

# SENATE JOURNAL

EIGHTY-THIRD LEGISLATURE — REGULAR SESSION

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AUSTIN, TEXAS

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PROCEEDINGS

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## EIGHTH DAY

(Wednesday, January 30, 2013)

The Senate met at 11:13 a.m. pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Birdwell, Campbell, Davis, Deuell, Duncan, Ellis, Eltife, Estes, Fraser, Hancock, Hegar, Hinojosa, Huffman, Lucio, Nelson, Nichols, Patrick, Paxton, Rodríguez, Schwertner, Seliger, Taylor, Uresti, Van de Putte, Watson, West, Whitmire, Williams, Zaffirini.

Absent-excused: Carona.

The President announced that a quorum of the Senate was present.

Chaplain Jeremy Stirm, Texas Army National Guard, offered the invocation as follows:

Father God, we pray in unison with the psalmist, who long ago wrote, He who dwells in the shelter of the most high will abide in the shadow of the almighty. I will say to the Lord, my refuge and my fortress, my God, in whom I trust. (Psalm 91:1-2) As we call to mind today those servicemembers who have been wounded on the field of battle, we ask that You journey with these servicemembers as they continue to heal. Be a refuge and a fortress unto them. Strengthen their resolve daily, we pray, and bring people into their lives that can speak words of healing and hope. We are indeed thankful that You are the great physician who can heal not only the body but the soul also. We are especially thankful for the family and friends in our servicemembers' lives. By Your strength and guidance and the support of our family and friends, we are able to serve with renewed confidence and purpose. We ask a continual prayer of protection for those servicemembers currently deployed around the globe. Stretch forth Your almighty arm to support them in the time of battle, and grant them the courage and prudence to serve without reproach. Let all of us who don this uniform in service to our country be ever mindful that we fight with peace as our end. And now, may the Lord bless us, protect us from all evil, and bring us to everlasting life. 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.

### LEAVE OF ABSENCE

On motion of Senator Whitmire, Senator Carona was granted leave of absence for today on account of important business.

### MESSAGES FROM THE GOVERNOR

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

Austin, Texas  
January 30, 2013

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

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

To be District Attorney of the 36th Judicial District, Aransas and San Patricio Counties, for a term until the next General Election and until his successor shall be duly elected and qualified:

Michael E. Welborn  
Aransas Pass, Texas

Judge Welborn is replacing Patrick Flanigan who resigned.

To be Judge of the 83rd Judicial District Court, Pecos, Terrell and Val Verde Counties for a term until the next General Election and until his successor shall be duly elected and qualified:

Robert E. Cadena  
Del Rio, Texas

Mr. Cadena is replacing Judge Carl Pendergrass who is deceased.

Respectfully submitted,  
/s/Rick Perry  
Governor

### RESOLUTIONS SIGNED

The President announced the signing of the following enrolled resolutions in the presence of the Senate: **SCR 7, HCR 27.**

### PHYSICIAN OF THE DAY

Senator Deuell was recognized and presented Dr. Ronald Peron of Campbell as the Physician of the Day.

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

### GUESTS PRESENTED

Senator Watson was recognized and introduced to the Senate a delegation of citizens from Elgin representing Senate District 14, Bastrop County.

The Senate welcomed its guests.

**SENATE RESOLUTION 56**

Senator Campbell, on behalf of Senator Van de Putte, offered the following resolution:

**SR 56**, Recognizing the American Heart Association's Go Red for Women campaign on the occasion of its 10th National Wear Red Day.

The resolution was read and was adopted without objection.

**GUESTS PRESENTED**

Senator Campbell, on behalf of Senator Van de Putte, was recognized and introduced to the Senate an American Heart Association Circle of Red delegation, accompanied by Carri Baker Wells, Circle of Red Chair; and Circle of Red members Trish DeBerry, Debbie Serot, Dya Campos, and Misty Cable.

The Senate welcomed its guests.

**SENATE RESOLUTION 51**

Senator Nelson offered the following resolution:

**SR 51**, Recognizing January 30, 2013, as CASA Day at the State Capitol.

The resolution was read and was adopted without objection.

