

SENATE JOURNAL

EIGHTY-SECOND LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

FORTY-SEVENTH DAY

(Tuesday, April 26, 2011)

The Senate met at 11:08 a.m. pursuant to adjournment and was called to order by President Pro Tempore Ogden.

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 Pro Tempore announced that a quorum of the Senate was present.

Pastor Don Olson, Brushy Creek Church, Cedar Park, was introduced by Senator Eltife and offered the invocation as follows:

Father God, as we stand before You today, we are in awe of the many blessings that You continue to pour out on our leaders, our communities, our state, and our nation. We ask for Your peace and protection for the good people of Texas as this drought persists in many places. Many people have suffered great loss. We ask of You for rain. We ask for the drought to be broken and the heavens to open up with Your outpouring. Father God, send the rain. We turn our faces towards You. Send the rain. As we begin another day of the work of the State of Texas, we realize that in this life we are the possessors of nothing but the stewards of everything. And all that we do have is directly because of You. You have graced us with many blessings to carry out the peace, protection, and provision of the people that we serve. Therefore, we pray for Your wisdom and favor on these servants of the Texas Senate. Guide them in the necessary decisions that need to be made for the benefits of the people of this great State of Texas. We pray that the choices that they make will be reflections of Your heart and will. Today, as we press forward with state decisions and issues, we appreciate the servants that You have placed over us. God bless Governor Perry and the Members of the Texas Senate. God bless all the men and women in military uniform around the world. And God bless the citizens of the State of Texas. And God bless Texas. Lord God, we consider it an honor to serve Your people. In the name of my lord and savior, Jesus Christ. 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

Tuesday, April 26, 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 3 Thompson

Relating to the imposition of a sentence of life without parole on certain defendants who commit certain sexual offenses.

HB 5 Kolkhorst

Relating to the Interstate Health Care Compact.

HB 34 Branch

Relating to including in the public high school curriculum instruction in methods of paying for postsecondary education and training.

HB 91 Cook

Relating to the extent of extraterritorial jurisdiction for certain municipalities.

HB 157 Raymond

Relating to the filing of an application for a place on the general primary election ballot.

HB 240 Parker

Relating to requiring the Texas Commission on Environmental Quality to adopt rules preventing accidental or unintentional access to on-site sewage disposal systems.

HB 260 Hilderbran

Relating to the prosecution and punishment of unlawful transport of a person.

HB 268 Hilderbran

Relating to the exemption from sales and use taxes, including the motor vehicle sales and use tax, for timber and certain items used on a farm, ranch, or timber operation.

HB 384 Menendez

Relating to the proper identification of boats and outboard motors; creating an offense.

HB 385 Menendez

Relating to the punishment for theft and certain fraud offenses committed against a disabled individual.

- HB 438** Thompson
Relating to health benefit plan coverage for orally administered anticancer medications.
- HB 470** Anderson, Charles "Doc"
Relating to the addition of Salvia divinorum and its derivatives and extracts to Penalty Group 3 of the Texas Controlled Substances Act.
- HB 559** Sheffield
Relating to Bronze Star Medal and Bronze Star Medal with Valor specialty license plates.
- HB 602** Farrar
Relating to authorizing certain brewers and manufacturers to conduct tours of their premises after which beer or ale is provided to ultimate consumers for off-premises consumption.
- HB 649** Gallego
Relating to the issuance and duration of certain protective orders for victims of sexual assault.
- HB 663** Kleinschmidt
Relating to procedures for amending restrictions governing certain residential subdivisions.
- HB 692** Farias
Relating to high school graduation requirements for a student who is unable to participate in physical activity due to disability or illness.
- HB 772** Riddle
Relating to the applicability of certain laws to certain sex offenders.
- HB 787** Kuempel
Relating to abandoned, wrecked, dismantled, discarded, and inoperable aircraft and vessels.
- HB 896** Howard, Charlie
Relating to auxiliary members of an appraisal review board.
- HB 938** Smithee
Relating to the issuance of specialty license plates for women veterans.
- HB 1053** Patrick, Diane
Relating to the tuition exemption offered by public institutions of higher education to firefighters enrolled in certain courses.
- HB 1070** Scott
Relating to the taking of a defendant's bail bond by county jailers.
- HB 1137** Darby
Relating to the transmission of records regarding over-the-counter sales of ephedrine, pseudoephedrine, and norpseudoephedrine and a person's civil liability for certain acts arising from the sale of those products.

- HB 1162** Bonnen
Relating to the provision of notice to vacate to certain commercial tenants in an eviction suit.
- HB 1163** Keffer
Relating to tuition and fee exemptions at public institutions of higher education for certain peace officers and firefighters.
- HB 1174** Workman
Relating to the expiration of a county burn ban.
- HB 1179** Flynn
Relating to certification requirements for certain property tax professionals.
- HB 1207** Davis, Sarah
Relating to adoption of the Uniform Child Abduction Prevention Act.
- HB 1381** Madden
Relating to the service of civil process on an inmate of the Texas Department of Criminal Justice.
- HB 1486** Gutierrez
Relating to signs posted under the memorial sign program for victims of certain vehicle accidents.
- HB 1541** McClendon
Relating to the prevention of automobile burglary and theft.
- HB 1601** Price
Relating to consecutive sentences for certain offenses involving injury to a child, an elderly individual, or a disabled individual and arising out of the same criminal episode.
- HB 1633** Bonnen
Relating to a person's ability to read and write in English as a qualification for service as a petit juror.
- HB 1658** Davis, Yvonne
Relating to the refund of a cash bond to a defendant in a criminal case.
- HB 1682** Weber
Relating to prohibiting school districts from requiring or coercing school district employees to make charitable contributions.
- HB 1754** Gallego
Relating to the reorganization of powers and duties among agencies in this state that provide representation to indigent defendants in criminal cases and to the reorganization of funding sources for indigent defense.
- HB 1795** Aliseda
Relating to permits issued for moving certain oil well servicing or drilling machinery.
- HB 1822** Harless
Relating to the withdrawal of security by a bail bond surety.

- HB 1854** Rodriguez, Eddie
Relating to certain arrangements to provide care for a child during an investigation of abuse or neglect.
- HB 1859** Hochberg
Relating to the applicability of architectural barrier standards.
- HB 1862** Anchia
Relating to a tenant's remedies regarding a local government's revocation of a certificate of occupancy due to a landlord's failure to maintain the premises.
- HB 1887** Villarreal
Relating to the procedures for property tax protests and appeals.
- HB 1907** Madden
Relating to notification requirements concerning offenses committed by students and school district discretion over admission or placement of certain students.
- HB 1964** Villarreal
Relating to discharging fines and costs assessed against certain juvenile defendants through community service.
- HB 2017** McClendon
Relating to the organization, governance, duties, and functions of the Texas Department of Motor Vehicles.
- HB 2040** Hamilton
Relating to critical incident stress management and crisis response services.
- HB 2138** Guillen
Relating to the search for and rescue of victims of water-oriented accidents.
- HB 2139** Guillen
Relating to the establishment of an Adopt-A-Library program and state employee charitable contributions to the program.
- HB 2170** Raymond
Relating to assisting a foster child in obtaining the child's credit report.
- HB 2315** Coleman
Relating to a county's general revenue levy for indigent health care.
- HB 2325** McClendon
Relating to the competitive bidding and notice requirements for contracts of certain mass transportation authorities.
- HB 2337** Gallego
Relating to the admissibility of certain statements made by a child in a juvenile justice or criminal proceeding.
- HB 2354** Madden
Relating to the installation and use of a pen register, ESN reader, trap and trace device, mobile tracking device, or similar equipment in a correctional facility operated by or under contract with the Texas Department of Criminal Justice.
- HB 2457** Davis, John
Relating to the amendment of Texas Enterprise Fund grant agreements.

