiding Officer, Senator Eltife in Chair, announced that the introduction of bills and resolutions on first reading would be temporarily postponed.

There was no objection.

CONCLUSION OF MORNING CALL

The Presiding Officer at 10:37 a.m. announced the conclusion of morning call.

**COMMITTEE SUBSTITUTE
SENATE BILL 937 ON SECOND READING**

Senator Lucio moved to suspend the regular order of business to take up for consideration **CSSB 937** at this time on its second reading:

CSSB 937, Relating to priorities for restoration of electric service following an extended power outage.

The motion prevailed.

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

The bill was read second time.

Senator Lucio offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 937** (senate committee report) in SECTION 1 of the bill, in added Section 38.072, Utilities Code (page 1, between lines 31 and 32), by inserting the following subsection and redesignating subsequent subsections accordingly:

(c) The rules adopted by the commission under Subsection (b) must allow an electric utility to exercise the electric utility's discretion to prioritize power restoration for a facility after an extended power outage in accordance with the facility's needs and with the characteristics of the geographic area in which power must be restored.

The amendment to **CSSB 937** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1 except as follows:

Nays: Hegar, Nichols.

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

CSSB 937 as amended was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment except as follows:

Nays: Hegar, Nichols.

**COMMITTEE SUBSTITUTE
SENATE BILL 937 ON THIRD READING**

Senator Lucio moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 937** be placed on its third reading and final passage.

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

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

Nays: Hegar, Nichols, Wentworth.

Reason for Vote

Senator Wentworth submitted the following reason for vote on suspension of the Constitutional Three-day Rule:

I cast a "No" vote on the procedural motion to suspend the Constitutional Rule requiring that bills be read on three several days in order to take up and consider **CSSB 937**, because in my judgment no circumstance exists in this case to justify the extraordinary act of suspending a requirement of the Texas Constitution. The suspension of this Constitutional Rule has the direct and immediate effect of denying the people of Texas knowledge and notice of the passage of this measure until it has already been finally passed on third reading. Were we to have followed the requirement of the Texas Constitution, third reading and a vote on **CSSB 937** would have occurred on the next legislative day, allowing for Texans to have learned through news reports of our second reading vote exactly what we had tentatively passed. Third reading and a vote on the next legislative day would also have allowed our professional staff an opportunity overnight to make sure any amendments passed on second reading are technically correct.

WENTWORTH

The bill was read third time and was passed by the following vote: Yeas 29, Nays 2.

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

Nays: Hegar, Nichols.

**COMMITTEE SUBSTITUTE
SENATE BILL 1153 ON SECOND READING**

On motion of Senator Williams and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1153** at this time on its second reading:

CSSB 1153, Relating to the authority of the Public Utility Commission of Texas to participate in certain proceedings before the Federal Energy Regulatory Commission.

The bill was read second time and was passed to engrossment by a viva voce vote.

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

**COMMITTEE SUBSTITUTE
SENATE BILL 1153 ON THIRD READING**

Senator Williams moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1153** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Wentworth.

Reason for Vote

Senator Wentworth submitted the following reason for vote on suspension of the Constitutional Three-day Rule:

I cast a "No" vote on the procedural motion to suspend the Constitutional Rule requiring that bills be read on three several days in order to take up and consider **CSSB 1153**, because in my judgment no circumstance exists in this case to justify the extraordinary act of suspending a requirement of the Texas Constitution. The suspension of this Constitutional Rule has the direct and immediate effect of denying the people of Texas knowledge and notice of the passage of this measure until it has already been finally passed on third reading. Were we to have followed the requirement of the Texas Constitution, third reading and a vote on **CSSB 1153** would have occurred on the next legislative day, allowing for Texans to have learned through news reports of our second reading vote exactly what we had tentatively passed. Third reading and a vote on the next legislative day would also have allowed our professional staff an opportunity overnight to make sure any amendments passed on second reading are technically correct.

WENTWORTH

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

**COMMITTEE SUBSTITUTE
SENATE BILL 1047 ON SECOND READING**

Senator Jackson moved to suspend the regular order of business to take up for consideration **CSSB 1047** at this time on its second reading:

CSSB 1047, Relating to the eligibility of an innovation and commercialization organization associated with the Lyndon B. Johnson Space Center to receive funding from the Texas emerging technology fund.

The motion prevailed.

Senators Birdwell, Nichols, and Shapiro asked to be recorded as voting "Nay" on suspension of the regular order of business.

The bill was read second time and was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment except as follows:

Nays: Birdwell, Nichols, Shapiro.

**COMMITTEE SUBSTITUTE
SENATE BILL 1047 ON THIRD READING**

Senator Jackson moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1047** be placed on its third reading and final passage.

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

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

Nays: Birdwell, Nichols, Shapiro, Wentworth.

