

SENATE JOURNAL

EIGHTY-SECOND LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

SIXTIETH DAY

(Friday, May 13, 2011)

The Senate met at 10:17 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.

The Reverend Samuel Kyles, Monumental Baptist Church, Memphis, Tennessee, his wife, Aurelia, and daughter, Epernay, were introduced by Senator Ellis, and the Reverend Kyles offered the invocation as follows:

Members and guests: It was said that Robert Louis Stevenson was a man who never enjoyed good health. Even as a child he was puny and frail. One of his favorite pastimes was to look out of his window and see an old man with a ladder. He would take his ladder to a pole, climb up, light the light, come down, take the ladder to another pole, light the light, and come down. One day his nurse asked him, "Robert, what are you doing?" He said, "I'm watching that old man knock holes in the darkness." Because everywhere he went with that ladder and light it appeared to him that it was a hole knocked in the darkness. And there is this battle between darkness and light, always one trying to win over the other. And so, I suggest as humbly as I can, dear Lord, I suggest that with all that we are involved in, in all that we are doing, we ought to spend some time knocking holes in the darkness. Knock holes in the darkness of ignorance so that we know who we are and whose we are and where we are, and so we knock holes in the darkness of indifference so that we become caretakers of us all. All will agree, I would hope that all would agree, that you shouldn't light a light and hide it under a bushel, but put it on a candlestick so that all who walk in darkness can find their way. There is no value in placing it under a bushel. One thing to remember again, dear Lord, as we come to You, as long as one candle burns, the darkness cannot win. 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

Friday, May 13, 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 14** Murphy
Relating to the eligibility for unemployment benefits of a person receiving certain forms of remuneration.
- HB 36** Menendez
Relating to the punishment for and certain civil consequences of committing the offense of prostitution.
- HB 242** Craddick
Relating to the authority of certain retired peace officers to carry certain firearms.
- HB 335** Shelton
Relating to implementation and requirements of certain health care reform laws.
- HB 351** Veasey
Relating to the expunction of records and files relating to a person's arrest.
- HB 628** Callegari
Relating to contracts by governmental entities and related professional services and to public works performance and payment bonds.
- HB 738** Otto
Relating to the authority of the Teacher Retirement System of Texas to invest in hedge funds.
- HB 748** Menendez
Relating to a criminal defendant's incompetency to stand trial, to certain related time credits, and to the maximum period allowed for restoration of the defendant to competency.
- HB 1043** Christian
Relating to creating an offense for engaging in certain conduct relating to cockfighting.
- HB 1205** Turner
Relating to the procedures for reducing or terminating community supervision and the establishment of certain time credits through which a defendant's period of community supervision is reduced.

- HB 1528** Miller, Sid
Relating to consolidating precincts in a primary election.
- HB 1576** Garza
Relating to the monitoring of compliance with low-income and moderate-income housing ad valorem tax exemptions.
- HB 1580** Brown
Relating to the training and certification of state agency employees or contractors performing service work on pressure vessels.
- HB 1689** Brown
Relating to the monitoring and enhancement of health and human services information technology.
- HB 1728** Keffer
Relating to energy savings performance contracts and energy efficiency planning.
- HB 1776** Lozano
Relating to contracts between dentists and health maintenance organizations or insurers.
- HB 1871** Giddings
Relating to the amount and payment of attorney's fees in certain workers' compensation cases.
- HB 1872** Giddings
Relating to requirements regarding information to be provided to employees covered by workers' compensation health care networks.
- HB 1886** Morrison
Relating to unclaimed property.
- HB 1994** Weber
Relating to the creation of a first offender prostitution prevention program.
- HB 2006** Bonnen
Relating to the release of a photograph of a police officer and access to records maintained by internal investigative divisions in certain municipalities.
- HB 2233** Huberty
Relating to certain contracts entered into by school districts for another entity to provide food services at one or more district schools.
- HB 2382** Murphy
Relating to notice required upon nonrenewal of property and casualty insurance policies.
- HB 2460** Truitt
Relating to confidentiality of information held by a public retirement system.
- HB 2589** Pena
Relating to the distribution and delivery of voter registration applications by volunteer deputy registrars; providing criminal penalties.

HB 2592

Truitt

Relating to notice and disclosure requirements for certain credit services organizations regarding charges and consumer borrowing.

HB 2649

Allen

Relating to the award of diligent participation credit to defendants confined in a state jail felony facility.

HB 2728

Thompson

Relating to the operation and regulation of charitable bingo.

HB 2975

Hunter

Relating to continuing education for physicians and nurses regarding the treatment of tick-borne diseases.

HB 3326

Woolley

Relating to the classification of certain entities as primarily engaged in retail trade for purposes of the franchise tax.

HB 3328

Keffer

Relating to the disclosure of the composition of hydraulic fracturing fluids used in hydraulic fracturing treatments.

HB 3341

Anchia

Relating to the rebate, refund, or payment of tax proceeds to a qualified hotel project.

HCR 161

Taylor, Larry

Recalling H.B. No. 1951 from the senate to the house.

HJR 48

Anderson, Charles "Doc"

Proposing a constitutional amendment authorizing the legislature to exempt from ad valorem taxation the residence homestead of the surviving spouse of a 100 percent or totally disabled veteran in an amount equal to the amount of the residence homestead exemption to which the disabled veteran was entitled on the same property.

SB 316

Whitmire

Sponsor: Gallego

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

(Amended)

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

HOUSE CONCURRENT RESOLUTION 161

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

WHEREAS, House Bill No. 1951 has passed the Texas House of Representatives and is now in the Texas Senate; and

WHEREAS, The engrossed bill does not include the changes made by Floor Amendment No. 53 adopted on second reading by the Texas House of Representatives and erroneously includes the changes made by Floor Amendment No. 52, which was tabled on second reading by the house of representatives; now, therefore, be it

RESOLVED, by the Texas House of Representatives, the Texas Senate concurring, That the house of representatives hereby respectfully requests the senate to return House Bill No. 1951 to the chief clerk of the house of representatives; and, be it further

RESOLVED, That the chief clerk be instructed to correct the engrossed bill to reflect the bill text as passed by the house of representatives.

HEGAR

HCR 161 was read.

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

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

SENATE RESOLUTION 986

Senator Lucio offered the following resolution:

SR 986, Recognizing Amadeo Saenz, Jr., on his retirement from the Texas Department of Transportation.

The resolution 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 Lucio, the resolution was adopted without objection.

GUESTS PRESENTED

Senator Lucio was recognized and introduced to the Senate Amadeo Saenz, Jr., and Geri Saenz.

The Senate welcomed its guests.

PHYSICIAN OF THE DAY

Senator Hinojosa was recognized and presented Dr. Jean-Jacques Carr of Robstown as the Physician of the Day.