- HB 2468** Phillips
Relating to providing a patron of a pay-to-park or valet parking service with certain information; providing a civil penalty.
- HB 2469** Phillips
Relating to a memorial sign program for victims of motorcycle accidents.
- HB 2488** Scott
Relating to access to a child's medical records by the child's attorney ad litem, guardian ad litem, or amicus attorney.
- HB 2538** Vo
Relating to the confidentiality of certain identifying information regarding students of career schools or colleges and other educational entities; providing a criminal penalty.
- HB 2561** Eissler
Relating to the definition of "school year" for purposes of the Teacher Retirement System of Texas.
- HB 2600** Ritter
Relating to the records and reports required for purposes of the taxes imposed on cigars and other tobacco products.
- HB 2619** Callegari
Relating to emergency preparedness information about water facilities.
- HB 2632** Driver
Relating to access to the criminal history record information of certain persons by the Texas Facilities Commission.
- HB 2662** Hochberg
Relating to child abduction.
- HB 2680** King, Tracy O.
Relating to the procedure for certain small local exchange companies to propose to offer certain services or to make a minor change in a rate or tariff.
- HB 2694** Smith, Wayne
Relating to the continuation and functions of the Texas Commission on Environmental Quality and abolishing the On-site Wastewater Treatment Research Council.
- HB 2717** Darby
Relating to the duties and responsibilities of certain county officials and the functions of county government.
- HB 2734** Madden
Relating to certain mandatory conditions of parole or mandatory supervision for illegal criminal aliens and the revocation of parole or mandatory supervision as a result of violating those conditions.
- HB 2779** Bohac
Relating to provisions in the dedicatory instruments of property owners' associations regarding display of flags.

- HB 2806** Phillips
Relating to the marketing, hosting, and sale of specialty and personalized license plates.
- HB 2857** Gallego
Relating to regulation of outdoor lighting in certain areas; providing a criminal penalty and for injunctive relief.
- HB 2870** Harper-Brown
Relating to the elimination of certain required reports prepared by state agencies and institutions of higher education.
- HB 2908** Branch
Relating to providing graduate medical education positions for Texas medical school graduates.
- HB 2910** Branch
Relating to agreements between the Texas Higher Education Coordinating Board and certain organizations for increasing degree completion rates.
- HB 2959** Price
Relating to the required transfer of records to a new county chair of a political party; providing a penalty.
- HB 2991** Deshotel
Relating to a determination of the reasonable relation of certain transactions to particular jurisdictions.
- HB 3004** Nash
Relating to prepaid funeral benefits contracts and the prepaid funeral contract guaranty fund.
- HB 3065** Sheffield
Relating to the requirement that certain food service establishments post a sign depicting the Heimlich maneuver.
- HB 3141** Hartnett
Relating to the registration and protection of trademarks.
- HB 3234** Hernandez Luna
Relating to the prioritization of requests to release certain case records maintained by the Department of Family and Protective Services.
- HB 3302** Reynolds
Relating to the authority of certain Type A economic development corporations to undertake certain categories of projects.
- HB 3314** Carter
Relating to a requirement that an attorney ad litem appointed for a child file a statement with the court regarding the attorney ad litem's meeting with the child or other specified person.
- HB 3336** Coleman
Relating to information regarding pertussis for parents of newborn children.

- HB 3372** King, Tracy O.
Relating to standards for a structure that is connected to a public water supply system and has a rainwater harvesting system.
- HB 3389** Workman
Relating to a seller's disclosure of natural or liquid propane gas on residential real property.
- HB 3404** Naishtat
Relating to establishing a child care advisory committee to advise the Texas Facilities Commission.
- HB 3510** Hamilton
Relating to the regulation of the towing, booting, and storage of vehicles.
- HB 3577** Gonzales, Larry
Relating to eligibility requirements for the Texas Educational Opportunity Grant.
- HB 3726** Guillen
Relating to the private entity granted care and custody of the Alamo.
- HCR 103** Aliseda
In memory of U.S. Marine Corps Sergeant Jose Luis Saenz III of Pleasanton.
- HCR 104** Frullo
Congratulating Dr. Kitty Harris Wilkes on her selection as a 2011 YWCA of Lubbock Woman of Excellence.
- HCR 105** Frullo
Congratulating Beth Lawson on her selection as a 2011 YWCA of Lubbock Woman of Excellence.
- HCR 106** Frullo
Congratulating Aimee Doane on being named a 2011 Lubbock YWCA Woman of Excellence.
- HCR 107** Frullo
Congratulating Dr. Kamlesh Varma on her selection as a 2011 YWCA of Lubbock Woman of Excellence.
- HCR 108** Frullo
Congratulating Dr. Kelly Overley on her selection as a 2011 Woman of Excellence by the YWCA of Lubbock.
- HCR 109** Workman
Recognizing the Junior Marine Corps of Bedichek Middle School in Austin.
- HCR 111** Frullo
Congratulating Yvonne Racz Key on her selection as a 2011 YWCA of Lubbock Woman of Excellence.
- HCR 112** Frullo
Congratulating Sarah Jo Lambert on her selection as a 2011 YWCA of Lubbock Woman of Excellence.

- HCR 115** Smith, Wayne
Honoring the Battleship Texas Foundation for its work to preserve the historic battleship.
- HCR 116** Davis, John
In memory of the Reverend Clinton Roderick Dobson of Arlington.
- HCR 119** Davis, John
Congratulating James Alford Davis on being named the 2011 Citizen of the Year by the Menard County Chamber of Commerce.
- HCR 131** Davis, John
In memory of Howard Victor Reed of Austin.
- HCR 132** Davis, John
Honoring the Texas State Association of Parliamentarians on the occasion of their annual convention.
- HCR 137** Craddick
Designating April 2011 as Parkinson's Awareness Month.
- SB 28** Zaffirini Sponsor: Branch
Relating to eligibility for a TEXAS grant and to administration of the TEXAS grant program.
(Amended)
- SB 85** Nelson Sponsor: Solomons
Relating to the duties of the county tax assessor-collector and voter registrar regarding exemptions from jury service.
- SB 313** Seliger Sponsor: Price
Relating to priority groundwater management areas.
(Amended)
- SB 323** Carona Sponsor: Elkins
Relating to the applicability of certain laws governing corporations to limited liability companies.
- SB 439** Van de Putte Sponsor: Sheets
Relating to an exclusion from unemployment compensation chargebacks for certain employers of uniformed service members.
- SB 527** Fraser Sponsor: Geren
Relating to projects funded through the Texas emissions reduction plan.
- SB 539** Carona Sponsor: Kleinschmidt
Relating to the award of costs and attorney's fees in certain proceedings concerning mechanic's, contractor's, or materialman's liens.
(Amended)
- SB 638** Jackson Sponsor: Murphy
Relating to the computation of a surplus credit for certain successor employing units.
- SB 782** Carona Sponsor: Deshotel
Relating to uniform law on secured transactions.
(Amended)

SB 1226 Hegar Sponsor: Callegari
Relating to the ballot language for junior college district annexation elections.

SB 1846 Lucio Sponsor: Lewis
Relating to organizations that are covered by the Charitable Immunity and Liability Act of 1987.

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

SENATE RESOLUTION 750

Senator Watson offered the following resolution:

SR 750, Recognizing Boy Scout Troop 1 in Austin on the occasion of its 100th anniversary.

The resolution was again read.

The resolution was previously adopted on Tuesday, April 12, 2011.