**GUESTS PRESENTED**

Senator Nelson, joined by Senators Huffman, Zaffirini, Davis, and Hinojosa, was recognized and introduced to the Senate a Texas Court Appointed Special Advocates (CASA) delegation.

The Senate welcomed its guests.

**SENATE RESOLUTION 88**

Senator Zaffirini offered the following resolution:

**SR 88**, Recognizing January 30, 2013, as Laredo Legislative Day at the State Capitol.

The resolution was read and was adopted without objection.

**GUESTS PRESENTED**

Senator Zaffirini was recognized and introduced to the Senate a delegation of citizens of Laredo, accompanied by Raul G. Salinas, Mayor; Councilmembers Roque Vela, Jr., Charlie San Miguel, and Jorge A. Vera.

The Senate welcomed its guests.

**SENATE RESOLUTION 84**

Senator Hinojosa offered the following resolution:

**SR 84**, Recognizing January 30, 2013, as Communities In Schools Day at the State Capitol.

The resolution was read and was adopted without objection.

**GUESTS PRESENTED**

Senator Hinojosa was recognized and introduced to the Senate a Communities In Schools delegation.

The Senate welcomed its guests.

**GUESTS PRESENTED**

Senator Lucio, joined by Senators Rodríguez, Hinojosa, and Zaffirini, was recognized and introduced to the Senate a Texas Border Coalition delegation.

Senator Zaffirini also acknowledged Texas Farm Bureau members from the following counties: Atascosa, Hays, Karnes, McMullen, Travis, Webb, Wilson, and Zapata.

The Senate welcomed its guests.

**SENATE RESOLUTION 22**

Senator Davis offered the following resolution:

**SR 22**, Recognizing January 30, 2013, as Team Arlington Day.

The resolution was again read.

The resolution was previously adopted on Monday, January 28, 2013.

**GUESTS PRESENTED**

Senator Davis, joined by Senator Hancock, was recognized and introduced to the Senate a Team Arlington delegation, accompanied by Robert Cluck, Arlington Mayor; Wes Jurey, Arlington Chamber of Commerce President; Marcelo Cavazos, Arlington Independent School District Superintendent; Andy Nguyen, Tarrant County Commissioner; and Bill Lynch, Hurst-Euless-Bedford Chamber of Commerce Immediate Past Chair.

The Senate welcomed its guests.

**SENATE RESOLUTION 89**

Senator Hinojosa offered the following resolution:

**SR 89**, Recognizing January 30, 2013, as Rio Grande Valley Higher Education Day at the State Capitol.

HINOJOSA  
LUCIO  
ZAFFIRINI

The resolution was read and was adopted without objection.

**GUESTS PRESENTED**

Senator Hinojosa, joined by Senators Lucio and Zaffirini, was recognized and introduced to the Senate a Rio Grande Valley Higher Education Day delegation, accompanied by Robert S. Nelsen, President, The University of Texas–Pan American; Juliet Garcia, President, The University of Texas at Brownsville; Jaime Ramon, UTPA Foundation Board Chair; Veronica Gonzales, Vice-president, University Advancement, UTPA; Fred Rusteberg, Member, UT Brownsville Development Board and International Bank of Commerce - Brownsville President; and Armando Diaz, Vice-president for Governmental Relations, UT Health Science Center at San Antonio.

The Senate welcomed its guests.

**SENATE RESOLUTION 79**

Senator West offered the following resolution:

**SR 79**, Recognizing January 30, 2013, as Texas Merchandise Vending Association Day at the State Capitol.

The resolution was read and was adopted without objection.

**GUESTS PRESENTED**

Senator West was recognized and introduced to the Senate members of the Texas Merchandise Vending Association, accompanied by Kendall Smith, President; Patrick Moran, Past President; and Johnny Wallace, President, AmeriTex Vending.

The Senate welcomed its guests.