Reason for Vote

Senator Wentworth submitted the following reason for vote on suspension of the Constitutional Three-day Rule:

I cast a "No" vote on the procedural motion to suspend the Constitutional Rule requiring that bills be read on three several days in order to take up and consider **CSSB 1047**, because in my judgment no circumstance exists in this case to justify the extraordinary act of suspending a requirement of the Texas Constitution. The suspension of this Constitutional Rule has the direct and immediate effect of denying the people of Texas knowledge and notice of the passage of this measure until it has already been finally passed on third reading. Were we to have followed the requirement of the Texas Constitution, third reading and a vote on **CSSB 1047** would have occurred on the next legislative day, allowing for Texans to have learned through news reports of our second reading vote exactly what we had tentatively passed. Third reading and a vote on the next legislative day would also have allowed our professional staff an opportunity overnight to make sure any amendments passed on second reading are technically correct.

WENTWORTH

The bill was read third time and was passed by the following vote: Yeas 28, Nays 3.

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

Nays: Birdwell, Nichols, Shapiro.

SENATE RESOLUTION 707

Senator Uresti offered the following resolution:

SR 707, Recognizing Brandon Allen, Kelsey Bruce, Haley Hale, Ayland Letsinger, and Josh Smith for their achievements as student-athletes for Brackett High School.

The resolution was read and was adopted without objection.

GUESTS PRESENTED

Senator Uresti was recognized and introduced to the Senate students from Brackett High School in Brackettville: Brandon Allen, Haley Hale, and Ayland Letsinger.

The Senate welcomed its guests.

**COMMITTEE SUBSTITUTE
SENATE BILL 1613 ON SECOND READING**

On motion of Senator Ogden and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1613** at this time on its second reading:

CSSB 1613, Relating to the application of the public meetings and public information laws to public power utilities.

The bill was read second time and was passed to engrossment by a viva voce vote.

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

**COMMITTEE SUBSTITUTE
SENATE BILL 1613 ON THIRD READING**

Senator Ogden moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1613** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Wentworth.

Reason for Vote

Senator Wentworth submitted the following reason for vote on suspension of the Constitutional Three-day Rule:

I cast a "No" vote on the procedural motion to suspend the Constitutional Rule requiring that bills be read on three several days in order to take up and consider **CSSB 1613**, because in my judgment no circumstance exists in this case to justify the extraordinary act of suspending a requirement of the Texas Constitution. The suspension of this Constitutional Rule has the direct and immediate effect of denying the people of Texas knowledge and notice of the passage of this measure until it has already been finally passed on third reading. Were we to have followed the requirement of the Texas Constitution, third reading and a vote on **CSSB 1613** would have occurred on the next legislative day, allowing for Texans to have learned through

news reports of our second reading vote exactly what we had tentatively passed. Third reading and a vote on the next legislative day would also have allowed our professional staff an opportunity overnight to make sure any amendments passed on second reading are technically correct.

WENTWORTH

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

GUESTS PRESENTED

Senator Hegar was recognized and introduced to the Senate a Fort Bend County delegation: representing Fulshear, Mayor Thomas Kuykendall, Alderman Stephen Gill, and City Administrator C. J. Snipes; representing Simonton, Mayor Daniel McJunkin and Mayor Pro Tempore Jane Stockton; representing Weston Lakes, Mayor Mary Rose Zdunkewicz, Mayor Pro Tempore Clifton Aldrich, and Alderman Trent Thomas.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Uresti was recognized and introduced to the Senate Winkler County and Kinney County delegations.

The Senate welcomed its guests.

COMMITTEE SUBSTITUTE SENATE BILL 293 ON SECOND READING

On motion of Senator Watson and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 293** at this time on its second reading:

CSSB 293, Relating to telemedicine medical services, telehealth services, and home telemonitoring services provided to certain Medicaid recipients.

The bill was read second time.

Senator Watson offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 293** (senate committee printing) as follows:

(1) In SECTION 1 of the bill, in added Section 531.001(4-a), Government Code (page 1, line 19), strike "home health agency as defined" and substitute "home health agency or a hospital, as those terms are defined".

(2) In SECTION 3 of the bill, strike added Section 531.02164(a), Government Code (page 2, line 69, through page 3, line 3), and substitute the following:

(a) In this section:

(1) "Home health agency" means a facility licensed under Chapter 142, Health and Safety Code, to provide home health services as defined by Section 142.001, Health and Safety Code.

(2) "Hospital" means a hospital licensed under Chapter 241, Health and Safety Code, that provides home health services as defined by Section 142.001, Health and Safety Code.

(3) In SECTION 3 of the bill, in added Section 531.02164(c)(2), Government Code (page 3, line 27), strike "home health agency" and substitute "home health agency or hospital".

The amendment to **CSSB 293** was read and was adopted by a viva voce vote.