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

MESSAGES FROM THE GOVERNOR

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

May 12, 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 State Board of Public Accountancy for terms to expire January 31, 2017:

J. Coalter Baker

Austin, Texas

(replacing Gregory Bailes of Bee Cave whose term expired)

John R. Broaddus

El Paso, Texas

(replacing John Dunbar of El Paso whose term expired)

Jonathan B. Cluck

Fair Oaks Ranch, Texas

(replacing James Pollard of Canadian whose term expired)

Rocky L. Duckworth

Houston, Texas

(replacing Dorothy Fowler of Corpus Christi whose term expired)

Catherine Rodewald

Dallas, Texas

(Ms. Rodewald is being reappointed)

To be the District Attorney for the 109th Judicial District, Crane and Winkler Counties, for a term until the next General Election and until her successor shall be duly elected and qualified:

Dorothy Ann Holguin

Kermit, Texas

Ms. Holguin is replacing Mike Fostel who retired.

Respectfully submitted,

/s/Rick Perry

Governor

SENATE RESOLUTION 969

Senator Zaffirini offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to recognize Destiny Bailey, who has been selected as Laredo's 2011 Youth of the Year; and

WHEREAS, The Laredo Youth of the Year program is sponsored by the United States Border Patrol and Senator Judith Zaffirini to honor an outstanding student who excels academically and serves as a leader in the community; and

WHEREAS, A senior at John B. Alexander High School of the United Independent School District, Destiny has maintained a grade point average of 105.34, which ranks second out of a class of 563; she is one of the highest-achieving students in her calculus class and is a member of the National Honor Society; and

WHEREAS, Throughout her high school years, she has consistently excelled academically and has emerged as a leader among her classmates; she has served as president of her class for the last three years, is a member of the Superintendent Advisory Committee, and has served as a tutor and as a motivational speaker at elementary schools; and

WHEREAS, In addition to her exceptional performance in school, Destiny takes her role as Miss Laredo Teen USA 2010 seriously and structures her life accordingly, serving as an example to young people; she enjoys working with children and is active in her community; and

WHEREAS, Destiny plans to attend Johns Hopkins University in Baltimore and will major in neuroscience; her goal is to attend medical school and become a neurologist and research scientist; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 82nd Legislature, hereby commend Destiny Bailey on her outstanding accomplishments and extend to her congratulations on earning the title of Laredo's 2011 Youth of the Year; and, be it further

RESOLVED, That a copy of this Resolution be prepared for her as an expression of esteem from the Texas Senate.

SR 969 was again read.

The resolution was previously adopted on Wednesday, May 11, 2011.

GUESTS PRESENTED

Senator Zaffirini was recognized and introduced to the Senate Laredo's 2011 Youth of the Year, Destiny Dawn Bailey; accompanied by her father, Harlan E. Bailey; her mother, Laura Bailey; and U.S. Border Patrol Laredo Sector Chief, Robert L. Harris.

The Senate welcomed its guests.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Friday, May 13, 2011 - 2

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 TAKEN THE FOLLOWING OTHER ACTION:

HB 1951

Pursuant to the adoption of HCR 161, the House corrects and returns H.B. 1951 to the Senate for further consideration.

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

GUEST PRESENTED

Senator Davis was recognized and introduced to the Senate Honorary Senate Page Amanda Lovett.

The Senate welcomed its guest.

SENATE RESOLUTION 513

Senator Lucio offered the following resolution:

SR 513, In memory of Vivia Halbert.

The resolution was again read.

The resolution was previously adopted on Tuesday, March 15, 2011.

In honor of the memory of Vivia Halbert, the text of **SR 513** is printed at the end of today's *Senate Journal*.

GUESTS PRESENTED

Senator Lucio was recognized and introduced to the Senate Wayne Halbert, Deana Halbert Everett, and Stephen Halbert.

The Senate welcomed its guests and extended its sympathy.

HOUSE BILL ON FIRST READING

The following bill received from the House was read first time and referred to the committee indicated:

HB 1951 to Committee on Government Organization.

**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 11:11 a.m. announced the conclusion of morning call.

COMMITTEE SUBSTITUTE
SENATE BILL 1696 ON SECOND READING

On motion of Senator Williams and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1696** at this time on its second reading:

CSSB 1696, Relating to the creation of an automatic license plate reader pilot program.

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 1696 ON THIRD READING

Senator Williams moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1696** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

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

COMMITTEE SUBSTITUTE
SENATE BILL 1697 ON SECOND READING

On motion of Senator Williams and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1697** at this time on its second reading:

CSSB 1697, Relating to duties and restrictions regarding the special Texas Rangers.

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 1697 ON THIRD READING

Senator Williams moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1697** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

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

**COMMITTEE SUBSTITUTE
SENATE BILL 1695 ON SECOND READING**

On motion of Senator Williams and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1695** at this time on its second reading:

CSSB 1695, Relating to penalties for engaging in organized criminal activity.

The bill was read second time.

Senator Davis offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 1695** (senate committee report) in SECTION 6 of the bill by striking amended Section 71.023(a), Penal Code (page 2, line 64, through page 3, line 9), and substituting the following:

(a) A person commits an offense if the person, as part of the identifiable leadership of a criminal street gang, knowingly [~~initiates, organizes, plans,~~] finances, directs, [~~manages,~~] or supervises the commission of, or a conspiracy to commit, one or more of the following offenses by [~~a criminal street gang or~~] members of a criminal street gang:

(1) a felony that is listed in Section 3g(a)(1), Article 42.12, Code of Criminal Procedure;

(2) a felony for which it is shown that a deadly weapon, as defined by Section 1.07, was used or exhibited during the commission of the offense or during immediate flight from the commission of the offense; or

(3) an offense that is punishable as a felony of the first or second degree under Chapter 481, Health and Safety Code [~~with the intent to benefit, promote, or further the interests of the criminal street gang or to increase the person's standing, position, or status in the criminal street gang].~~

The amendment to **CSSB 1695** 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 Williams and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

CSSB 1695 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 1695 ON THIRD READING**

Senator Williams moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1695** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

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

**COMMITTEE SUBSTITUTE
SENATE BILL 1658 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 1658** at this time on its second reading:

CSSB 1658, Relating to the duties of and investigations conducted by the Texas Forensic Science Commission, the administrative attachment of the Texas Forensic Science Commission to Sam Houston State University, and the accreditation of criminal laboratories by the Department of Public Safety of the State of Texas.

The bill was read second time.

Senator Hinojosa offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 1658** (Senate Committee Printing) as follows:

(1) In the introductory language to SECTION 2 of the bill (page 1, line 37), strike "and (b-2)" and substitute "(b-2), (f), and (g)".

(2) In SECTION 2 of the bill, in proposed Subsection (a-1), Section 4, Article 38.01, Code of Criminal Procedure (page 1, line 52), between "initiate" and "an investigation", insert "for educational purposes".

(3) In SECTION 2 of the bill, in proposed Subsection (b-1), Section 4, Article 38.01, Code of Criminal Procedure (page 2, lines 31-55), strike all of the language and punctuation starting with the underlined colon at the end of line 31 and ending with the underlined period at the end of line 55 and substitute the following:
may include the preparation of a written report that contains:

(1) observations of the commission regarding the integrity and reliability of the forensic analysis conducted;

(2) best practices identified by the commission during the course of the investigation; and

(3) other recommendations that are relevant, as determined by the commission.