**SENATE RESOLUTION 68**

Senator Van de Putte offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to recognize and pay tribute to the members of the United States military who have so honorably served our great nation and state in the armed services and join all Texans in observing January 30, 2013, as Wounded Warrior Day at the Texas State Capitol; and

WHEREAS, The soldiers, sailors, airmen, and Marines of the United States military and their families have made extraordinary sacrifices to serve our nation both abroad and within our own borders; and

WHEREAS, Today we honor wounded warriors from across the nation, including Specialist Cody Miller, Sergeant Paul Roberts, Chief Warrant Officer 4 Jerry Hamilton, Lance Corporal Ivan Sears, Staff Sergeant Mark Juarez, and Staff Sergeant Tracie M. Harris; without their willingness to serve and the contributions made by them and by their families, we could not enjoy many of the freedoms that make this nation great; and

WHEREAS, These veterans have bravely and selflessly served in defense of our nation and its democratic ideals; with silent dedication and unmatched grit, they ensure our safety and security, and it is indeed fitting that all Texans recognize, honor, and reaffirm their gratitude to these true American heroes; and

WHEREAS, Although these veterans represent many different hometowns and backgrounds, what unites them is greater than what divides them—a deep and abiding love of their country; it is for America and all Americans that they leave their homes and their family and friends in order to guarantee the continuation of those freedoms etched into the Declaration of Independence and ensured by our Constitution; and

WHEREAS, It is for our service members' willingness to serve to protect these freedoms that we honor them; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 83rd Legislature, hereby commend the wounded warriors of our nation for their sacrifice, dedication, and patriotism, recognizing them, honoring them, and reaffirming the gratitude of all Texans to these true American heroes; and, be it further

RESOLVED, That a copy of this Resolution be prepared in honor of the dedication and sacrifice of the men and women of the United States armed services and their families.

**SR 68** was read.

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

On motion of Senator Van de Putte, the resolution was adopted without objection.

### GUESTS PRESENTED

Senator Van de Putte was recognized and introduced to the Senate a delegation of wounded warriors, accompanied by Specialist Cody Miller, Army; Sergeant Paul Roberts, Army Reserve; Chief Warrant Officer 4 Jerry Hamilton, Army; Lance Corporal Ivan Sears, Marine Corps; Staff Sergeant Mark Juarez, Marine Corps; Staff Sergeant Tracie M. Harris, Air Force; and Kenneth Howard, Army, Operation Iraqi Freedom.

The Senate welcomed its guests.

### REMARKS ORDERED PRINTED

On motion of Senator Hinojosa and by unanimous consent, the remarks regarding **SR 68** were ordered reduced to writing and printed in the *Senate Journal* as follows:

**Senator Van de Putte:** Thank you, Mr. President. Mr. President and Members, today is a very, very special day at the Texas Capitol. We have honored groups on this floor who play an integral part of our state through services for abused children, through services dedicated to the health of our state, and business groups, but today we honor a very special group of Texans. Today we say thank you, and we say thank you because we have a unique chance today to look at heroism, at bravery, at selfless sacrifice directly in the eye. Today is our Wounded Warrior Day here in the Senate. We've all heard the expression that freedom is not free. Well, today everyone in this gallery and in this Chamber can see the price tag firsthand. We get to see what our heroes have done for us, the sacrifice that they have made so that you and I can meet freely and debate freely under this dome. We can enjoy the political, the religious, and the personal freedom because of the very few men and women who are willing to swear to an oath and to take up arms to defend the United States of America, when called upon, from its enemies. Today, no matter how we as Americans and Texans feel about the wars or the conflicts in Iraq or Afghanistan, there is no way that you can look at our guests on the Senate floor today and be anything but humbled, feel anything except a deep, deep appreciation for them and for their families. It is a lesson that as a nation we forgot, we forgot when our servicemembers returned home from Vietnam. Let us not make those same mistakes. Members, only one percent of Americans have served on active duty since September 11, 2001. And during Operation Iraqi Freedom, Operation Enduring Freedom, Operation New Dawn, we have had 6,522 total deaths. Of those, 5,224 were killed in action and of those, 588 were Texans. A total of over 50,000 wounded have been in these conflicts. Advances in our protective gear and medical medicine, rapid extraction from the battlefield, and medical advances have given our wounded warriors, these soldiers, these airmen, these sailors, these Marines, a greater than 90 percent chance at survival. And what that means is that we need to make every effort in a society that makes sure that the one percent who serve us are appreciated and respected, and we honor their sacrifices,