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

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

CSSB 293 as amended was passed to engrossment by a viva voce vote.

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

COMMITTEE SUBSTITUTE SENATE BILL 293 ON THIRD READING

Senator Watson moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 293** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Wentworth.

Reason for Vote

Senator Wentworth submitted the following reason for vote on suspension of the Constitutional Three-day Rule:

I cast a "No" vote on the procedural motion to suspend the Constitutional Rule requiring that bills be read on three several days in order to take up and consider **CSSB 293**, because in my judgment no circumstance exists in this case to justify the extraordinary act of suspending a requirement of the Texas Constitution. The suspension of this Constitutional Rule has the direct and immediate effect of denying the people of Texas knowledge and notice of the passage of this measure until it has already been finally passed on third reading. Were we to have followed the requirement of the Texas Constitution, third reading and a vote on **CSSB 293** would have occurred on the next legislative day, allowing for Texans to have learned through news reports of our second reading vote exactly what we had tentatively passed. Third reading and a vote on the next legislative day would also have allowed our professional staff an opportunity overnight to make sure any amendments passed on second reading are technically correct.

WENTWORTH

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

**COMMITTEE SUBSTITUTE
SENATE BILL 201 ON SECOND READING**

On motion of Senator Uresti and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 201** at this time on its second reading:

CSSB 201, Relating to the calculation of ad valorem taxes on the residence homestead of a 100 percent or totally disabled veteran for the tax year in which the veteran qualifies or ceases to qualify for an exemption from taxation of the homestead.

The bill was read second time and was passed to engrossment by a viva voce vote.

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

**COMMITTEE SUBSTITUTE
SENATE BILL 201 ON THIRD READING**

Senator Uresti moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 201** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Wentworth.

Reason for Vote

Senator Wentworth submitted the following reason for vote on suspension of the Constitutional Three-day Rule:

I cast a "No" vote on the procedural motion to suspend the Constitutional Rule requiring that bills be read on three several days in order to take up and consider **CSSB 201**, because in my judgment no circumstance exists in this case to justify the extraordinary act of suspending a requirement of the Texas Constitution. The suspension of this Constitutional Rule has the direct and immediate effect of denying the people of Texas knowledge and notice of the passage of this measure until it has already been finally passed on third reading. Were we to have followed the requirement of the Texas Constitution, third reading and a vote on **CSSB 201** would have occurred on the next legislative day, allowing for Texans to have learned through news reports of our second reading vote exactly what we had tentatively passed. Third reading and a vote on the next legislative day would also have allowed our professional staff an opportunity overnight to make sure any amendments passed on second reading are technically correct.

WENTWORTH

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

SENATE BILL 1719 ON SECOND READING

Senator Williams moved to suspend the regular order of business to take up for consideration **SB 1719** at this time on its second reading:

SB 1719, Relating to certain comprehensive development agreements of the Texas Department of Transportation.

The motion prevailed.

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

The bill was read second time and was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment except as follows:

Nays: Fraser.

SENATE BILL 1719 ON THIRD READING

Senator Williams moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 1719** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 2.

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

Nays: Fraser, Wentworth.

Reason for Vote

Senator Wentworth submitted the following reason for vote on suspension of the Constitutional Three-day Rule:

I cast a "No" vote on the procedural motion to suspend the Constitutional Rule requiring that bills be read on three several days in order to take up and consider **SB 1719**, because in my judgment no circumstance exists in this case to justify the extraordinary act of suspending a requirement of the Texas Constitution. The suspension of this Constitutional Rule has the direct and immediate effect of denying the people of Texas knowledge and notice of the passage of this measure until it has already been finally passed on third reading. Were we to have followed the requirement of the Texas Constitution, third reading and a vote on **SB 1719** would have occurred on the next legislative day, allowing for Texans to have learned through news reports of our second reading vote exactly what we had tentatively passed. Third reading and a vote on the next legislative day would also have allowed our professional staff an opportunity overnight to make sure any amendments passed on second reading are technically correct.

WENTWORTH

The bill was read third time and was passed by the following vote: Yeas 30, Nays 1.

Nays: Fraser.

**COMMITTEE SUBSTITUTE
SENATE BILL 501 ON SECOND READING**

Senator West moved to suspend the regular order of business to take up for consideration **CSSB 501** at this time on its second reading:

CSSB 501, Relating to the disproportionality of certain groups in the juvenile justice, child welfare, health, and mental health systems and the disproportionality of the delivery of certain services in the education system.

The motion prevailed.

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

The bill was read second time.

Senator West offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 501** (senate committee report) in SECTION 1 of the bill, in added Section 2.002(a), Human Resources Code (page 2, between lines 13 and 14), by inserting the following new subdivision and renumbering subsequent subdivisions accordingly:

(6) one representative of the criminal justice division of the governor's office appointed by the governor;

The amendment to **CSSB 501** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1 except as follows:

Nays: Hegar, Ogden.