(4) In SECTION 2 of the bill, following amended Subsection (e), Section 4, Article 38.01, Code of Criminal Procedure (page 3, between lines 5 and 6), insert:

(f) The commission may not make a determination of whether professional negligence or professional misconduct occurred or issue a finding on that question in an investigation initiated under Subsection (a-1) or for which an investigation report may be prepared under Subsection (b-1).

(g) The commission may not issue a finding related to the guilt or innocence of a party in an underlying civil or criminal trial involving conduct investigated by the commission under this article.

(5) In the introductory language to SECTION 3 of the bill (page 3, line 7), strike "and 10" and substitute "10, and 11".

(6) In SECTION 3 of the bill, following proposed Section 10, Article 38.01, Code of Criminal Procedure (page 3, between lines 48 and 49), insert:

Sec. 11. REPORT INADMISSIBLE AS EVIDENCE. A written report prepared by the commission under this article is not admissible in a civil or criminal action.

(7) Add the following appropriately numbered SECTIONS to the bill and renumber subsequent SECTIONS of the bill accordingly:

SECTION _____. Subsections (a) and (b), Section 3, Article 38.01, Code of Criminal Procedure, are amended to read as follows:

(a) The commission is composed of the following seven ~~[nine]~~ members[;:

~~[(1) four members]~~ appointed by the governor:

(1) five who ~~[(A) two of whom]~~ must have expertise in the field of forensic science;

(2) [B)] one who ~~[of whom]~~ must be a prosecuting attorney that the governor selects from a list of 10 names submitted by the Texas District and County Attorneys Association; and

(3) [C)] one who ~~[of whom]~~ must be a defense attorney that the governor selects from a list of 10 names submitted by the Texas Criminal Defense Lawyers Association[;:

~~[(2) three members appointed by the lieutenant governor:~~

~~[(A) one of whom must be a faculty member or staff member of The University of Texas who specializes in clinical laboratory medicine selected from a list of 10 names submitted to the lieutenant governor by the chancellor of The University of Texas System;~~

~~[(B) one of whom must be a faculty member or staff member of Texas A&M University who specializes in clinical laboratory medicine selected from a list of 10 names submitted to the lieutenant governor by the chancellor of The Texas A&M University System;~~

~~[(C) one of whom must be a faculty member or staff member of Texas Southern University who has expertise in pharmaceutical laboratory research selected from a list of 10 names submitted to the lieutenant governor by the chancellor of Texas Southern University; and~~

~~[(3) two members appointed by the attorney general:~~

~~[(A) one of whom must be a director or division head of the University of North Texas Health Science Center at Fort Worth Missing Persons DNA Database; and~~

~~[(B) one of whom must be a faculty or staff member of the Sam Houston State University College of Criminal Justice and have expertise in the field of forensic science or statistical analyses selected from a list of 10 names submitted to the lieutenant governor by the chancellor of Texas State University System].~~

(b) Each member of the commission serves a two-year term. The terms ~~[term]~~ of the members appointed under Subsection ~~[Subsections]~~ (a)(1) expire ~~[and (2) expires]~~ on September 1 of each even-numbered ~~[odd-numbered]~~ year. The terms ~~[term]~~ of the members appointed under Subsections (a)(2) and ~~[Subsection]~~ (a)(3) expire ~~[expires]~~ on September 1 of each odd-numbered ~~[even-numbered]~~ year.

SECTION _____. (a) Notwithstanding any other law, the terms of the members of the Texas Forensic Science Commission appointed under Subsections (a)(1)(A), (a)(2), and (a)(3), Section 3, Article 38.01, Code of Criminal Procedure, and serving on the effective date of this Act expire on the date the last appointment to the commission is made under Subsection (b) of this section.

(b) Not later than January 1, 2012, the governor shall appoint five members of the Texas Forensic Science Commission, as required by Subsection (a)(1), Section 3, Article 38.01, Code of Criminal Procedure, as amended by this Act.

(Senator Eltife in Chair)

The amendment to **CSSB 1658** 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.

Senator Hinojosa offered the following amendment to the bill:

Floor Amendment No. 2

Amend **CSSB 1658** (Senate Committee Printing) as follows:

In SECTION 2 of the bill, in proposed Subsection (a-1), Section 4, Article 38.01, Code of Criminal Procedure (page 1, line 56), strike "of a quorum".

The amendment to **CSSB 1658** 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. 2.

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

CSSB 1658 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 1658 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 1658** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

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

**COMMITTEE SUBSTITUTE
SENATE BILL 1652 ON SECOND READING**

On motion of Senator Watson and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1652** at this time on its second reading:

CSSB 1652, Relating to the implementation of new processes for the purposes of budget transparency, fiscal responsibility, and open government.

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 1652 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 1652** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

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

SENATE BILL 1424 ON SECOND READING

Senator Wentworth moved to suspend the regular order of business to take up for consideration **SB 1424** at this time on its second reading:

SB 1424, Relating to the issuance of cease and desist orders by the Texas Medical Board.

The motion prevailed.

Senator Ogden 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: Ogden.

SENATE BILL 1424 ON THIRD READING

Senator Wentworth moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 1424** be placed on its third reading and final passage.

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

Nays: Ogden.

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

SENATE BILL 1520 ON SECOND READING

On motion of Senator Uresti and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 1520** at this time on its second reading:

SB 1520, Relating to the consideration of applications for permits for certain commercial solid waste processing or treatment facilities.

The bill was read second time.

Senator Uresti offered the following amendment to the bill:

Floor Amendment No. 1

Amend **SB 1520** (senate committee printing) as follows:

(1) In SECTION 1 of the bill, in added Section 361.0865(a)(1), Health and Safety Code (page 1, line 20), between "government" and the underlined semicolon, insert ", including a facility leased to or from a local government".

(2) In SECTION 1 of the bill, in added Section 361.0865(b)(4), Health and Safety Code (page 1, line 36), strike "or average".

(3) In SECTION 1 of the bill, in added Section 361.0865(b)(5)(A), Health and Safety Code (page 1, line 43), between "of" and "waste", insert "municipal solid".

(4) In SECTION 1 of the bill, in added Section 361.0865(b)(5)(A), Health and Safety Code (page 1, lines 44-50), strike Subparagraphs (i)-(iii) and substitute the following:

(i) two or more administrative orders that assess penalties against the applicant or order the applicant to take corrective measures have been issued by the commission; or

(ii) four or more notices of violation have been issued by the commission to the applicant; and

(5) In SECTION 1 of the bill, in added Section 361.0865(b)(6), Health and Safety Code (page 1, line 57), strike "intent" and substitute "ability".

The amendment to **SB 1520** 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 Uresti and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

SB 1520 as amended was passed to engrossment by a viva voce vote.

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

SENATE BILL 1520 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 1520** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

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

HOUSE BILL 1936 ON SECOND READING

Senator Lucio moved to suspend the regular order of business to take up for consideration **HB 1936** at this time on its second reading:

HB 1936, Relating to importation and shipment of alcoholic beverages for personal consumption.

The motion prevailed.

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

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

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

Nays: Birdwell, Fraser, Harris, Jackson, Shapiro.

HOUSE BILL 1936 ON THIRD READING

Senator Lucio moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 1936** be placed on its third reading and final passage.