GUESTS PRESENTED

Senator Watson was recognized and introduced to the Senate a delegation from Boy Scout Troop 1: Kuruvila Mani, Scoutmaster; Thomas Bizzell, Assistant Scoutmaster; Dan Wight, Troop Committee Chair, and his wife, Gail; Elizabeth Gintella, Advancement Chair; accompanied by the following Boy Scouts: Joshua Mireles, Stephen Gintella, Timothy Gintella, and Trenton Wight.

The Senate welcomed its guests.

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, Oversight Committee, Cancer Prevention and Research Institute of Texas: Joyce Faye Richardson King, Collin County.

PHYSICIAN OF THE DAY

Senator Fraser was recognized and presented Dr. Jeffrey Edwards of Stephenville 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.

GUESTS PRESENTED

Senator Birdwell was recognized and introduced to the Senate a Bosqueville ISD delegation, accompanied by Superintendent James Hopper.

The Senate welcomed its guests.

MESSAGES FROM THE GOVERNOR

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

April 26, 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 Health Services Authority Corporation for terms to expire June 15, 2011:

Frederick J. Buckwold
Houston, Texas
(Dr. Buckwold is being reappointed)

Matthew J. Hamlin
Argyle, Texas
(Mr. Hamlin is being reappointed)

James L. Martin
Austin, Texas
(replacing Donna Montemayor of San Antonio whose term expired)

William A. Phillips, Jr.
San Antonio, Texas
(replacing Raymond Davis of El Paso whose term expired)

Jennifer L. Rangel
Austin, Texas
(replacing Alesha Adamson of San Antonio whose term expired)

To be members of the Texas Military Preparedness Commission for terms to expire February 1, 2017:

Thomas C. Duncavage
League City, Texas
(replacing Eugene Tulich of Spring whose term expired)

Arthur R. Emerson
San Antonio, Texas
(Mr. Emerson is being reappointed)

Woody F. Gilliland
Abilene, Texas
(replacing Samuel Neal, Jr. of Corpus Christi whose term expired)

Karen S. Rankin
San Antonio, Texas
(replacing Howard Ham, Jr. of San Antonio whose term expired)

A. F. "Tom" Thomas, Jr.
El Paso, Texas
(Mr. Thomas is being reappointed)

To be members of the Task Force on Indigent Defense for terms to expire February 1, 2013:

Anthony C. Odiorne
Amarillo, Texas

Olen Underwood
Willis, Texas

The individuals listed above are being reappointed.

To be a member of the Council on Sex Offender Treatment for a term to expire February 1, 2013:

Louis Gonzales, III
Round Rock, Texas

Mr. Gonzales is replacing Alida Hernandez of McAllen who is deceased.

To be members of the Coastal Water Authority Board of Directors for terms to expire April 1, 2013:

Douglas E. Walker
Beach City, Texas

Zebulun Nash
Houston, Texas

The individuals listed above are being reappointed.

To be members of the Texas Board for Occupational Therapy Examiners for terms to expire as indicated:

To Expire February 1, 2015:

William N. Hale
Austin, Texas

(replacing Dely De Guia Cruz of Houston whose term expired)

To Expire February 1, 2017:

DeLana Honaker
Amarillo, Texas

(Dr. Honaker is being reappointed)

Stephanie Johnston
Magnolia, Texas

(Ms. Johnston is being reappointed)

Pamela D. Nelon
Fort Worth, Texas

(Ms. Nelon is being reappointed)

To be members of the Texas State Board of Orthotics and Prosthetics for terms to expire February 1, 2017:

Rebecca Hill Brou
Rockport, Texas

(Ms. Brou is being reappointed)

David R. Kercheval
Grandview, Texas

(replacing James Wendlandt of Austin whose term expired)

To be members of the Texas Department of Rural Affairs for terms to expire February 1, 2017:

N. Remelle Farrar
Crowell, Texas

Bryan Tucker
Childress, Texas

Patrick L. Wallace
Athens, Texas

The individuals listed above are being reappointed.

Respectfully submitted,

/s/Rick Perry
Governor

April 26, 2011
Austin, Texas

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

On January 19, 2011, I submitted the name of Carol Frost Treadway for appointment to the State Employee Charitable Campaign Policy Committee for a term to expire January 1, 2012.

Because she resigned, I hereby withdraw her nomination and request that the Senate return the appointment to me.

Respectfully submitted,

/s/Rick Perry
Governor

INTRODUCTION OF BILLS AND RESOLUTIONS POSTPONED

The President Pro Tempore announced that the introduction of bills and resolutions on first reading would be postponed until the end of today's session.

There was no objection.

CONCLUSION OF MORNING CALL

The President Pro Tempore at 11:25 a.m. announced the conclusion of morning call.

COMMITTEE SUBSTITUTE SENATE BILL 224 ON SECOND READING

On motion of Senator Nelson and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 224** at this time on its second reading:

CSSB 224, Relating to a program to recognize public schools with successful student health and fitness programs.

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 224 ON THIRD READING**

Senator Nelson moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 224** 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 224**, 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 224** 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 963 ON SECOND READING

Senator Uresti moved to suspend the regular order of business to take up for consideration **SB 963** at this time on its second reading:

SB 963, Relating to certification of a person as eligible for disabled parking privileges.

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)

SENATE BILL 963 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 **SB 963** 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 963**, 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 963** 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)

SENATE BILL 1662 ON SECOND READING

On motion of Senator West and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 1662** at this time on its second reading:

SB 1662, Relating to the payment of costs associated with certain educational programs of Prairie View A&M University.

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 1662 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 **SB 1662** 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 1662**, 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 1662** 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 Patrick was recognized and introduced to the Senate a delegation of representatives from Texas pregnancy care centers.

The Senate welcomed its guests.

COMMITTEE SUBSTITUTE SENATE BILL 205 ON SECOND READING

Senator Whitmire moved to suspend the regular order of business to take up for consideration **CSSB 205** at this time on its second reading:

CSSB 205, Relating to school district policies to prohibit bullying, cyberbullying, harassment, and intimidation.

The motion prevailed.

Senators Birdwell and Nelson 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, Nelson.

COMMITTEE SUBSTITUTE SENATE BILL 205 ON THIRD READING

Senator Whitmire moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 205** 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, Nichols, Ogden, Patrick, Rodriguez, Seliger, Shapiro, Uresti, Van de Putte, Watson, West, Whitmire, Williams, Zaffirini.

Nays: Birdwell, Nelson, 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 205**, 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 205** 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, Nichols, Ogden, Patrick, Rodriguez, Seliger, Shapiro, Uresti, Van de Putte, Watson, Wentworth, West, Whitmire, Williams, Zaffirini.

Nays: Birdwell, Nelson.

COMMITTEE SUBSTITUTE SENATE BILL 518 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 518** at this time on its second reading:

CSSB 518, Relating to initiatives designed to improve performance of public school students, including initiatives specifically for students enrolled at the sixth, seventh, and eighth grade levels.

The bill was read second time.