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

CSSB 501 as amended was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment except as follows:

Nays: Hegar, Ogden.

**COMMITTEE SUBSTITUTE
SENATE BILL 501 ON THIRD READING**

Senator West moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 501** be placed on its third reading and final passage.

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

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

Nays: Hegar, Ogden, Wentworth.

Reason for Vote

Senator Wentworth submitted the following reason for vote on suspension of the Constitutional Three-day Rule:

I cast a "No" vote on the procedural motion to suspend the Constitutional Rule requiring that bills be read on three several days in order to take up and consider **CSSB 501**, because in my judgment no circumstance exists in this case to justify the extraordinary act of suspending a requirement of the Texas Constitution. The suspension of this Constitutional Rule has the direct and immediate effect of denying the people of Texas knowledge and notice of the passage of this measure until it has already been finally passed on third reading. Were we to have followed the requirement of the Texas Constitution, third reading and a vote on **CSSB 501** would have occurred on the next legislative day, allowing for Texans to have learned through news reports of our second reading vote exactly what we had tentatively passed. Third reading and a vote on the next legislative day would also have allowed our professional staff an opportunity overnight to make sure any amendments passed on second reading are technically correct.

WENTWORTH

The bill was read third time and was passed by the following vote: Yeas 29, Nays 2.

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

Nays: Hegar, Ogden.

GUESTS PRESENTED

Senator Hegar was recognized and introduced to the Senate a group of college students studying construction at Texas A&M University, The University of Texas at El Paso, Prairie View A&M University, and Texas Tech University.

The Senate welcomed its guests.

COMMITTEE SUBSTITUTE SENATE BILL 285 ON SECOND READING

Senator Harris moved to suspend the regular order of business to take up for consideration **CSSB 285** at this time on its second reading:

CSSB 285, Relating to exempting certain judicial officers from certain requirements for obtaining or renewing a concealed handgun license and to the authority of certain judicial officers to carry certain weapons.

The motion prevailed.

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

The bill was read second time and was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment except as follows:

Nays: Zaffirini.

**COMMITTEE SUBSTITUTE
SENATE BILL 285 ON THIRD READING**

Senator Harris moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 285** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 2.

Yeas: 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, West, Whitmire, Williams.

Nays: Wentworth, Zaffirini.

Reason for Vote

Senator Wentworth submitted the following reason for vote on suspension of the Constitutional Three-day Rule:

I cast a "No" vote on the procedural motion to suspend the Constitutional Rule requiring that bills be read on three several days in order to take up and consider **CSSB 285**, because in my judgment no circumstance exists in this case to justify the extraordinary act of suspending a requirement of the Texas Constitution. The suspension of this Constitutional Rule has the direct and immediate effect of denying the people of Texas knowledge and notice of the passage of this measure until it has already been finally passed on third reading. Were we to have followed the requirement of the Texas Constitution, third reading and a vote on **CSSB 285** would have occurred on the next legislative day, allowing for Texans to have learned through news reports of our second reading vote exactly what we had tentatively passed. Third reading and a vote on the next legislative day would also have allowed our professional staff an opportunity overnight to make sure any amendments passed on second reading are technically correct.

WENTWORTH

The bill was read third time and was passed by the following vote: Yeas 30, Nays 1.

Nays: Zaffirini.

NOMINATION RETURNED

On motion of Senator Deuell and by unanimous consent, the Senate agreed to grant the request of the Governor to return the following nomination:

Member, Board of Directors, Lower Colorado River Authority: Bobby L. Limmer, Llano County.

**COMMITTEE SUBSTITUTE
SENATE BILL 693 ON SECOND READING**

On motion of Senator Estes and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 693** at this time on its second reading:

CSSB 693, Relating to permit application and amendment hearings conducted by groundwater conservation districts and the State Office of Administrative Hearings.

The bill was read second time and was passed to engrossment by a viva voce vote.

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

**COMMITTEE SUBSTITUTE
SENATE BILL 693 ON THIRD READING**

Senator Estes moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 693** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Wentworth.

Reason for Vote

Senator Wentworth submitted the following reason for vote on suspension of the Constitutional Three-day Rule:

I cast a "No" vote on the procedural motion to suspend the Constitutional Rule requiring that bills be read on three several days in order to take up and consider **CSSB 693**, because in my judgment no circumstance exists in this case to justify the extraordinary act of suspending a requirement of the Texas Constitution. The suspension of this Constitutional Rule has the direct and immediate effect of denying the people of Texas knowledge and notice of the passage of this measure until it has already been finally passed on third reading. Were we to have followed the requirement of the Texas Constitution, third reading and a vote on **CSSB 693** would have occurred on the next legislative day, allowing for Texans to have learned through news reports of our second reading vote exactly what we had tentatively passed. Third reading and a vote on the next legislative day would also have allowed our professional staff an opportunity overnight to make sure any amendments passed on second reading are technically correct.