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

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

Nays: Birdwell, Fraser, Harris, Jackson, Shapiro.

The bill was read third time and was passed by the following vote: Yeas 26, Nays 5. (Same as previous roll call)

HOUSE BILL 2067 ON SECOND READING

On motion of Senator Seliger and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 2067** at this time on its second reading:

HB 2067, Relating to the regulation of the practice of engineering by individuals engaged in the evaluation of oil and gas resources.

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

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

HOUSE BILL 2067 ON THIRD READING

Senator Seliger moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 2067** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

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

HOUSE BILL 2468 ON SECOND READING

On motion of Senator Seliger and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 2468** at this time on its second reading:

HB 2468, Relating to providing a patron of a pay-to-park or valet parking service with certain information; providing a civil penalty.

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

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

HOUSE BILL 2468 ON THIRD READING

Senator Seliger moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 2468** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

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

**COMMITTEE SUBSTITUTE
SENATE BILL 1698 ON SECOND READING**

On motion of Senator Watson, on behalf of Senator Williams, and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1698** at this time on its second reading:

CSSB 1698, Relating to reporting concerning inmates who are confined in county jails and subject to federal immigration detainees.

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 1698 ON THIRD READING**

Senator Watson, on behalf of Senator Williams, moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1698** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

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

**COMMITTEE SUBSTITUTE
SENATE BILL 1699 ON SECOND READING**

Senator Watson, on behalf of Senator Williams, moved to suspend the regular order of business to take up for consideration **CSSB 1699** at this time on its second reading:

CSSB 1699, Relating to authorizing the use of an image verification system to determine whether an applicant for a driver's license or personal identification certificate is a fugitive from justice.

The motion prevailed.

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

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

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

Nays: Fraser, Patrick.

**COMMITTEE SUBSTITUTE
SENATE BILL 1699 ON THIRD READING**

Senator Watson, on behalf of Senator Williams, moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1699** be placed on its third reading and final passage.

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

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

Nays: Fraser, Patrick.

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

**COMMITTEE SUBSTITUTE
HOUSE BILL 92 ON SECOND READING**

On motion of Senator Estes and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 92** at this time on its second reading:

CSHB 92, Relating to the regulation of slaughterers by certain counties.

The bill was read second time.

Senator Estes offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSHB 92** (senate committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION ____ . Section 142.001(1), Agriculture Code, is amended to read as follows:

(1) "Estray" means stray livestock, stray exotic livestock, stray bison, or stray exotic fowl.

The amendment to **CSHB 92** 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 Estes and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

CSHB 92 as amended was passed to third reading by a viva voce vote.

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

**COMMITTEE SUBSTITUTE
HOUSE BILL 92 ON THIRD READING**

Senator Estes moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 92** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

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

HOUSE BILL 1840 ON SECOND READING

On motion of Senator Estes and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 1840** at this time on its second reading:

HB 1840, Relating to the creation and functions of the Texas Grain Producer Indemnity Board.

The bill was read second time.

Senator Hegar offered the following amendment to the bill:

Floor Amendment No. 1

Amend **HB 1840** (senate committee printing) in SECTION 3 of the bill as follows:

(1) Strike added Sections 41.204(a)(2)(A) through (D), Agriculture Code (page 2, lines 24-32), and substitute the following:

(A) one representative of the Texas Agricultural Cooperative Council or its successor organization;

(B) one representative of the Texas Grain & Feed Association or its successor organization;

(C) one representative of the non-warehouse grain-buying industry; and

(D) one member with expertise in production agriculture financing.

(2) In added Section 41.205, Agriculture Code (page 2, line 45), between "BOARD." and "The board", insert "(a)".

(3) In added Section 41.205, Agriculture Code (page 2, line 46), strike "once each year" and substitute "quarterly".

(4) After added Section 41.205, Agriculture Code (page 2, between lines 55 and 56), insert the following:

(b) Notwithstanding Chapter 551, Government Code, the board may hold an open or closed meeting by telephone conference call or video conference if:

(1) immediate action or a quarterly meeting is required; and

(2) the location at which a quorum of the board convenes is inconvenient for any member of the board.

(c) A meeting under Subsection (b) is subject to the notice requirements of Chapter 551, Government Code.

(d) Notice of a meeting under Subsection (b) must specify that the location at which meetings of the board are usually held is the location of the meeting.

(e) Each part of an open meeting under Subsection (b) shall be conducted in a manner that is audible to the public at the location specified in the notice of the meeting. The board shall ensure that each open meeting is tape recorded and that the tape recording is made available to the public after the meeting.

(5) After added Section 41.206(c), Agriculture Code (page 2, between lines 68 and 69), insert the following:

(d) The board shall notify the grain producer of the manner by which the grain producer may initiate a claim under Section 41.208. The notice may be provided in a manner determined by the board.

(6) Strike added Section 41.208(b)(1), Agriculture Code (page 3, lines 30-31), and substitute the following:

(1) be initiated:

(A) not more than 60 days after the applicable claim initiation date; or

(B) before a date determined by the board to be reasonable, if the board determines such a date; and

(7) After added Section 41.209(b), Agriculture Code (page 3, between lines 48 and 49), insert the following:

(c) The board shall make a determination under Subsection (a) within a reasonable period of time as established by the board.

(8) Strike added Section 41.209(e)(1), Agriculture Code (page 3, lines 65-66), and substitute the following:

(1) if the grain producer has failed to pay assessments for the current growing season under Section 41.206;

(9) After added Section 41.209(e), Agriculture Code (page 4, between lines 17 and 18), insert the following new subsection, appropriately lettered:

() Notwithstanding Subsection (f)(3), if the board determines that the documentation submitted in support of a grain producer's claim is incomplete, the board shall give the grain producer an opportunity to provide complete documentation.

(10) Reletter the subsections of added Section 41.209, Agriculture Code, and correct cross-references appropriately.

(11) In added Section 41.212(e), Agriculture Code (page 4, lines 56-57), strike "a simple majority of votes are cast in favor of the referendum", and substitute "the referendum meets the requirements of Section 41.031".

(12) In added Section 41.213(b), Agriculture Code (page 5, lines 10 and 11), strike "60" both places it appears and substitute "90".

The amendment to **HB 1840** 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 Estes and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

HB 1840 as amended was passed to third reading by a viva voce vote.

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

HOUSE BILL 1840 ON THIRD READING

Senator Estes moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 1840** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

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

**COMMITTEE SUBSTITUTE
SENATE BILL 1826 ON SECOND READING**

Senator Gallegos moved to suspend the regular order of business to take up for consideration **CSSB 1826** at this time on its second reading:

CSSB 1826, Relating to the definition in the open meetings law of the term "deliberation."

The motion prevailed.

Senators Patrick and Williams 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, Williams.

**COMMITTEE SUBSTITUTE
SENATE BILL 1826 ON THIRD READING**

Senator Gallegos moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1826** 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, Wentworth, West, Whitmire, Zaffirini.

Nays: Patrick, Williams.