as we fulfill our commitments to you. Members, with us today we have several of our warriors. And I'd like to tell you just a little bit about them. We have Lance Corporal Ivan Sears, a Marine originally from San Antonio, Lance Corporal Sears deployed to Marjah Helmand Province in Afghanistan with the First Marine Division out of Camp Lejeune. He sustained his injuries due to an IED during dismounted security operations in 2010. We have with us from the Army Reserve, Sergeant Paul Roberts, Senator Watson. Originally from Austin, Texas, Sergeant Roberts joined the Army in 1989 and served for four years on active duty and was honorably discharged. He missed that military lifestyle, and he joined back the Army Reserve 17 years later and volunteered to deploy to Afghanistan in 2011 with Bravo Company, Aviation Chinook Unit out of Kansas. Crewing as the left door gunner, his helicopter was shot down on Thanksgiving Day in 2011. Sergeant Roberts is now in the Warrior Transition Battalion. Staff Sergeant Mark Juarez, Marine Corps, from Floresville, Texas, Sergeant Juarez was deployed to Sangin City, Afghanistan. He was shot in the head while on patrol, foot patrol in 2010. He's married to Amy, and he has three daughters. Members, it's their families as well. We have Staff Sergeant Tracie Harris, Air Force. Tracie joined the Air Force in January of 1998, and she started her first four years of service as a security forces police officer, and when it came time to reenlist, Tracie cross-trained as a military working dog handler, then reenlisted for another six years. During Tracie's almost 11 years, she was stationed at Travis Air Force Base in California, Ramstein in Germany. She was deployed six times, twice to Kuwait, once to Saudi Arabia, Bulgaria, Bahrain, and Iraq. Tracie is the example of our women warriors who proudly serve our country. She has the Air Force Achievement Medal, four times outstanding unit medal, and the enduring freedom medal, and Iraq Campaign Medal. Chief Warrant Officer Jerry Hamilton, Army, originally from Lane, South Dakota, Chief Warrant Officer Hamilton enlisted in 1995 as a Chinook crew member. Korea for one year, Germany for three, he's had three deployments as flight engineer. In 1999, he was accepted to flight school, graduated at the top of his class, and he chose to fly those Chinooks. Stationed at Fort Bragg after flight school, he deployed to Afghanistan twice and once to Iraq. He served as a flight instructor for five years following his two assignments before moving to Fort Campbell. Within two months of arriving at Fort Campbell, Chief Warrant Officer Hamilton deployed to Afghanistan for the third time. He was hit by shrapnel from a rocket within two weeks of arriving. Specialist Cody Miller, Army, originally from Golden, Mississippi, Specialist Miller enlisted in June 2010 and was stationed to the 173rd Airborne Brigade in Vicenza, Italy. He served in a heavy weapons platoon for five months and then moved to the scout platoon. Deployed to Iraq in May of 2012, and while on a route, over watch, for a nearby, he and his fellow soldiers received fire from the mountain behind them. And, Members, we cannot leave out our own wounded warrior, one of our own. Lieutenant Colonel Brian Birdwell, Senator Birdwell, will you approach the front and please join your comrades as we ask Mel, your wife, to take your place at your desk. Lieutenant Colonel Brian Birdwell, a distinguished military graduate of Lamar Army ROTC program in 1984. Retired now, Brian Birdwell was commissioned as an officer in the U.S. Army and served in numerous training deployments and two operational deployments. In 1990, he was deployed to Operation Desert Shield, Desert Storm, where he was awarded the Bronze Star for

exceptional meritorious achievement. In 1998, he deployed to Central America as the Joint Operations Officer for Joint Task Force Aguila. In 2001, Brian was serving on the Department of Army staff as a military aide to the Deputy Assistant Chief of Staff for Installation Management. Members, our own wounded warrior, on September 11, 2001, when American Airlines Flight 77 was crashed just yards away from his second-floor Pentagon office, Brian was critically wounded and severely burned. Of the burns that covered more than 60 percent of his body, nearly half were third degree in severity. And, Brian, pardon me if I share something with our Members. Today, following 39 operations, months of hospitalization, and numerous skin grafts, Brian has been blessed with a miraculous recovery, and despite physical limitations, he testifies not only to the physical healing but the ultimate miracle of grace through Christ. He was awarded the Purple Heart through wounds he received that day, and upon his retirement in July of 2004, he was awarded the Legion of Merit. Members, today is a special day as we remember those who make it possible for us to debate so freely. We thank them and their families and the guests that we have. Mr. President, I yield to my fellow colleagues today, and then at the end, would like to be able to recognize our special guests. I would like to particularly recognize and be followed by Senator Paxton, who'd like to say a little bit more about our very own wounded warrior in this Senate Chamber.