WENTWORTH

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

SENATE BILL 326 ON SECOND READING

On motion of Senator Duncan and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 326** at this time on its second reading:

SB 326, Relating to the exemption from ad valorem taxation of certain tangible personal property stored temporarily at a location in this state.

The bill was read second time and was passed to engrossment by a viva voce vote.

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

SENATE BILL 326 ON THIRD READING

Senator Duncan moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 326** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Wentworth.

Reason for Vote

Senator Wentworth submitted the following reason for vote on suspension of the Constitutional Three-day Rule:

I cast a "No" vote on the procedural motion to suspend the Constitutional Rule requiring that bills be read on three several days in order to take up and consider **SB 326**, because in my judgment no circumstance exists in this case to justify the extraordinary act of suspending a requirement of the Texas Constitution. The suspension of this Constitutional Rule has the direct and immediate effect of denying the people of Texas knowledge and notice of the passage of this measure until it has already been finally passed on third reading. Were we to have followed the requirement of the Texas Constitution, third reading and a vote on **SB 326** would have occurred on the next legislative day, allowing for Texans to have learned through news reports of our second reading vote exactly what we had tentatively passed. Third reading and a vote on the next legislative day would also have allowed our professional staff an opportunity overnight to make sure any amendments passed on second reading are technically correct.

WENTWORTH

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

GUESTS PRESENTED

Senator Hinojosa was recognized and introduced to the Senate the Corpus Christi West Osó High School boys' basketball team.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Jackson was recognized and introduced to the Senate a Galveston County delegation.

The Senate welcomed its guests.

**PERMISSION TO INTRODUCE BILLS
(Motion In Writing)**

On motion of Senator Whitmire and by unanimous consent, Senate Rule 7.07(b) was suspended to permit the introduction of the following bills:

SB 1892, SB 1893, SB 1894.

SENATE BILLS ON FIRST READING

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

SB 1892 by Zaffirini

Relating to the Bexar County district courts.

To Committee on Jurisprudence.

SB 1893 by Zaffirini

Relating to the appointment of a court reporter by criminal law magistrates, civil law associate judges, and juvenile law masters in Bexar County.

To Committee on Jurisprudence.

SB 1894 by Zaffirini

Relating to proceedings that may be referred to and the powers of a criminal law magistrate in Bexar County.

To Committee on Jurisprudence.

SB 1895 by Hegar

Relating to director elections and powers of the Texana Groundwater Conservation District.

To Committee on Natural Resources.

HOUSE BILLS AND RESOLUTION ON FIRST READING

The following bills and resolution received from the House were read first time and referred to the committees indicated:

HB 92 to Committee on Agriculture and Rural Affairs.

HB 314 to Committee on Transportation and Homeland Security.

HB 315 to Committee on Intergovernmental Relations.

HB 370 to Committee on Education.

HB 378 to Committee on Transportation and Homeland Security.

HB 434 to Committee on Health and Human Services.

HB 451 to Committee on Natural Resources.

HB 591 to Committee on Transportation and Homeland Security.

HB 612 to Committee on Agriculture and Rural Affairs.

HB 613 to Committee on Agriculture and Rural Affairs.

HB 646 to Committee on Transportation and Homeland Security.

HB 1130 to Committee on Education.

HB 1674 to Committee on Jurisprudence.

HCR 45 to Committee on Administration.

**COMMITTEE SUBSTITUTE
SENATE BILL 20 ON SECOND READING**

Senator Williams moved to suspend the regular order of business to take up for consideration **CSSB 20** at this time on its second reading:

CSSB 20, Relating to a grant program for certain natural gas motor vehicles.

The motion prevailed.

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

The bill was read second time and was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment except as follows:

Nays: Birdwell, Patrick.

**COMMITTEE SUBSTITUTE
SENATE BILL 20 ON THIRD READING**

Senator Williams moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 20** be placed on its third reading and final passage.

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

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

Nays: Birdwell, Patrick, Wentworth.

Reason for Vote

Senator Wentworth submitted the following reason for vote on suspension of the Constitutional Three-day Rule:

I cast a "No" vote on the procedural motion to suspend the Constitutional Rule requiring that bills be read on three several days in order to take up and consider **CSSB 20**, because in my judgment no circumstance exists in this case to justify the extraordinary act of suspending a requirement of the Texas Constitution. The suspension of this Constitutional Rule has the direct and immediate effect of denying the people of Texas knowledge and notice of the passage of this measure until it has already been finally passed on third reading. Were we to have followed the requirement of the Texas Constitution, third reading and a vote on **CSSB 20** would have occurred on the next legislative day, allowing for Texans to have learned through news reports of our second reading vote exactly what we had tentatively passed. Third reading and a vote on the next legislative day would also have allowed our professional staff an opportunity overnight to make sure any amendments passed on second reading are technically correct.