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

**COMMITTEE SUBSTITUTE
HOUSE BILL 2014 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 **CSHB 2014** at this time on its second reading:

CSHB 2014, Relating to certain criminal and civil consequences of trafficking of persons, compelling prostitution, and certain other related criminal offenses and to the prevention, prosecution, and punishment of those offenses.

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

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

COMMITTEE SUBSTITUTE HOUSE BILL 2014 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 **CSHB 2014** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

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

HOUSE BILL 3000 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 **HB 3000** at this time on its second reading:

HB 3000, Relating to creating the offense of continuous trafficking of persons; providing a penalty and other civil consequences.

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

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

HOUSE BILL 3000 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 **HB 3000** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

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

HOUSE BILL 205 ON SECOND READING

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

HB 205, Relating to the imposition by certain municipalities and municipal transit departments of the local sales and use tax in certain federal military installations.

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 third reading by a viva voce vote.

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

Nays: Patrick.

HOUSE BILL 205 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 **HB 205** be placed on its third reading and final passage.

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

Nays: Patrick.

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

COMMITTEE SUBSTITUTE SENATE BILL 1485 ON SECOND READING

Senator West moved to suspend the regular order of business to take up for consideration **CSSB 1485** at this time on its second reading:

CSSB 1485, Relating to the authority of a school district to implement a school bus monitoring system that records images, including images of vehicles that pass a stopped school bus; providing for the imposition of penalties.

The motion prevailed.

Senators Birdwell, Carona, Deuell, Duncan, Estes, Fraser, Harris, Huffman, Jackson, Nelson, Nichols, Ogden, Patrick, and Shapiro asked to be recorded as voting "Nay" on suspension of the regular order of business.

The bill was read second time and was passed to engrossment by the following vote: Yeas 17, Nays 14.

Yeas: Davis, Ellis, Eltife, Gallegos, Hegar, Hinojosa, Lucio, Rodriguez, Seliger, Uresti, Van de Putte, Watson, Wentworth, West, Whitmire, Williams, Zaffirini.

Nays: Birdwell, Carona, Deuell, Duncan, Estes, Fraser, Harris, Huffman, Jackson, Nelson, Nichols, Ogden, Patrick, Shapiro.

HOUSE BILL 1401 ON SECOND READING

On motion of Senator Estes and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 1401** at this time on its second reading:

HB 1401, Relating to who may participate in certain local option elections to prohibit or authorize the sale of alcoholic beverages.

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

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

HOUSE BILL 1401 ON THIRD READING

Senator Estes moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 1401** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

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

HOUSE BILL 1789 ON SECOND READING

Senator Van de Putte moved to suspend the regular order of business to take up for consideration **HB 1789** at this time on its second reading:

HB 1789, Relating to the payment of state funds directly to an entity that conducts a primary election under contract in certain counties.

The motion prevailed.

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

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

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

Nays: Birdwell, Estes, Fraser, Nelson, Nichols, Patrick.

HOUSE BILL 1789 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 **HB 1789** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 25, Nays 6.

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

Nays: Birdwell, Estes, Fraser, Nelson, Nichols, Patrick.

The bill was read third time and was passed by the following vote: Yeas 25, Nays 6. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
HOUSE BILL 848 ON SECOND READING**

On motion of Senator Zaffirini and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 848** at this time on its second reading:

CSHB 848, Relating to an agreement authorizing certain persons to make decisions regarding a child during an investigation of child abuse or neglect.

The bill was read second time.

Senator Birdwell, on behalf of Senator Ogden, offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSHB 848** (senate committee printing) by adding new SECTION 2 (page one, between lines 24 and 25) to read as follows and renumbering subsequent SECTIONS appropriately:

SECTION 2. Subsection (c), Section 34.002, Family Code, is amended to read as follows:

(c) An authorization agreement under this chapter does not confer on a relative of the child listed in Section 34.001 or a relative or other person with whom the child is placed under a child safety placement agreement the right to authorize the performance of an abortion on the child or the administration of emergency contraception to the child.

The amendment to **CSHB 848** 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 Zaffirini and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

CSHB 848 as amended was passed to third reading by a viva voce vote.

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

**COMMITTEE SUBSTITUTE
HOUSE BILL 848 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 **CSHB 848** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

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

**(President Pro Tempore Ogden in Chair)
HOUSE BILL 1254 ON SECOND READING**

On motion of Senator Rodriguez and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 1254** at this time on its second reading:

HB 1254, Relating to consideration of the consolidation of school district employment of peace officers and security personnel in certain counties.

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

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

HOUSE BILL 1254 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 **HB 1254** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

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

HOUSE BILL 3487 ON SECOND READING

On motion of Senator Carona and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 3487** at this time on its second reading:

HB 3487, Relating to regulations concerning certain service animals; providing a criminal penalty.

The bill was read second time.

Senator Carona offered the following amendment to the bill:

Floor Amendment No. 1

Amend **HB 3487** (senate committee printing) in SECTION 1 of the bill by striking added Section 106.004, Business & Commerce Code (page 2, lines 3-7), and substituting the following:

Sec. 106.004. CIVIL PENALTY. The owner or operator of a commercial lodging establishment or restaurant that violates Section 106.002 is liable for a civil penalty in an amount not to exceed \$200 for each violation.

The amendment to **HB 3487** 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.

HB 3487 as amended was passed to third reading by a viva voce vote.

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

HOUSE BILL 3487 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 **HB 3487** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

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

HOUSE BILL 2403 ON SECOND READING

Senator West moved to suspend the regular order of business to take up for consideration **HB 2403** at this time on its second reading:

HB 2403, Relating to retailers engaged in business in this state for purposes of sales and use taxes.

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 and was passed to third reading by a viva voce vote.

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

Nays: Birdwell.

HOUSE BILL 2403 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 **HB 2403** be placed on its third reading and final passage.

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

Nays: Birdwell.

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

HOUSE BILL 328 ON SECOND READING

On motion of Senator Zaffirini and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 328** at this time on its second reading:

HB 328, Relating to information provided to a person applying for a state tax permit or license.

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

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

HOUSE BILL 328 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 **HB 328** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

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

HOUSE BILL 1450 ON SECOND READING

On motion of Senator Zaffirini and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 1450** at this time on its second reading:

HB 1450, Relating to a study regarding tort liability arising from a volunteer's operation of a Parks and Wildlife Department vehicle.

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

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

HOUSE BILL 1450 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 **HB 1450** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

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

HOUSE BILL 2936 ON SECOND READING

On motion of Senator Zaffirini and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 2936** at this time on its second reading:

HB 2936, Relating to the administration of district courts in Bexar County.

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

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

HOUSE BILL 2936 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 **HB 2936** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

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

HOUSE BILL 1286 ON SECOND READING

On motion of Senator Davis and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 1286** at this time on its second reading:

HB 1286, Relating to adoption of rules by the University Interscholastic League.

The bill was read second time.

Senator Davis offered the following amendment to the bill:

Floor Amendment No. 1

Amend **HB 1286** (senate committee report) as follows:

Amend Sec. 33.0831 of the Texas Education Code by adding new subsections (e) and (f) to read as follows:

(e) The University Interscholastic League may not impose a fee or charge to any person, organization, or school district for services being provided by a statewide association.