**Senator Paxton:** As a new Member of the Senate, I want to thank you, Mr. President, the Members of the Senate, and particularly you, Senator Van de Putte, for creating a time during our session to honor the men and women who give so much of their life to protect ours. Any amount of time we take and words we share cannot possibly be enough to adequately convey the debt of gratitude and thanks that we owe. It is my honor today to speak about our own wounded warrior, our friend and colleague, Senator Brian Birdwell. Since we only have a brief time, and since I know he would rip this microphone out of my hand if I talked too long, let me briefly focus on a few aspects of Senator Birdwell that make him the really incredible person that he really is. First of all, we all know him as a man driven by his faith, most of us have not had to face mortality like he has. It's my understanding that he was actually the closest survivor to the impact of that plane. And that as he was laying there, that he was fairly certain that his time had come and he would be crossing into eternity and, thank God, that didn't happen. Since that time, he's established a ministry called Face the Fire Ministries in which he's helped wounded warriors and individuals who have been burned. We also know him as a family man and committed to his wife for 26 years. I can't imagine going through what they went through in their marriage with all the difficulty, the pain and suffering, but he's a model of a great family man, and we appreciate Mel going through that with him. And who can doubt his patriotism? Love of country and his state, 20 years in the Army, finishing as a Lieutenant Colonel, near loss of his life, burned 60 percent of his body, and now serving in the Texas Senate, he's a true patriot. And in character, I could go on and on about attributes that I see in him and his character, bravery, valor, integrity, honesty, a true man of character. He's somebody that I know if I were fighting and I were in a foxhole, he's one of those people I'd want in there with me, and I think that says it all. I consider it an honor to

know you, to serve with you, and I truly appreciate your sacrifice for this country and for this state. We are all better off because you are part of our lives and because of your service to this country and state. God bless, Brian Birdwell.

**Senator Rodríguez:** Thank you, Mr. President. I want to also recognize our very own Senator Birdwell, with whom I came into the Senate last year, who kept me in line throughout the whole year and is keeping me in line even today, this morning, and thank him for his sacrifice and for the family sacrifice and for our wounded warriors. I serve proudly on the Senate Veteran and Military Installations Committee along with Senator Birdwell and, of course, with our great Chair, Senator Van de Putte, and wanted to express my appreciation to all the members that are here representing our wounded warriors. And I wanted to make a special statement about all of the wounded warriors that we have back in El Paso, whom we invited but could not be here and who are still connected in some ways to Fort Bliss, whether they're retired or not. And thank you all for what you've done for us in this country. We appreciate it.

**Senator Davis:** Thank you, Mr. President, and thank you, Senator Van de Putte, Madam Chair of our veterans committee. We thank you so much for the effort that you undertake every session to assure that we stop and take a moment to recognize the commitment, the sacrifice that our men and women of the armed services and their families have made on our behalf. It is an honor to share in recognizing our Senate colleague, Senator Birdwell, this morning and to be able to thank him publicly for all that he has done for us. I want to recognize another person who's standing on the floor with us today, who is from the district that I represent, Kenneth Howard, who's here from Tarrant County. He's on the far left of the group that is assembled here today, and his are the injuries that are not visible, but that so many of the men and women who are returning from tours in Iraq and Afghanistan endure. Mr. Howard served as a combat engineer in the United States Army from 2005 to 2010. He is a veteran of Operation Iraqi Freedom. His primary duty was training Iraqi soldiers and clearing routes of explosive devices. During his service, Mr. Howard was exposed to several very high pressure engagements, and as a result of those experiences, Kenneth has suffered from Post-Traumatic Stress Disorder and depression. As a consequence of that, he's undergone some difficulties on his return to the United States, and I'm proud to say that he is a successful graduate of Judge Brent Carr's veterans' diversion program that was made possible, Senator Van de Putte, by your leadership and the vote and work of our other Senate colleagues on the floor here today. He continues to make excellent progress with his recovery, and he's a shining example of how well that veterans' diversion court works. He received an honorable discharge upon the completion of his service, he had earned awards, including Army Commendation Medal, OIF Service Medal, and two campaign stars and unit citations. But now that he's back, and now that he's gone through his experience with the veterans' diversion program, he has undertaken to serve veterans as an employee of American Airlines, working in their pilot program to offer employment to veterans that have sustained physical or mental injury. He's also made himself available to support and return help to the operations of the Tarrant County veterans' diversion court that he benefited from. I would also like to recognize today with us in the south gallery, I'm honored to recognize other guests from Fort Worth who made the trip to be here with us this