WENTWORTH

The bill was read third time and was passed by the following vote: Yeas 29, Nays 2.

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

Nays: Birdwell, Patrick.

(President in Chair)

RESOLUTIONS SIGNED

The President announced the signing of the following enrolled resolutions in the presence of the Senate: **HCR 64, HCR 65, HCR 150.**

**COMMITTEE SUBSTITUTE
SENATE BILL 980 ON SECOND READING**

Senator Carona moved to suspend the regular order of business to take up for consideration **CSSB 980** at this time on its second reading:

CSSB 980, Relating to communications services and markets.

The motion prevailed.

Senator Harris asked to be recorded as voting "Nay" on suspension of the regular order of business.

The bill was read second time.

Senator Carona offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 980** (senate committee report) as follows:

(1) In SECTION 3 of the bill, in added Section 52.002(d)(9), Utilities Code (page 2, line 45), strike "assessment or collection of a" and substitute "assessment, administration, collection, or enforcement of any".

(2) In SECTION 22(b) of the bill (page 7, line 28), strike "Not earlier than January 2, 2012, the" and substitute "The".

(3) In SECTION 22(b) of the bill, after the period (page 7, line 32), insert "The commission may not initiate a proceeding to review the Texas High Cost Universal Service Plan before January 2, 2012."

The amendment to **CSSB 980** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1 except as follows:

Nays: Harris.

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

CSSB 980 as amended was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment except as follows:

Nays: Harris.

**COMMITTEE SUBSTITUTE
SENATE BILL 980 ON THIRD READING**

Senator Carona moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 980** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 2.

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

Nays: Harris, Wentworth.

Reason for Vote

Senator Wentworth submitted the following reason for vote on suspension of the Constitutional Three-day Rule:

I cast a "No" vote on the procedural motion to suspend the Constitutional Rule requiring that bills be read on three several days in order to take up and consider **CSSB 980**, because in my judgment no circumstance exists in this case to justify the extraordinary act of suspending a requirement of the Texas Constitution. The suspension of this Constitutional Rule has the direct and immediate effect of denying the people of Texas knowledge and notice of the passage of this measure until it has already been finally passed on third reading. Were we to have followed the requirement of the Texas Constitution, third reading and a vote on **CSSB 980** would have occurred on the next legislative day, allowing for Texans to have learned through news reports of our second reading vote exactly what we had tentatively passed. Third reading and a vote on the next legislative day would also have allowed our professional staff an opportunity overnight to make sure any amendments passed on second reading are technically correct.

WENTWORTH

The bill was read third time and was passed by the following vote: Yeas 30, Nays 1.

Nays: Harris.

**COMMITTEE SUBSTITUTE
SENATE BILL 714 ON SECOND READING**

Senator Patrick moved to suspend the regular order of business to take up for consideration **CSSB 714** at this time on its second reading:

CSSB 714, Relating to the exemption of certain property from municipal drainage service charges and from related ordinances, resolutions, and rules.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Wentworth.

The bill was read second time and was passed to engrossment by the following vote: Yeas 30, Nays 1. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
SENATE BILL 714 ON THIRD READING**

Senator Patrick moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 714** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Wentworth.

Reason for Vote

Senator Wentworth submitted the following reason for vote on suspension of the Constitutional Three-day Rule:

I cast a "No" vote on the procedural motion to suspend the Constitutional Rule requiring that bills be read on three several days in order to take up and consider **CSSB 714**, because in my judgment no circumstance exists in this case to justify the extraordinary act of suspending a requirement of the Texas Constitution. The suspension of this Constitutional Rule has the direct and immediate effect of denying the people of Texas knowledge and notice of the passage of this measure until it has already been finally passed on third reading. Were we to have followed the requirement of the Texas Constitution, third reading and a vote on **CSSB 714** would have occurred on the next legislative day, allowing for Texans to have learned through news reports of our second reading vote exactly what we had tentatively passed. Third reading and a vote on the next legislative day would also have allowed our professional staff an opportunity overnight to make sure any amendments passed on second reading are technically correct.

WENTWORTH

The bill was read third time and was passed by the following vote: Yeas 30, Nays 1. (Same as previous roll call)

BIRTHDAY GREETINGS EXTENDED

Senator Shapiro was recognized and, on behalf of the Senate, extended birthday greetings to Senator Ellis.