(f) Notwithstanding any other law, a school district shall not be subject to any rule or decision by an interscholastic league regarding the hiring or employment of a person, other than coaches or assistant coaches, by the school district.

The amendment to **HB 1286** 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.

Senator Deuell offered the following amendment to the bill:

Floor Amendment No. 2

Amend **HB 1286** by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 33.091(d), Education Code, is amended to read as follows:

(d) The league shall adopt rules for the annual administration of a steroid testing program under which high school students participating in an athletic competition sponsored or sanctioned by the league are tested at multiple times throughout the year for the presence of steroids in the students' bodies. The testing program may be administered only if funds are available as provided by Subsection (f) and must:

(1) require the random testing of ~~[a statistically significant number of]~~ high school students in this state who participate in athletic competitions sponsored or sanctioned by the league;

(2) provide for the selection of specific students described by Subdivision (1) for testing through a process that randomly selects students ~~[from a single pool consisting of all students]~~ who participate in any activity for which the league sponsors or sanctions athletic competitions;

(3) be administered at a statistically significant number ~~[approximately 30 percent]~~ of the high schools in this state that participate in athletic competitions sponsored or sanctioned by the league;

(4) provide for a process for confirming any initial positive test result through a subsequent test conducted as soon as practicable after the initial test, using a sample that was obtained at the same time as the sample used for the initial test;

(5) require the testing to be performed only by an anabolic steroid testing laboratory with a current certification from the Substance Abuse and Mental Health Services Administration of the United States Department of Health and Human Services, the World Anti-Doping Agency, or another appropriate national or international certifying organization; and

(6) provide for a period of ineligibility from participation in an athletic competition sponsored or sanctioned by the league for any student with a confirmed positive test result or any student who refuses to submit to random testing.

The amendment to **HB 1286** 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. 2.

Senator Patrick offered the following amendment to the bill:

Floor Amendment No. 3

Amend **HB 1286** (senate committee report) by inserting into the bill the following appropriately numbered new SECTION and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter D, Chapter 33, Education Code, is amended by adding Section 33.0832 to read as follows:

Sec. 33.0832. EQUAL OPPORTUNITY FOR ACCESS TO UNIVERSITY INTERSCHOLASTIC LEAGUE ACTIVITIES OTHER THAN FOOTBALL OR BASKETBALL. (a) In this section, "private school" has the meaning assigned by Section 39.033(d).

(b) The University Interscholastic League shall provide private and parochial schools with equal opportunity to become members of the league for the purpose of providing their students with access to league activities other than football or basketball.

(c) This section does not exempt a private or parochial school or its students from satisfying each rule or eligibility requirement imposed by this subchapter or the league for participating in an activity or league district sponsored by the league.

(d) A private or parochial school seeking to participate in a league activity or to become a member of a league district shall apply to the league on a signed form prescribed by the league. The school must certify its eligibility under this subchapter and league rules in the application and must attach proof of accreditation. The league may not impose eligibility requirements for private or parochial schools that exceed the requirements of this subchapter or league rules for public schools or require proof of eligibility that exceeds the proof required of public schools. On approval of an application, the league shall issue a certificate of approval to the applicant school. The application and certificate of approval are governmental records for purposes of Section 37.10, Penal Code.

(e) The league shall determine the appropriate league district in which an eligible private or parochial school will participate using the same standard the league applies to public schools, provided that the private or parochial school may not be placed in a league district lower than the 1A level.

(f) The league shall adopt rules that prohibit an eligible private or parochial school from recruiting any student to attend the school for the purpose of participating in a league activity. A rule adopted under this subsection may not discriminate against an eligible private or parochial school.

(g) To be eligible under this section, a private or parochial school must:

(1) be accredited by an accrediting organization recognized by the agency;
(2) not have had its ability or eligibility to participate in an association similar to the league compromised, revoked, or suspended for violating the rules or codes of that association within the five-year period preceding the date of application to participate in the league;

(3) offer a four-year high school curriculum;

(4) offer interscholastic competition; and

(5) require daily student attendance at a specific location.

(h) Nothing in this section affects the right of a private school participating in league activities during the 2010-2011 school year to continue participating in league activities in subsequent school years in a manner comparable to the school's participation during the 2010-2011 school year.

(i) Notwithstanding any other provision of this section, but subject to Subsection (h), the league shall implement this section by providing private and parochial schools with equal opportunity to participate in:

(1) league academic activities beginning with the 2011-2012 school year;

(2) league athletic activities, other than football or basketball, at the 1A and 2A league district levels beginning with the spring semester of the 2011-2012 school year;

(3) league athletic activities, other than football or basketball, at the 3A league district level beginning with the 2012-2013 school year;

(4) league athletic activities, other than football or basketball, at the 4A league district level beginning with the 2013-2014 school year; and

(5) league athletic activities, other than football or basketball, at the 5A league district level beginning with the 2014-2015 school year.

(j) Subsection (i) and this subsection expire September 1, 2015.

The amendment to **HB 1286** was read and was adopted by the following vote: Yeas 28, Nays 2, Present-not voting 1.

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

Nays: Nichols, Uresti.

Present-not voting: Van de Putte.

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

HB 1286 as amended was passed to third reading by the following vote: Yeas 31, Nays 0.

HOUSE BILL 1286 ON THIRD READING

Senator Davis moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 1286** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

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

HOUSE BILL 2002 ON SECOND READING

On motion of Senator Rodriguez and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 2002** at this time on its second reading:

HB 2002, Relating to the county ethics commission for certain counties.

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

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

HOUSE BILL 2002 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 **HB 2002** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

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

MOTION IN WRITING

Senator Seliger offered the following Motion In Writing:

Mr. President:

I move the adoption of the following procedures to govern consideration of C.S.S.B. 31, the Senate redistricting bill:

(a) No original amendment is eligible for consideration unless 35 copies of an amendment packet prepared by the Texas Legislative Council (TLC) has been filed with the calendar clerk. The amendment packet is not required to contain a textual description of the amendment but must include:

(1) maps as prepared by TLC indicating the changes made by the amendment; and

(2) standard reports for the amendment prepared by TLC that indicate population, voter data, and incumbent locations for the districts affected by the amendment.

(b) An amendment packet for each amendment that will be offered during second reading consideration of the bill must be filed with the calendar clerk by 7 p.m. on Monday, May 16.

SELIGER

The Motion In Writing was read and was adopted without objection.

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

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

SENATE RULES SUSPENDED (Posting Rules)

On motion of Senator Hegar and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Government Organization might meet and consider **HB 1951** today.

SENATE RULES SUSPENDED
(Posting Rules)

On motion of Senator Lucio and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on International Relations and Trade might meet and consider **HB 397** today.

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

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

SENATE RULE 11.13 SUSPENDED
(Consideration of Bills in Committees)
(Motion In Writing)

On motion of Senator Eltife and by unanimous consent, Senate Rule 11.13 was suspended to grant all committees permission to meet while the Senate was meeting today.