morning. One of those I already mentioned, Judge Brent Carr of Tarrant County. He has been a leader in the diversion court program and has been an inspiration to so many Texans, including myself, for his leadership to our community. In particular, of course, he serves as a veterans' court judge, working closely with our veterans to help them overcome the many challenges that they face after leaving the service. And as a result of his success, Judge Carr's court has become a model for other veterans' courts around the state. Joining Judge Carr are Michael Killam. Michael served in the United States Army from 1968 to 1970. His regular duty was helicopter door gunner with a helicopter assault squadron during the Vietnam conflict. During his service, he was captured by enemy forces but managed to escape after three days of captivity. His awards include two Purple Hearts, unit citations, and the National Defense Medal. He continues to work through his military-service-connected PTSD, and he feels among his greatest achievements is his six years of sobriety. Michael continues to serve others who served in our wars throughout our nation's history and serves as a veteran coordinator for Liberty House, which is a transitional home in Tarrant County for homeless veterans. He's a mentor for the Tarrant County veterans' diversion court. He's a certified veteran peer specialist and a clerk for the Tarrant County Bar Association's Texas Lawyers for Texas Vets program. And then finally with us is Scott Smith. Scott enlisted and served in the U.S. Marine Corps from 1966 to 1970. In Vietnam, he served as a rifleman and regularly participated in day and nighttime patrols. His awards include three Purple Hearts, a Bronze Star, the Navy Marine Corps Commendation Medal, as well as other awards. As a result of his service, Scott, too, contracted PTSD. His continued service to veterans has played a large role in achieving a healthy life and a strong marriage. Scott maintains his commitment to veterans by serving also as a veterans' court mentor for both the Tarrant and the Dallas County Veterans' Court Diversion programs. He is a certified peer specialist and volunteer for the Tarrant County Texas Lawyers for Texas Vets program. Members, it's an honor to recognize these incredible men here who join us from Tarrant County today, and thank you, Mr. President, for allowing me to speak on their behalf.

**Senator Campbell:** Thank you, Mr. President. I will tell you that there is no better place to live in the world than the United States and that is because of our military and our veterans. There is no profession more honorable, and there are no persons that have more valor than you. Welcome to your Capitol.

**Senator Hinojosa:** Thank you, Mr. President. I would also like to say a few words in support of our American soldiers. I'm just so proud of our American soldiers. Many times, go throughout the day enjoying our families, our liberty and freedoms, and we forget the young men and women throughout the world protecting our country and protecting those freedoms. I will tell you that having served in Vietnam in the United States Marine Corps, I lost three of my high school friends, classmates, in Vietnam, so a day doesn't go by that I don't remember the sacrifice that our soldiers make, that your families and our families make, and to me, whether it's Vietnam, Iraq, Afghanistan, Korea, World War I, World War II, it's really amazing the courage that our American soldiers from all over the country, different regions, different races, get together and bond and are willing to die for our country. So, I thank you for your service to our country.

**SENATE RESOLUTION 81**

Senator Duncan offered the following resolution:

**SR 81**, In memory of S. M. True, Jr.

On motion of Senator Duncan, the resolution was read and was adopted by a rising vote of the Senate.

In honor of the memory of S. M. True, Jr., the text of the resolution is printed at the end of today's *Senate Journal*.

Senator Duncan was recognized and introduced to the Senate S. M. True's son, David, and nephew, Mark.

The Senate welcomed its guests and extended its sympathy.