Senator Watson offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 518** by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS appropriately:

(1) SECTION _____. Section 42.152(c-1), Education Code, is amended to read as follows:

(c-1) Notwithstanding Subsection (c), funds allocated under this section may be used to fund in proportion to the percentage of students served by the program that meet the criteria in Section 29.081(d) or (g):

(1) an accelerated reading instruction program under Section 28.006(g); ~~(e)~~

(2) a program for treatment of students who have dyslexia or a related disorder as required by Section 38.003; or

(3) an extended learning time program grounded in practices that are proven effective in improving student retention and performance, and preparing students for future college and career readiness

(2) SECTION _____. Section 29.081(d), Education Code, is amended to read as follows:

(d) For purposes of this section, "student at risk of dropping out of school" includes each student who is under 21 years of age and who:

(1) was not advanced from one grade level to the next for one or more school years;

(2) if the student is in grade 6, 7, 8, 9, 10, 11, or 12, did not maintain an average equivalent to 70 on a scale of 100 in two or more subjects in the foundation curriculum during a semester in the preceding or current school year or is not maintaining such an average in two or more subjects in the foundation curriculum in the current semester;

(3) did not perform satisfactorily on an assessment instrument administered to the student under Subchapter B, Chapter 39, and who has not in the previous or current school year subsequently performed on that instrument or another appropriate instrument at a level equal to at least 110 percent of the level of satisfactory performance on that instrument;

(4) if the student is in prekindergarten, kindergarten, or grade 1, 2, or 3, did not perform satisfactorily on a readiness test or assessment instrument administered during the current school year;

(5) is pregnant or is a parent;

(6) has been placed in an alternative education program in accordance with Section 37.006 during the preceding or current school year;

(7) has been expelled in accordance with Section 37.007 during the preceding or current school year;

(8) is currently on parole, probation, deferred prosecution, or other conditional release;

(9) was previously reported through the Public Education Information Management System (PEIMS) to have dropped out of school;

(10) is a student of limited English proficiency, as defined by Section 29.052;

(11) is in the custody or care of the Department of Protective and Regulatory Services or has, during the current school year, been referred to the department by a school official, officer of the juvenile court, or law enforcement official;

(12) is homeless, as defined by 42 U.S.C. Section 11302, and its subsequent amendments; or

(13) resided in the preceding school year or resides in the current school year in a residential placement facility in the district, including a detention facility, substance abuse treatment facility, emergency shelter, psychiatric hospital, halfway house, or foster group home.

The amendment to **CSSB 518** 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 518 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 518 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 518** 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 518**, 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 518** 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 1717 ON SECOND READING**

Senator Duncan moved to suspend the regular order of business to take up for consideration **CSSB 1717** at this time on its second reading:

CSSB 1717, Relating to the operation and administration of the judicial branch of state government.

The motion prevailed.

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

The bill was read second time.

Senator Duncan offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 1717** as follows:

(1) In Article 4 of the bill, in SECTION 4.01(c) (page 17, line 6), strike "August 31, 2012" and substitute "December 31, 2012".

(2) In Article 4 of the bill, in SECTION 4.07 (page 17, line 60), strike "January 1, 2013" and substitute "May 1, 2013".

(3) In Article 4 of the bill, in SECTION 4.09 (page 18, line 14), strike "January 1, 2013" and substitute "May 1, 2013".

(4) In Article 6 of the bill, in SECTION 6.05(a) (page 41, line 16), strike "November 1, 2011" and substitute "March 1, 2012".

(5) In Article 6 of the bill, in SECTION 6.05(b)(2) (page 41, lines 21 through 22), strike "January 1, 2012" and substitute "May 1, 2012".

(6) In Article 6 of the bill, in SECTION 6.06 (page 41, line 24), strike "January 1, 2012" and substitute "May 1, 2012".

(7) In Article 8 of the bill, in SECTION 8.02(b) (page 42, line 16), strike "September 1, 2012" and substitute "January 1, 2013".

(8) In Article 9 of the bill, in SECTION 9.02 (page 42, line 32), strike "September 1, 2011" and substitute "January 1, 2012".

The amendment to **CSSB 1717** 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 Duncan and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

CSSB 1717 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: Birdwell.

COMMITTEE SUBSTITUTE SENATE BILL 1717 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 **CSSB 1717** be placed on its third reading and final passage.

The motion prevailed 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, Patrick, Rodriguez, Seliger, Shapiro, Uresti, Van de Putte, Watson, West, Whitmire, Williams, Zaffirini.

Nays: Birdwell, 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 1717**, 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 1717** 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: Birdwell.

COMMITTEE SUBSTITUTE SENATE BILL 877 ON SECOND READING

On motion of Senator Hinojosa and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 877** at this time on its second reading:

CSSB 877, Relating to a verification of the incarceration of an accused person in a criminal case for the purpose of discharging a surety's liability on a bail bond.

The bill was read second time.

Senator Nichols offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 877** (senate committee printing) in 1 SECTION 1 of the bill as follows:

(1) In amended Article 17.16(a)(2), Code of Criminal Procedure (page 1, line 23), between "pending" and "an affidavit", insert "and to the office of the prosecuting attorney".

The amendment to **CSSB 877** 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 Hinojosa and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

CSSB 877 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 877 ON THIRD READING

Senator Hinojosa moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 877** 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 877**, 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 877** 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 1296 ON SECOND READING

On motion of Senator Hegar and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 1296** at this time on its second reading:

SB 1296, Relating to the use of proceeds of bonds and other financial security filed with the Railroad Commission of Texas by certain persons under the jurisdiction of the commission and deposited in the oil-field cleanup fund.

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 1296 ON THIRD READING

Senator Hegar moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 1296** 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 1296**, 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 1296** 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 1682 ON SECOND READING

Senator Ellis moved to suspend the regular order of business to take up for consideration **SB 1682** at this time on its second reading:

SB 1682, Relating to the creation of managed assigned counsel programs.

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, Rodriguez, Seliger, Shapiro, Uresti, Van de Putte, Watson, Wentworth, West, Whitmire, Williams, Zaffirini.

Nays: Harris, Patrick.

The bill was read second time and was passed to engrossment by the following vote: Yeas 29, Nays 2. (Same as previous roll call)

SENATE BILL 1682 ON THIRD READING

Senator Ellis moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 1682** 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, Hegar, Hinojosa, Huffman, Jackson, Lucio, Nelson, Nichols, Ogden, Rodriguez, Seliger, Shapiro, Uresti, Van de Putte, Watson, West, Whitmire, Williams, Zaffirini.

Nays: Harris, 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 **SB 1682**, 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 1682** 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, Hegar, Hinojosa, Huffman, Jackson, Lucio, Nelson, Nichols, Ogden, Rodriguez, Seliger, Shapiro, Uresti, Van de Putte, Watson, Wentworth, West, Whitmire, Williams, Zaffirini.

Nays: Harris, Patrick.

COMMITTEE SUBSTITUTE SENATE BILL 1693 ON SECOND READING

Senator Carona moved to suspend the regular order of business to take up for consideration **CSSB 1693** at this time on its second reading:

CSSB 1693, Relating to periodic rate adjustments by electric utilities.

The motion prevailed.

Senator Nichols 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 1693** (senate committee report) in SECTION 1 of the bill, in added Section 36.210(a), Utilities Code (page 1, line 37), between "costs" and "were", by inserting "for invested capital described by this subsection".

The amendment to **CSSB 1693** 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 Carona and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

CSSB 1693 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: Nichols.

**COMMITTEE SUBSTITUTE
SENATE BILL 1693 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 1693** 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, Ogden, Patrick, Rodriguez, Seliger, Shapiro, Uresti, Van de Putte, Watson, West, Whitmire, Williams, Zaffirini.

Nays: 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 1693**, 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 1693** 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: Nichols.

**COMMITTEE SUBSTITUTE
SENATE BILL 573 ON SECOND READING**

Senator Nichols moved to suspend the regular order of business to take up for consideration **CSSB 573** at this time on its second reading:

CSSB 573, Relating to certificates of public convenience and necessity for water or sewer services.

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

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

Nays: Duncan, Estes, Lucio.

The bill was read second time and was passed to engrossment by the following vote: Yeas 26, Nays 5.

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

Nays: Deuell, Duncan, Estes, Hinojosa, Lucio.

**COMMITTEE SUBSTITUTE
SENATE BILL 573 ON THIRD READING**

Senator Nichols moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 573** be placed on its third reading and final passage.

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

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

Nays: Duncan, Estes, Hinojosa, 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 573**, 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 573** 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 26, Nays 5.

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

Nays: Deuell, Duncan, Estes, Hinojosa, Lucio.