**MOTION TO PLACE
COMMITTEE SUBSTITUTE
SENATE BILL 354 ON SECOND READING**

Senator Wentworth moved to suspend the regular order of business to take up for consideration **CSSB 354** at this time on its second reading:

CSSB 354, Relating to the carrying of concealed handguns on the campuses of and certain other locations associated with institutions of higher education.

Senator Wentworth withdrew the motion to suspend the regular order of business.

**COMMITTEE SUBSTITUTE
SENATE BILL 6 ON SECOND READING**

On motion of Senator Shapiro and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 6** at this time on its second reading:

CSSB 6, Relating to the foundation curriculum, the establishment of the instructional materials allotment, and the adoption, review, and purchase of instructional materials and technological equipment for public schools.

The bill was read second time.

Senator Shapiro offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 6** (senate committee printing) as follows:

(1) In SECTION 22 of the bill, adding Section 31.0211, Education Code (page 6, between lines 56 and 57), add the following subsections:

(d-1) Notwithstanding Subsection (d), for the state fiscal biennium beginning September 1, 2011, a school district shall use an allotment received under this section to purchase instructional materials that will assist the district in satisfying performance standards under Section 39.0241, as added by Chapter 895 (H.B. No. 3), Acts of the 81st Legislature, Regular Session, 2009, on assessment instruments adopted under Sections 39.023(a) and (c).

(d-2) Subsection (d-1) and this subsection expire August 31, 2013.

(2) In SECTION 65 of the bill, in the recital (page 20, line 49), strike "Subsection (d)" and substitute "Subsections (d), (e), (f), and (g)".

(3) In SECTION 65 of the bill, amending Section 43.001, Education Code (page 20, between lines 55 and 56), add the following subsections:

(e) Subsection (d) applies beginning with the state fiscal biennium beginning September 1, 2013. For the state fiscal biennium beginning September 1, 2011, each year the State Board of Education shall set aside an amount equal to 40 percent of the annual distribution for that year from the permanent school fund to the available school fund as provided by Section 5(a), Article VII, Texas Constitution, to be placed, subject to the General Appropriations Act, in the state instructional materials fund established under Section 31.021.

(f) In calculating the amounts to be set aside as provided by Subsection (e) for the state fiscal biennium beginning September 1, 2011, the State Board of Education shall consider only the amounts of the annual distribution of the permanent school fund for that biennium. The board shall not consider amounts distributed for the state fiscal biennium beginning September 1, 2009, regardless of the date on which those amounts were approved for distribution.

(g) Subsections (e) and (f) and this subsection expire September 1, 2013.

(4) In SECTION 67 of the bill (page 21, line 5), strike "2012" and substitute "2011".

The amendment to **CSSB 6** was read and was adopted by a viva voce vote.

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

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

CSSB 6 as amended was passed to engrossment by a viva voce vote.

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

**COMMITTEE SUBSTITUTE
SENATE BILL 6 ON THIRD READING**

Senator Shapiro moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 6** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Wentworth.

Reason for Vote

Senator Wentworth submitted the following reason for vote on suspension of the Constitutional Three-day Rule:

I cast a "No" vote on the procedural motion to suspend the Constitutional Rule requiring that bills be read on three several days in order to take up and consider **CSSB 6**, because in my judgment no circumstance exists in this case to justify the extraordinary act of suspending a requirement of the Texas Constitution. The suspension of this Constitutional Rule has the direct and immediate effect of denying the people of Texas knowledge and notice of the passage of this measure until it has already been finally passed on third reading. Were we to have followed the requirement of the Texas Constitution, third reading and a vote on **CSSB 6** would have occurred on the next legislative day, allowing for Texans to have learned through news reports of our second reading vote exactly what we had tentatively passed. Third reading and a vote on the next legislative day would also have allowed our professional staff an opportunity overnight to make sure any amendments passed on second reading are technically correct.

WENTWORTH

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

**SENATE RULES SUSPENDED
(Posting Rules)**

On motion of Senator Carona and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Business and Commerce might meet and consider **SB 1862** today.

SENATE RULES SUSPENDED**(Posting Rules)**

On motion of Senator Jackson and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Economic Development might meet and consider the following bills today:

SB 264, SB 977, SB 988, SB 1413, SB 1744, SB 1048.

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

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

CO-AUTHOR OF SENATE BILL 20

On motion of Senator Williams, Senator West will be shown as Co-author of **SB 20**.

CO-AUTHORS OF SENATE BILL 201

On motion of Senator Uresti, Senators Carona, Davis, and Harris will be shown as Co-authors of **SB 201**.

CO-AUTHOR OF SENATE BILL 226

On motion of Senator Nelson, Senator Van de Putte will be shown as Co-author of **SB 226**.

CO-AUTHOR OF SENATE BILL 258

On motion of Senator Hegar, Senator Nelson will be shown as Co-author of **SB 258**.

CO-AUTHOR OF SENATE BILL 371

On motion of Senator Seliger, Senator Davis will be shown as Co-author of **SB 371**.