MOTION TO ADJOURN

On motion of Senator Whitmire and by unanimous consent, the Senate at 1:37 p.m. agreed to adjourn, in memory of Vivia Halbert, upon completion of the introduction of bills and resolutions on first reading, the receipt of Messages from the House, and committee reports, until 11:00 a.m. Monday, May 16, 2011.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER
Austin, Texas
Friday, May 13, 2011 - 3

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 9 Branch

Relating to student success-based funding for and reporting regarding public institutions of higher education.

HB 142 Laubenberg

Relating to the practice of psychological associates.

HB 1119 Weber

Relating to the maintenance tax rate of the Brazoria County Conservation and Reclamation District Number Three.

- HB 1241** Zedler
Relating to surety bond requirements for reserve deputy constables.
- HB 1745** Coleman
Relating to the authority of certain municipalities to impose term limits on the members of their governing bodies.
- HB 1897** Flynn
Relating to the jurisdiction of, number of jurors in, and the clerk serving the County Court at Law of Van Zandt County.
- HB 2104** Jackson, Jim
Relating to the amount of the bond for county taxes required to be given by the county assessor-collector for certain counties.
- HB 2169** Aycock
Relating to the authority of the governing body of a taxing unit to rescind a discount for early payment of ad valorem taxes.
- HB 3199** Cain
Relating to the repeal of requirements and penalties related to the grading of roses.
- HB 3352** Smith, Wayne
Relating to the sale of park land owned by certain municipalities.
- HB 3371** King, Susan
Relating to the exemption of registered dental laboratories from certain distributing and manufacturing licensing requirements.
- HB 3423** Lozano
Relating to certain criminal offenses committed in relation to a federal special investigator; providing criminal penalties.
- HB 3486** Taylor, Van
Relating to municipal regulation of dogs used for search and rescue or law enforcement purposes.
- HB 3488** Menendez
Relating to the requirements for demonstrating eligibility for an ad valorem tax exemption for the residence homestead of an elderly or disabled person.
- HB 3578** Gonzales, Larry
Relating to clarification of the authorized uses for loans under public institution of higher education emergency loan programs.
- HB 3579** Gonzales, Larry
Relating to repayment assistance for certain physician education loans.
- HB 3580** Frullo
Relating to the issuance of specialty license plates for surviving spouses of disabled veterans of the United States armed forces.
- HB 3813** Isaac
Relating to the Hudson Ranch Fresh Water Supply District No. 1.
- HB 3829** Anderson, Charles "Doc"
Relating to gifts and donations to the McLennan County Juvenile Board.

- HB 3837** Isaac
Relating to the designation of a portion of U.S. Highway 183 as the Cpl. Jason K. LaFleur Memorial Highway.
- HB 3840** Parker
Relating to the extension of the deadline for holding the confirmation and initial directors' election of the Tradition Municipal Utility District No. 2 of Denton County.
- HB 3843** Thompson
Relating to excluding certain territory from the Harris County Road Improvement District No. 2.
- HB 3844** Aycock
Relating to the creation of criminal law magistrates for Burnet County.
- HB 3849** Taylor, Larry
Relating to the powers and duties of the Galveston County Municipal Utility District No. 6.
- HB 3852** Pitts
Relating to the creation of the Midlothian Municipal Management District No. 2; providing authority to impose a tax, levy an assessment, and issue bonds.
- HB 3856** Naishtat
Relating to the proceedings that may be referred to and the powers of a criminal law magistrate in Travis County.
- HB 3858** Thompson
Relating to the jurisdiction of a county criminal court at law in Harris County.
- HB 3859** Laubenberg
Relating to the creation of the Club Municipal Management District No. 1; providing authority to levy an assessment and issue bonds.
- HB 3862** Smith, Wayne
Relating to temporary directors and the continuation in existence of the Harris County Municipal Utility District No. 510.
- HCR 55** Flynn
Designating Canton as the official Home of the World Famous First Monday Trade Days.
- HCR 83** Pitts
Redesignating the Lake Whitney area as the Getaway Capital of Texas.
- HCR 117** Parker
Designating Roanoke as the Unique Dining Capital of Texas.
- HCR 130** Button
Designating the city of Richardson as the official International Business Capital of North Texas.

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

HOUSE BILLS AND RESOLUTIONS ON FIRST READING

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

- HB 9** to Committee on Higher Education.
- HB 13** to Committee on Health and Human Services.
- HB 14** to Committee on Economic Development.
- HB 36** to Committee on Criminal Justice.
- HB 142** to Committee on Health and Human Services.
- HB 242** to Committee on Criminal Justice.
- HB 351** to Committee on Criminal Justice.
- HB 738** to Committee on State Affairs.
- HB 748** to Committee on Criminal Justice.
- HB 1043** to Committee on Criminal Justice.
- HB 1119** to Committee on Natural Resources.
- HB 1205** to Committee on Criminal Justice.
- HB 1241** to Committee on Criminal Justice.
- HB 1528** to Committee on State Affairs.
- HB 1576** to Committee on Finance.
- HB 1580** to Committee on Business and Commerce.
- HB 1689** to Committee on Health and Human Services.
- HB 1728** to Committee on Government Organization.
- HB 1745** to Committee on Intergovernmental Relations.
- HB 1776** to Committee on State Affairs.
- HB 1784** to Committee on Veteran Affairs and Military Installations.
- HB 1799** to Committee on Business and Commerce.
- HB 1871** to Committee on State Affairs.
- HB 1872** to Committee on State Affairs.
- HB 1886** to Committee on Finance.
- HB 1897** to Committee on Jurisprudence.
- HB 1960** to Committee on Transportation and Homeland Security.
- HB 1994** to Committee on Criminal Justice.
- HB 2006** to Committee on Criminal Justice.
- HB 2104** to Committee on Intergovernmental Relations.
- HB 2136** to Committee on Health and Human Services.
- HB 2169** to Committee on Finance.
- HB 2194** to Committee on State Affairs.
- HB 2233** to Committee on Education.
- HB 2382** to Committee on Business and Commerce.
- HB 2460** to Committee on Open Government.
- HB 2470** to Committee on Transportation and Homeland Security.
- HB 2589** to Committee on State Affairs.
- HB 2592** to Committee on Business and Commerce.
- HB 2649** to Committee on Criminal Justice.
- HB 2728** to Committee on State Affairs.
- HB 2975** to Committee on Health and Human Services.

HB 2982 to Committee on Business and Commerce.
HB 3199 to Committee on Agriculture and Rural Affairs.
HB 3326 to Committee on Finance.
HB 3328 to Committee on Natural Resources.
HB 3341 to Committee on Economic Development.
HB 3352 to Committee on Intergovernmental Relations.
HB 3371 to Committee on Health and Human Services.
HB 3423 to Committee on Transportation and Homeland Security.
HB 3486 to Committee on Criminal Justice.
HB 3488 to Committee on Finance.
HB 3578 to Committee on Higher Education.
HB 3579 to Committee on Higher Education.
HB 3580 to Committee on Veteran Affairs and Military Installations.
HB 3813 to Committee on Intergovernmental Relations.
HB 3829 to Committee on Criminal Justice.
HB 3837 to Committee on Transportation and Homeland Security.
HB 3840 to Committee on Intergovernmental Relations.
HB 3843 to Committee on Transportation and Homeland Security.
HB 3844 to Committee on Jurisprudence.
HB 3849 to Committee on Intergovernmental Relations.
HB 3852 to Committee on Intergovernmental Relations.
HB 3856 to Committee on Jurisprudence.
HB 3858 to Committee on Jurisprudence.
HB 3859 to Committee on Intergovernmental Relations.
HB 3862 to Committee on Intergovernmental Relations.
HCR 55 to Committee on Administration.
HCR 83 to Committee on Administration.
HCR 117 to Committee on Administration.
HCR 130 to Committee on Administration.
HJR 48 to Committee on Finance.