REMARKS ORDERED PRINTED

On motion of Senator Nichols and by unanimous consent, his remarks regarding **CSSB 573** were ordered reduced to writing and printed in the *Senate Journal* as follows:

Chapter 13 of the Water Code provides a landowner may petition TCEQ to be released from a certificate of convenience and necessity if the CCN holder is not providing service. CCNs are permits to allow the holder to be exclusive, provide a water and wastewater services to a geographic area. This exclusive right is granted as an incentive to provide water services, having the rights to a CCN is a state-granted monopoly and should come with responsibilities. However, the current process to be released from a CCN is cumbersome and costly for both the CCN holder and the landowner. It is a disincentive for developers to buy and develop land within a CCN because of the cost to be released or the fear of not being released from a nonserving CCN. Committee Substitute to SB 573 updates current process and makes it clear that if a landowner of 25 acres or more is not receiving water or wastewater, they may petition the TCEQ to be released from the CCN. Committee Substitute to SB 573 maintains the provision, TCEQ may not deny a petition to be released based on the fact certificate holders that borrow under federal loan program, but they would have to pay the appropriate expenses to be released. Committee Substitute to SB 573 only applies to counties of one million or more, their adjacent counties in Smith County, but does not apply to municipal CCNs and cities with a population of 500,000 or more. I have been asked by some interested parties in my district whether this bill would adversely affect the rights of CCN holders who have existing contracts to provide water service with landowners owning 25 acres of land or more. My answer is that the question is emphatically in the negative. It is neither the intent of Senate Bill 573 to impact existing CCN holders who have existing contract rights, when landowners of tracts of land containing 25 acres or more. I wish to set the record clear on the facts. Senate Bill 573 does not impair the rights of CCN holders to provide service to tracts of land subject to existing contract service contract.

(Senator Eltife in Chair)

**COMMITTEE SUBSTITUTE
SENATE BILL 1489 ON SECOND READING**

Senator Whitmire moved to suspend the regular order of business to take up for consideration **CSSB 1489** at this time on its second reading:

CSSB 1489, Relating to educational, juvenile justice, and criminal justice responses to truancy.

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

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

Nays: Estes, Harris, Ogden, Williams.

The bill was read second time and was passed to engrossment by the following vote: Yeas 27, Nays 4. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
SENATE BILL 1489 ON THIRD READING**

Senator Whitmire moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1489** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 26, Nays 5.

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

Nays: Estes, Harris, Ogden, Wentworth, Williams.

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 1489**, 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 1489** 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 27, Nays 4.

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

Nays: Estes, Harris, Ogden, Williams.

SENATE CONCURRENT RESOLUTION 48

The Presiding Officer laid before the Senate the following resolution:

WHEREAS, Senate Bill No. 785 has passed the Texas Senate and the Texas House of Representatives and is now in the office of the governor; and

WHEREAS, A clerical correction needs to be made in Senate Bill No. 785; now, therefore, be it

RESOLVED by the 82nd Legislature of the State of Texas, That the governor be hereby requested to return Senate Bill No. 785 to the senate for such clerical correction; and, be it further

RESOLVED, That the action of the President of the Senate and the Speaker of the House in signing Senate Bill No. 785 be declared null and void and that the two presiding officers be authorized to remove their signatures from the enrolled bill; and, be it further

RESOLVED, That the enrolling clerk of the senate be instructed to correct Senate Bill No. 785 as follows:

(1) In SECTION 2 of the bill, in added Subsection (e), Section 161.005, Family Code, strike "aware of the acts" and substitute "aware of the facts".

(2) In SECTION 2 of the bill, in added Subsection (e-1), Section 161.005, Family Code, strike "aware of the acts" and substitute "aware of the facts".

HARRIS

SCR 48 was read.

On motion of Senator Harris, the resolution was considered immediately and was adopted by the following vote: Yeas 31, Nays 0.

SENATE BILL 1024 ON SECOND READING

On motion of Senator Rodriguez and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 1024** at this time on its second reading:

SB 1024, Relating to the prosecution of the offense of theft of service.

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 1024 ON THIRD READING

Senator Rodriguez moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 1024** 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 1024**, 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 1024** 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.

(President Pro Tempore Ogden in Chair)

COMMITTEE SUBSTITUTE SENATE BILL 718 ON SECOND READING

Senator Van de Putte moved to suspend the regular order of business to take up for consideration **CSSB 718** at this time on its second reading:

CSSB 718, Relating to disciplinary action taken against public school students on the basis of serious misbehavior.

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

Nays: Ogden.

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 718 ON THIRD READING

Senator Van de Putte moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 718** 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, Patrick, Rodriguez, Seliger, Shapiro, Uresti, Van de Putte, Watson, West, Whitmire, Williams, Zaffirini.

Nays: 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 718**, 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 718** 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: Ogden.

COMMITTEE SUBSTITUTE SENATE BILL 1656 ON SECOND READING

Senator Watson moved to suspend the regular order of business to take up for consideration **CSSB 1656** at this time on its second reading:

CSSB 1656, Relating to a prohibition on certain underwriting and rating actions based on consumer inquiries.

The motion prevailed.

Senator 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: Patrick.

**COMMITTEE SUBSTITUTE
SENATE BILL 1656 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 1656** 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, Rodriguez, Seliger, Shapiro, Uresti, Van de Putte, Watson, West, Whitmire, Williams, Zaffirini.

Nays: 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 1656**, 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 1656** 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: Patrick.

**COMMITTEE SUBSTITUTE
SENATE BILL 811 ON SECOND READING**

On motion of Senator Zaffirini and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 811** at this time on its second reading:

CSSB 811, Relating to the regulation of the practice of veterinary medicine.

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 811 ON THIRD READING**

Senator Zaffirini moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 811** 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 811**, 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 811** 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 681 ON SECOND READING**

On motion of Senator West and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 681** at this time on its second reading:

CSSB 681, Relating to the establishment of a task force to study the assessments of children in the child welfare system.

The bill was read second time.

Senator West offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 681** (senate committee report) as follows:

(1) In SECTION 1 of the bill, in added Section 40.074(b), Human Resources Code (page 1, line 45), strike "care; and" and substitute "care;".

(2) In SECTION 1 of the bill, in added Section 40.074(b), Human Resources Code (page 1, line 46), strike the period and substitute:
; and

(11) one member from the commission.

The amendment to **CSSB 681** 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 West and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

CSSB 681 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 681 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 681** 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 681**, 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 681** 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 1872 ON SECOND READING

On motion of Senator Van de Putte and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1872** at this time on its second reading:

CSSB 1872, Relating to revising, revoking, or denying renewal of charters of open-enrollment charter schools under certain circumstances.

The bill was read second time.

Senator Van de Putte offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 1872** (senate committee printing) as follows:

(1) In SECTION 1 of the bill, in added Section 12.1141(a)(1), Education Code (page 1, line 19), between "(1)" and "the charter holder", insert "considering available data,".

(2) In SECTION 1 of the bill, in added Section 12.1141(a)(1), Education Code (page 1, lines 23 and 24), strike "the agency ratings appeal process" and substitute "a process developed by the agency".

(3) In SECTION 1 of the bill, in added Section 12.1141(b), Education Code (page 1, line 42), between "(b)" and "The commissioner", insert "The commissioner may not approve a total of more than 10 additional charter schools under Subsection (a),".

(4) In SECTION 1 of the bill, in added Section 12.1141(b), Education Code (page 1, lines 43 and 44), strike "limit the number of additional charter schools approved under Subsection (a) or".

(5) In SECTION 2 of the bill, in added Section 12.1151(b)(1), Education Code (page 1, line 62), between "(1)" and "the charter holder", insert "considering available data,".