CO-AUTHOR OF SENATE BILL 554

On motion of Senator Carona, Senator Van de Putte will be shown as Co-author of **SB 554**.

CO-AUTHOR OF SENATE BILL 715

On motion of Senator Harris, Senator Nelson will be shown as Co-author of **SB 715**.

CO-AUTHOR OF SENATE BILL 820

On motion of Senator Harris, Senator Uresti will be shown as Co-author of **SB 820**.

CO-AUTHOR OF SENATE BILL 894

On motion of Senator Duncan, Senator Uresti will be shown as Co-author of **SB 894**.

CO-AUTHOR OF SENATE BILL 1363

On motion of Senator Lucio, Senator Rodriguez will be shown as Co-author of **SB 1363**.

CO-AUTHOR OF SENATE BILL 1380

On motion of Senator Ellis, Senator Deuell will be shown as Co-author of **SB 1380**.

CO-AUTHORS OF SENATE BILL 1843

On motion of Senator Carona, Senators Davis, Eltife, Uresti, and Watson will be shown as Co-authors of **SB 1843**.

CO-AUTHORS OF SENATE CONCURRENT RESOLUTION 36

On motion of Senator Williams, Senators Harris and Nichols will be shown as Co-authors of **SCR 36**.

CO-AUTHOR OF SENATE JOINT RESOLUTION 12

On motion of Senator Patrick, Senator Harris will be shown as Co-author of **SJR 12**.

RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

Memorial Resolution

SR 735 by Wentworth, In memory of Hubert W. Green of San Antonio.

Welcome and Congratulatory Resolutions

SR 728 by Harris, Welcoming the delegation from Furneaux Elementary School in Carrollton to the State Capitol.

SR 729 by Hinojosa, Recognizing the Corpus Christi West Oso High School Bears boys' basketball team for winning the 2011 Class 3A state championship title.

SR 730 by Williams, Recognizing Charles Wayne Key for his service with the Houston Fire Department.

SR 731 by Williams, Recognizing Mary Evelyn Still Bales on the occasion of her 90th birthday.

SR 732 by Gallegos, Recognizing the members of the Campos family on the occasion of the 2011 Campos Family Reunion.

SR 734 by Zaffirini, Recognizing the City of Converse on the occasion of its 50th anniversary.

SR 736 by Zaffirini, Recognizing Voz de Niños for its service to the children of Webb County.

Official Designation Resolution

SR 733 by Deuell, Recognizing April 19, 2011, as Balch Springs Day at the State Capitol.

ADJOURNMENT

On motion of Senator Whitmire, the Senate at 1:13 p.m. adjourned until 1:30 p.m. Monday, April 11, 2011.

APPENDIX

COMMITTEE REPORTS

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

April 7, 2011

HEALTH AND HUMAN SERVICES — **CSSB 1177, SB 717, SB 1154, SB 265, SB 1050**

JURISPRUDENCE — **CSSB 1490**

INTERNATIONAL RELATIONS AND TRADE — **CSSB 825**

JURISPRUDENCE — **CSSB 120**

GOVERNMENT ORGANIZATION — **CSSB 652, CSSB 661, CSSB 662**

HEALTH AND HUMAN SERVICES — **CSSB 1178, CSSB 434**

STATE AFFAIRS — **CSSB 904**

HIGHER EDUCATION — **SB 1662, SB 1304**

GOVERNMENT ORGANIZATION — **CSSB 653**

EDUCATION — **CSSB 291**

AGRICULTURE AND RURAL AFFAIRS — **CSSB 252, CSSB 378, CSSB 810, CSSB 932, CSSB 1086**

INTERNATIONAL RELATIONS AND TRADE — **CSSJR 40**

NATURAL RESOURCES — **CSSB 1134, CSSB 1301, CSSB 1605**

GOVERNMENT ORGANIZATION — **CSSB 1420**

BUSINESS AND COMMERCE — **SB 898, SB 924, SB 1171, SB 1353, SB 1598, CSSB 1846**

CRIMINAL JUSTICE — **SB 152, SB 348, SB 496, SB 843, SB 844, SB 976, SB 1010, SB 1103, SB 1273, SB 1600**

NATURAL RESOURCES — **CSSB 1258**

CRIMINAL JUSTICE — **SB 1676**

BUSINESS AND COMMERCE — **CSSB 1217**

BILLS ENGROSSEDApril 6, 2011**SB 28, SB 122, SB 324, SB 701, SB 1087, SB 1094, SB 1098, SB 1501****RESOLUTIONS ENROLLED**April 6, 2011**SR 701, SR 713, SR 714, SR 715, SR 716, SR 717, SR 718, SR 719, SR 720,
SR 721, SR 722, SR 723, SR 724, SR 726, SR 727**