CO-AUTHOR OF SENATE BILL 1871

On motion of Senator Davis, Senator West will be shown as Co-author of **SB 1871**.

CO-SPONSOR OF HOUSE BILL 1615

On motion of Senator Ogden, Senator Nelson will be shown as Co-sponsor of **HB 1615**.

CO-SPONSOR OF HOUSE BILL 2170

On motion of Senator Davis, Senator Uresti will be shown as Co-sponsor of **HB 2170**.

CO-SPONSOR OF HOUSE BILL 2403

On motion of Senator West, Senator Davis will be shown as Co-sponsor of **HB 2403**.

CO-SPONSORS OF HOUSE CONCURRENT RESOLUTION 18

On motion of Senator Shapiro, Senators Carona, Eltife, Estes, Harris, Hegar, Nichols, Patrick, Wentworth, and Williams will be shown as Co-sponsors of **HCR 18**.

RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

Memorial Resolutions

SR 985 by Uresti, In memory of Anthony Nicholas of San Antonio.

SR 1000 by Lucio, In memory of Jesus "Jesse" Morales.

Congratulatory Resolutions

SR 984 by Jackson, Recognizing the Space Center Intermediate Band for being awarded the Sudler Cup by the John Philip Sousa Foundation.

SR 987 by Ellis, Recognizing Greater Law Memorial Church of God in Christ on the occasion of its Annual Health Fair and May Fest.

SR 992 by Davis, Recognizing the Commercial Real Estate Women Network for its advocacy on behalf of professional women in Fort Worth.

SR 993 by Shapiro, Commending H. John Fuller for his service to the Wylie Independent School District.

Official Designation Resolution

HCR 127 (Watson), Designating the year 2012 as the Lady Bird Johnson Centennial Year.

ADJOURNMENT

Pursuant to a previously adopted motion, the Senate at 5:42 p.m. adjourned, in memory of Vivia Halbert, until 11:00 a.m. Monday, May 16, 2011.

APPENDIX

COMMITTEE REPORTS

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

May 13, 2011

INTERGOVERNMENTAL RELATIONS — **CSSB 1913, CSSB 1914, CSSB 1916, CSHB 1057, HB 364, HB 969, HB 1110, HB 1694, HB 2007, HB 1383, HB 1379, HB 1144, HB 2162, CSHB 2716, CSHB 2857, CSSB 1915**

HEALTH AND HUMAN SERVICES — **CSHB 3531, CSSB 1756**

ECONOMIC DEVELOPMENT — **HB 990, HB 1178, HB 1245, HB 1643, HB 2579, HB 3302, HB 3465, HB 2853, HB 1711**

HEALTH AND HUMAN SERVICES — **CSHB 2609, CSHB 273**

OPEN GOVERNMENT — **HB 2538, HB 2978**

STATE AFFAIRS — **HB 1772, HB 3270, HB 1678, HB 1135, HCR 18**

HEALTH AND HUMAN SERVICES — **HB 123, HB 1481, HB 1854, HB 1983, HB 2061, HB 2069, HB 2286, HB 2312, HB 2370, HB 3051, HB 3146, HB 3336, HB 3547**

VETERAN AFFAIRS AND MILITARY INSTALLATIONS — **CSHB 1127**

STATE AFFAIRS — **CSHB 3033**

NATURAL RESOURCES — **HB 3272, HB 1403, HB 2826, HB 3818, HB 2280**

TRANSPORTATION AND HOMELAND SECURITY — **HB 423, HB 555, HB 1353, HB 3208, HB 1148**

INTERGOVERNMENTAL RELATIONS — **CSHB 2869**

HEALTH AND HUMAN SERVICES — **CSSB 1021**

REDISTRICTING — **CSSB 31, HB 150**

GOVERNMENT ORGANIZATION — **HB 1774, HB 1495, HB 265**

HEALTH AND HUMAN SERVICES — **CSHB 2636**

OPEN GOVERNMENT — **CSSB 677**

ECONOMIC DEVELOPMENT — **CSHB 1040**

STATE AFFAIRS — **CSHB 417**

HEALTH AND HUMAN SERVICES — **CSSB 1790, CSHB 788**

BILLS AND RESOLUTION ENGROSSED

May 12, 2011

SB 270, SB 516, SB 578, SB 1164, SB 1175, SB 1402, SB 1441, SB 1572, SB 1643, SB 1787, SB 1843, SB 1926, SJR 14

BILLS AND RESOLUTIONS ENROLLED

May 12, 2011

SB 279, SB 551, SB 1505, SCR 45, SCR 46, SCR 52, SJR 28, SR 892, SR 909, SR 967, SR 970, SR 971, SR 972, SR 973, SR 974, SR 975, SR 976, SR 977, SR 978, SR 979, SR 980, SR 981, SR 982, SR 983

SIGNED BY GOVERNORMay 12, 2011**SB 396, SB 398, SB 410, SB 423, SB 539, SB 646, SB 693, SB 785, SB 894,
SB 1269**

**In Memory
of
Vivia Halbert
Senate Resolution 513**

WHEREAS, The Senate of the State of Texas honors and commemorates the life of Vivia Halbert, who died February 19, 2011, at the age of 64; and

WHEREAS, Vivia Halbert was born July 11, 1946, in Selma, California, to William Avery and Wilma Jean Gilbert; she attended Baylor University from 1964 through 1967; and

WHEREAS, Mrs. Halbert used her love of creative sewing and embroidery to forge a fulfilling career at Judy's Stitchery Nook in Harlingen; she was a member of the Tip of Texas Embroiderer's Guild of America, the Frontera Quilt Guild, Incorporated, Fancy Stitchers, Wooly Bee, the Bag Ladies, and the Sassy Seamers; and

WHEREAS, A woman of courage, strength, and generosity, she gave unselfishly to others, and her wisdom, warmth, and enthusiasm for living each day to the fullest will not be forgotten; and

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

RESOLVED, That the Senate of the State of Texas, 82nd Legislature, hereby extend sincere condolences to the bereaved family of Vivia Halbert: her husband, Wayne Morris Halbert; her children, Deana Halbert Everett, Stephen Halbert, Shirley Scarborough, and Kevin Halbert; her brother, Geary Gilbert; and her grandchildren, Stephen James Everett and Vivia Joeann Everett; and, be it further

RESOLVED, That a copy of this Resolution be prepared for her family as an expression of deepest sympathy from the Texas Senate, and that when the Senate adjourns this day, it do so in memory of Vivia Halbert.

LUCIO