(6) In SECTION 2 of the bill, in added Section 12.1151(b)(1), Education Code (page 2, lines 3-4), strike "the agency ratings appeal process" and substitute "a process developed by the agency".

The amendment to **CSSB 1872** 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 Van de Putte and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

CSSB 1872 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 1872 ON THIRD READING**

Senator Van de Putte moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1872** 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 1872**, 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 1872** 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 1522 ON SECOND READING

On motion of Senator Hinojosa and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 1522** at this time on its second reading:

SB 1522, Relating to the entering of a plea in a criminal case by a defendant confined in a penal institution.

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 1522 ON THIRD READING

Senator Hinojosa moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 1522** 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 1522**, 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 1522** 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 47 ON SECOND READING

Senator Zaffirini moved to suspend the regular order of business to take up for consideration **CSSB 47** at this time on its second reading:

CSSB 47, Relating to the pro re nata administration of psychoactive medications in certain residential health care facilities.

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, Patrick, Rodriguez, Seliger, Shapiro, Uresti, Van de Putte, Watson, Wentworth, West, Whitmire, Zaffirini.

Nays: Birdwell, Ogden, Williams.

The bill was read second time and was passed to engrossment by the following vote: Yeas 28, Nays 3. (Same as previous roll call)

COMMITTEE SUBSTITUTE SENATE BILL 47 ON THIRD READING

Senator Zaffirini moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 47** 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, Nichols, Patrick, Rodriguez, Seliger, Shapiro, Uresti, Van de Putte, Watson, West, Whitmire, Zaffirini.

Nays: Birdwell, Ogden, Wentworth, Williams.

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 47**, 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 47** 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, Nichols, Patrick, Rodriguez, Seliger, Shapiro, Uresti, Van de Putte, Watson, Wentworth, West, Whitmire, Zaffirini.

Nays: Birdwell, Ogden, Williams.

(Senator Eltife in Chair)

COMMITTEE SUBSTITUTE SENATE BILL 1116 ON SECOND READING

Senator Whitmire moved to suspend the regular order of business to take up for consideration **CSSB 1116** at this time on its second reading:

CSSB 1116, Relating to the enforcement and punishment of certain prohibited conduct that occurs on a public school campus or on a vehicle owned by a county or school district.

The motion prevailed.

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

The bill was read second time.

Senator Whitmire offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 1116** in SECTION 1 of the bill, in proposed Article 45.058(i), Code of Criminal Procedure (Committee Printing, page 1, lines 20-21) by striking "attach to the citation" and substituting "submit to the court".

The amendment to **CSSB 1116** 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 Whitmire and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

CSSB 1116 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: Nelson.

**COMMITTEE SUBSTITUTE
SENATE BILL 1116 ON THIRD READING**

Senator Whitmire moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1116** 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, Nichols, Ogden, Patrick, Rodriguez, Seliger, Shapiro, Uresti, Van de Putte, Watson, West, Whitmire, Williams, Zaffirini.

Nays: Nelson, 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 1116**, 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 1116** 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: Nelson.

**COMMITTEE SUBSTITUTE
SENATE BILL 1177 ON SECOND READING**

On motion of Senator Nelson and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1177** at this time on its second reading:

CSSB 1177, Relating to the adoption by health care facilities of a policy on vaccine preventable diseases; imposing penalties.

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 1177 ON THIRD READING**

Senator Nelson moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1177** 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 1177**, 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 1177** 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 1383 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 1383** at this time on its second reading:

CSSB 1383, Relating to an appraisal and professional development system for public school principals.

The bill was read second time.

Senator Shapiro offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 1383** in SECTION 3 of the bill, in proposed Section 21.3541, Education Code (Committee Printing, page 1, lines 48-51), by striking proposed Subsection (e) and inserting the following:

(e) In carrying out the commissioner's powers and duties under this section, the commissioner may use only money available from private sources that may be used for that purpose.

The amendment to **CSSB 1383** 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 1383 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 1383 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 1383** 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 1383**, 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 1383** 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 1551 ON SECOND READING**

On motion of Senator Rodriguez and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1551** at this time on its second reading:

CSSB 1551, Relating to missing children; providing a criminal penalty.

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 1551 ON THIRD READING**

Senator Rodriguez moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1551** 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 1551**, 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 1551** 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 1421 ON SECOND READING

On motion of Senator Nelson and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1421** at this time on its second reading:

CSSB 1421, Relating to the awarding of grants provided by the Cancer Prevention and Research Institute of Texas.

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 1421 ON THIRD READING

Senator Nelson moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1421** 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 1421**, 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 1421** 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 CONCURRENT RESOLUTION 36
ON SECOND READING**

On motion of Senator Williams and by unanimous consent, the regular order of business was suspended to take up for consideration **SCR 36** at this time on its second reading:

SCR 36, Urging the members of the Texas congressional delegation to provide to the legislature a cost analysis of the exact funding necessary for full enforcement of all immigration laws in Texas and to immediately report back to the legislature as to the status of that funding and directing the lieutenant governor and the speaker of the house to send a delegation of members from both chambers to meet with members of Congress and members of the executive branch to discuss the border security crisis.

The resolution was read second time and was adopted by the following vote: Yeas 30, Nays 1.

Nays: Rodriguez.

**HOUSE BILL 994 REREFERRED
(Motion In Writing)**

Senator Zaffirini submitted a Motion In Writing requesting that **HB 994** be withdrawn from the Committee on Criminal Justice and rereferred to the Committee on Jurisprudence.

The Motion In Writing prevailed without objection.

PERMISSION TO INTRODUCE BILLS

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 1917**, **SB 1918**.

SENATE RESOLUTION 824

Senator Ogden offered the following resolution:

WHEREAS, Under the outstanding leadership of eight-year head coach Gary Blair, the Texas A&M University women's basketball team made history by winning its first National Collegiate Athletic Association national championship; and

WHEREAS, The Texas A&M University women's basketball team finished its season with an impressive 33-5 record—the most wins in program history—and achieved a 13-3 record in the Big 12; their achievements included going to the National Collegiate Athletic Association tournament and defeating number one seed Baylor in the Elite Eight in Dallas and number one seed Stanford in the Final Four in Indianapolis on their way to defeating Notre Dame in the national championship finals by a score of 76-70; and

WHEREAS, Several of the players have achieved extraordinary honors for their efforts, including senior Danielle Adams, named as Texas A&M University's first Associated Press First Team All-American, and senior Sydney Colson, named as an Associated Press All-American Honorable Mention; Danielle Adams was also selected to the 2011 NCAA Division I State Farm Coaches' All-America Basketball Team, and junior Tyra White achieved a State Farm Coaches' All-America Team Honorable Mention; and

WHEREAS, The members of the Texas A&M University coaching staff, including head coach Gary Blair, associate head coach Vic Schaefer, associate head coach Kelly Bond, and assistant coach Johnnie Harris, have represented themselves and Texas A&M University admirably and with great distinction and have motivated and inspired the women's basketball team to conduct themselves with excellence, honor, and integrity—both on and off the court; and

WHEREAS, The Aggie women's basketball team, in winning its first National Collegiate Athletic Association national championship and bringing the much-coveted championship trophy to Texas A&M University has inspired enormous admiration and respect for women's athletics at the university; and

WHEREAS, The Texas A&M women's basketball team has brought tremendous positive national attention to Texas A&M University and to the great State of Texas; and

WHEREAS, Coach Gary Blair, winner of numerous coaching honors and one of the most highly respected and winningest active Division I coaches in the women's game today, completely turned around the Aggie women's basketball program since his appointment as head coach in 2003, taking the team to a record six straight National Collegiate Athletic Association tournaments and capturing the 2011 national championship; and

WHEREAS, The hard work and dedication to excellence of the women's basketball team and its coaches have led to a history-making year that will be remembered and celebrated by Aggies and others forever; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 82nd Legislature, hereby honor Coach Gary Blair and the Texas A&M University women's basketball team on their outstanding achievements and extend to them best wishes for the future; and be it further

RESOLVED, That a copy of this Resolution be prepared for Coach Gary Blair and the team as an expression of high regard from the Texas Senate.

OGDEN
HEGAR
WENTWORTH
WILLIAMS

SR 824 was read.

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

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

GUESTS PRESENTED

Senator Ogden was recognized and introduced to the Senate the Texas A&M University women's basketball team: student-athletes, Danielle Adams, Kelsey Assarian, Maryann Baker, Kristi Bellock, Kelsey Bone, Sydney Carter, Skylar Collins, Sydney Colson, Adaora Elonu, Karla Gilbert, Kristen Grant, Adrienne Pratcher, Catherine Snow, Tyra White, and Cierra Windham; Coaches, Gary Blair, Vic Schaefer, Kelly Bond, and Johnnie Harris; and administration and staff, Bill Byrne and Erich Birch.

The Senate welcomed its guests.

SENATE BILLS ON FIRST READING

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

SB 1913 by Watson

Relating to the creation of the Southeast Travis County Municipal Utility District No. 1; providing authority to impose a tax and issue bonds; granting a limited power of eminent domain.

To Committee on Intergovernmental Relations.

SB 1914 by Watson

Relating to the creation of the Southeast Travis County Municipal Utility District No. 2; providing authority to impose a tax and issue bonds; granting a limited power of eminent domain.

To Committee on Intergovernmental Relations.

SB 1915 by Watson

Relating to the creation of the Southeast Travis County Municipal Utility District No. 3; providing authority to impose a tax and issue bonds; granting a limited power of eminent domain.

To Committee on Intergovernmental Relations.

SB 1916 by Watson

Relating to the creation of the Southeast Travis County Municipal Utility District No. 4; providing authority to impose a tax and issue bonds; granting a limited power of eminent domain.

To Committee on Intergovernmental Relations.

SB 1917 by Zaffirini

Relating to the tax exemption for permanent hotel residents in certain smaller municipalities.

To Committee on Finance.

SB 1918 by Zaffirini

Relating to the authority of emergency services districts in low populous counties to contract with banks regarding deposits.

To Committee on Intergovernmental Relations.

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 6 to Committee on Education.

HB 33 to Committee on Higher Education.

HB 44 to Committee on Intergovernmental Relations.

HB 213 to Committee on Business and Commerce.

HB 243 to Committee on Transportation and Homeland Security.

HB 265 to Committee on Government Organization.

HB 282 to Committee on Veteran Affairs and Military Installations.

HB 345 to Committee on Intergovernmental Relations.

HB 365 to Committee on State Affairs.

HB 377 to Committee on Transportation and Homeland Security.
HB 399 to Committee on Higher Education.
HB 499 to Committee on Intergovernmental Relations.
HB 555 to Committee on Transportation and Homeland Security.
HB 650 to Committee on Higher Education.
HB 968 to Committee on Education.
HB 992 to Committee on Higher Education.
HB 1064 to Committee on Business and Commerce.
HB 1118 to Committee on Intergovernmental Relations.
HB 1148 to Committee on Transportation and Homeland Security.
HB 1206 to Committee on Higher Education.
HB 1242 to Committee on Business and Commerce.
HB 1245 to Committee on Economic Development.
HB 1247 to Committee on Government Organization.
HB 1254 to Committee on International Relations and Trade.
HB 1263 to Committee on Economic Development.
HB 1300 to Committee on Agriculture and Rural Affairs.
HB 1325 to Committee on Jurisprudence.
HB 1341 to Committee on Higher Education.
HB 1353 to Committee on Transportation and Homeland Security.
HB 1379 to Committee on Intergovernmental Relations.
HB 1380 to Committee on Health and Human Services.
HB 1400 to Committee on Intergovernmental Relations.
HB 1426 to Committee on Jurisprudence.
HB 1469 to Committee on Business and Commerce.
HB 1550 to Committee on Education.
HB 1567 to Committee on Criminal Justice.
HB 1568 to Committee on Intergovernmental Relations.
HB 1614 to Committee on Jurisprudence.
HB 1625 to Committee on Business and Commerce.
HB 1753 to Committee on Business and Commerce.
HB 1768 to Committee on Intergovernmental Relations.
HB 1774 to Committee on Government Organization.
HB 1779 to Committee on Criminal Justice.
HB 1781 to Committee on Government Organization.
HB 1806 to Committee on Agriculture and Rural Affairs.
HB 1832 to Committee on Natural Resources.
HB 1861 to Committee on Government Organization.
HB 1889 to Committee on Jurisprudence.
HB 1908 to Committee on Criminal Justice.
HB 1917 to Committee on Intergovernmental Relations.
HB 1965 to Committee on Health and Human Services.
HB 1990 to Committee on Intergovernmental Relations.
HB 2012 to Committee on Business and Commerce.
HB 2131 to Committee on Administration.
HB 2207 to Committee on Intergovernmental Relations.

HB 2251 to Committee on Government Organization.
HB 2257 to Committee on Transportation and Homeland Security.
HB 2258 to Committee on Health and Human Services.
HB 2266 to Committee on Intergovernmental Relations.
HB 2296 to Committee on Intergovernmental Relations.
HB 2351 to Committee on Intergovernmental Relations.
HB 2360 to Committee on Natural Resources.
HB 2375 to Committee on Business and Commerce.
HB 2418 to Committee on Natural Resources.
HB 2463 to Committee on Open Government.
HB 2499 to Committee on Government Organization.
HB 2503 to Committee on Business and Commerce.
HB 2521 to Committee on Intergovernmental Relations.
HB 2541 to Committee on Transportation and Homeland Security.
HB 2559 to Committee on Business and Commerce.
HB 2582 to Committee on Business and Commerce.
HB 2605 to Committee on Government Organization.
HB 2609 to Committee on Health and Human Services.
HB 2631 to Committee on Higher Education.
HB 2633 to Committee on Criminal Justice.
HB 2670 to Committee on Intergovernmental Relations.
HB 2690 to Committee on Intergovernmental Relations.
HB 2716 to Committee on Intergovernmental Relations.
HB 2785 to Committee on Economic Development.
HB 2794 to Committee on Natural Resources.
HB 2831 to Committee on Economic Development.
HB 2904 to Committee on Health and Human Services.
HB 2909 to Committee on Education.
HB 2971 to Committee on Education.
HB 3000 to Committee on Criminal Justice.
HB 3174 to Committee on Jurisprudence.
HB 3333 to Committee on Government Organization.
HCR 69 to Committee on Administration.

CONDOLENCES EXTENDED

Senator Estes was recognized and, on behalf of the Senate, extended condolences to the victims of the Texas wildfires and acknowledged the bravery of the firefighters.

SENATE RULES SUSPENDED (Posting Rules)

On motion of Senator Fraser and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Natural Resources might meet and consider **SB 1074** today.

SENATE RULES SUSPENDED
(Posting Rules)

On motion of Senator Duncan and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on State Affairs might meet and consider the following bills today: **SB 1285, SB 1286, SB 1664.**

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 1743** today.

NOTICE GIVEN FOR
LOCAL AND UNCONTESTED CALENDAR

Senator Uresti announced that a Local and Uncontested Calendar had been furnished to each Member of the Senate. He then gave notice that the Local and Uncontested Calendar Session would be held at 8:00 a.m. Thursday, April 28, 2011, and that all bills and resolutions would be considered on second and third reading in the order in which they were listed.

CO-AUTHOR OF SENATE BILL 224

On motion of Senator Nelson, Senator West will be shown as Co-author of **SB 224.**

CO-AUTHOR OF SENATE BILL 262

On motion of Senator Carona, Senator Zaffirini will be shown as Co-author of **SB 262.**

CO-AUTHOR OF SENATE BILL 573

On motion of Senator Nichols, Senator Williams will be shown as Co-author of **SB 573.**

CO-AUTHOR OF SENATE BILL 1022

On motion of Senator Rodriguez, Senator Uresti will be shown as Co-author of **SB 1022.**

CO-AUTHOR OF SENATE BILL 1489

On motion of Senator Whitmire, Senator West will be shown as Co-author of **SB 1489.**

CO-AUTHOR OF SENATE BILL 1620

On motion of Senator Duncan, Senator Van de Putte will be shown as Co-author of **SB 1620.**

CO-AUTHORS OF SENATE BILL 1662

On motion of Senator West, Senators Ogden and Williams will be shown as Co-authors of **SB 1662.**

CO-AUTHORS OF SENATE BILL 1717

On motion of Senator Duncan, Senators Watson and West will be shown as Co-authors of **SB 1717**.

CO-AUTHOR OF SENATE CONCURRENT RESOLUTION 37

On motion of Senator Hinojosa, Senator Harris will be shown as Co-author of **SCR 37**.

CO-AUTHOR OF SENATE JOINT RESOLUTION 4

On motion of Senator Hinojosa, Senator Lucio will be shown as Co-author of **SJR 4**.

RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

Memorial Resolutions

SR 825 by Van de Putte, In memory of Gonzalo V. Castillo, Jr., of San Antonio.

SR 830 by Watson, In memory of Rose Adele Junemann Nieman of Austin.

SR 841 by Lucio, In memory of Othal Brand of McAllen.

SR 842 by Lucio, In memory of the life of Celestino G. Martinez, Jr.

SR 843 by Lucio, In memory of William "Bill" Summers of the Rio Grande Valley.

HCR 32 (Seliger), In memory of Lindley Paul Latham of Midland.

Congratulatory Resolutions

SR 742 by Duncan, Recognizing the Texas Tech University School of Law moot court team for winning the 61st Annual National Moot Court Competition championship.

SR 821 by Fraser, Recognizing Otto P. Scharth on the occasion of his 88th birthday.

SR 822 by Watson, Recognizing the Hospitality Management Corporation on the occasion of its General Managers and Directors of Sales Conference.

SR 823 by Uresti, Recognizing Rosa Sanchez Celis and Joseph Ignacio Celis, Jr., on the occasion of their 50th wedding anniversary.

SR 827 by Patrick, Recognizing pregnancy care centers for their dedication.

SR 828 by Ogden, Recognizing Myrtis Dightman on the occasion of the unveiling of his portrait bust.

SR 829 by Watson, Recognizing Sherry Traynor on the occasion of her retirement from the Office of the Comptroller of Public Accounts.

SR 833 by Ellis, Commending Jeremy Daniel Edelstein of Houston for achieving the rank of Eagle Scout.

SR 834 by Ellis, Commending Daniel Evan Faerman for achieving the rank of Eagle Scout.

SR 835 by Ellis, Commending Isaac David Kaplan for achieving the rank of Eagle Scout.

SR 836 by Ellis, Commending Max William Kaplan for achieving the rank of Eagle Scout.

SR 837 by Ellis, Recognizing Ada Edwards on the occasion of her retirement from the City of Houston.

SR 838 by Zaffirini, Congratulating Marisela and Robert Higgins for being selected by Junior Achievement of Laredo for induction into the 2011 Laredo Business Hall of Fame.

SR 839 by Zaffirini, Recognizing Richard E. Haynes Sr. for being selected posthumously by Junior Achievement of Laredo for induction into the 2011 Laredo Business Hall of Fame.

SR 840 by Zaffirini, Recognizing Demetrio David Hachar for being selected posthumously by Junior Achievement of Laredo for induction into the 2011 Laredo Business Hall of Fame.

HCR 109 (Watson), Recognizing the Junior Marine Corps of Bedichek Middle School in Austin.

Official Designation Resolutions

SR 832 by Watson, Recognizing May 1 through 8, 2011, as the Holocaust Days of Remembrance.

HCR 137 (Seliger), Designating April 2011 as Parkinson's Awareness Month.

ADJOURNMENT

On motion of Senator Whitmire, the Senate at 2:33 p.m. adjourned, in memory of Joel Ramirez and Charles Wren, until 11:00 a.m. tomorrow.

APPENDIX

COMMITTEE REPORTS

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

April 26, 2011

EDUCATION — **CSSB 35, CSSB 738, CSSB 1483**

TRANSPORTATION AND HOMELAND SECURITY — **CSSB 9**

FINANCE — **CSSB 1580, CSSB 1583, CSSB 1582**

STATE AFFAIRS — **CSSB 1164, CSSB 1445, CSSB 1536, CSSB 1686**

FINANCE — **CSSJR 5, CSSB 1579, CSSB 1581, CSSB 1584**

INTERNATIONAL RELATIONS AND TRADE — **CSSB 1809, CSSB 1816**

FINANCE — **CSSB 1505**

HEALTH AND HUMAN SERVICES — **CSSB 1878**

FINANCE — **CSSB 22, CSSB 1811**

ECONOMIC DEVELOPMENT — **CSSB 1534**

EDUCATION — **CSSB 1328**

AGRICULTURE AND RURAL AFFAIRS — **CSSB 1032**

HIGHER EDUCATION — **CSSB 1488, CSSB 1564, CSSB 1727, CSSB 1823, CSSB 32, CSSB 1107, CSSB 1414, CSSB 1348**

STATE AFFAIRS — **CSSB 812**

NATURAL RESOURCES — **CSSB 956**

TRANSPORTATION AND HOMELAND SECURITY — **SB 150, SB 530, CSSB 730, SB 1057, SB 615, CSSB 1104, CSSB 1138, CSSB 1422, CSSB 1608, CSSB 1864**

STATE AFFAIRS — **CSSB 1667**

EDUCATION — **HB 861**

ADMINISTRATION — **HB 1844, HCR 45, SCR 25, SCR 35, SCR 39, SCR 41**

BUSINESS AND COMMERCE — **HB 558, HB 1956, SB 710, SB 1231**

INTERNATIONAL RELATIONS AND TRADE — **CSHB 699**

ECONOMIC DEVELOPMENT — **CSSB 1472**

BILLS ENGROSSED

April 21, 2011

SB 95, SB 120, SB 149, SB 216, SB 252, SB 260, SB 264, SB 265, SB 348, SB 375, SB 378, SB 540, SB 602, SB 609, SB 613, SB 768, SB 810, SB 896, SB 913, SB 924, SB 942, SB 943, SB 958, SB 977, SB 982, SB 984, SB 985, SB 986, SB 993, SB 1026, SB 1043, SB 1046, SB 1054, SB 1055, SB 1058, SB 1081, SB 1096, SB 1100, SB 1103, SB 1125, SB 1130, SB 1168, SB 1169, SB 1178, SB 1229, SB 1233, SB 1243, SB 1244, SB 1255, SB 1269, SB 1271, SB 1295, SB 1303, SB 1311, SB 1400, SB 1410, SB 1413, SB 1433, SB 1442, SB 1477, SB 1480, SB 1494, SB 1496, SB 1521, SB 1598, SB 1600, SB 1655, SB 1660, SB 1692, SB 1732, SB 1736, SB 1744, SB 1752, SB 1788, SB 1810, SB 1831

SIGNED BY GOVERNOR

April 21, 2011

SB 24, SB 37, SB 115, SB 312, SB 351, SB 569, SB 582, SB 716