**SENATE CONCURRENT RESOLUTION 8**

The President laid before the Senate the following resolution:

WHEREAS, Section 17, Article III, Texas Constitution, provides that neither house of the legislature may adjourn for more than three days without the consent of the other house; now, therefore, be it

RESOLVED by the 83rd Legislature of the State of Texas, That each house grant the other permission to adjourn for more than three days during the period beginning on Wednesday, January 30, 2013, and ending on Monday, February 4, 2013.

WHITMIRE

**SCR 8** was read.

On motion of Senator Whitmire, the resolution was considered immediately and was adopted by the following vote: Yeas 29, Nays 0.

Absent-excused: Carona.

**CO-AUTHOR OF SENATE BILL 8**

On motion of Senator Nelson, Senator Schwertner will be shown as Co-author of **SB 8**.

**CO-AUTHOR OF SENATE BILL 190**

On motion of Senator Huffman, Senator Nelson will be shown as Co-author of **SB 190**.

**CO-AUTHOR OF SENATE JOINT RESOLUTION 5**

On motion of Senator Campbell, Senator Paxton will be shown as Co-author of **SJR 5**.

**CO-AUTHORS OF SENATE RESOLUTION 56**

On motion of Senator Van de Putte, Senators Campbell, Uresti, and Zaffirini will be shown as Co-authors of **SR 56**.

**RESOLUTIONS OF RECOGNITION**

The following resolutions were adopted by the Senate:

### **Memorial Resolutions**

**SR 96** by Uresti, In memory of Gregorio Ramirez of San Antonio.

**SR 97** by Davis, In memory of Darrell Wesley Boren of Fort Worth.

**SR 100** by Uresti, In memory of Arturo C. Gonzalez of Del Rio.

### **Congratulatory Resolutions**

**SR 83** by West, Recognizing the Dallas Independent School District on the occasion of its dedication of the Dr. H. B. Bell School Support Service Center.

**SR 85** by Hinojosa, Recognizing Maria Lydia Martinez Pena on the occasion of her 99th birthday.

**SR 91** by Schwertner, Congratulating Willie Fritz of Sam Houston State University for being named the 2012 Liberty Mutual NCAA Division I Football Championship Subdivision Coach of the Year.

**SR 93** by Schwertner, Recognizing the Texas 4-H and Youth Development Program for its service to the state.

**SR 94** by Paxton, Congratulating the Allen High School football team for winning a state championship.

**SR 98** by Davis, Recognizing Victoria and Bernie Scheffler on the occasion of the birth of their daughter, Adelaide Cecelia Scheffler.

**SR 99** by Lucio, Recognizing Gilberto Borja on the occasion of his 90th birthday.

### **Official Designation Resolutions**

**SR 87** by Lucio and Hinojosa, Recognizing January 31, 2013, as Region One Day at the State Capitol.

**SR 90** by Schwertner, Recognizing April 23, 2013, as Hutto Day at the State Capitol.

**SR 92** by Schwertner, Recognizing February 6, 2013, as Bryan-College Station Day at the State Capitol.

### **ADJOURNMENT**

On motion of Senator Whitmire, the Senate at 1:09 p.m. adjourned, in memory of S. M. True, Jr., and John A. Cotten, Jr., until 2:00 p.m. Monday, February 4, 2013.

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## **APPENDIX**

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### **RESOLUTIONS ENROLLED**

January 29, 2013

**SCR 7, SR 8, SR 37, SR 60, SR 66, SR 80, SR 82**

### **SENT TO SECRETARY OF STATE**

January 30, 2013

**SCR 7**

**In Memory**  
**of**  
**S. M. True, Jr.**  
**Senate Resolution 81**

WHEREAS, S. M. True, Jr., former president of the Texas Farm Bureau, passed away on May 15, 2012, at the age of 88; and

WHEREAS, The son of Snoden Maddox and Nettie Belle Stalcup True, S. M. True was born in Goree on July 8, 1923, and raised on a farm; in 1933, his family relocated to the Snyder community near Plainview, and he graduated from Plainview High School before enrolling and attending classes at Texas Tech University; when World War II intervened, he enlisted in the U.S. Navy and served as a carrier-based night fighter pilot; and

WHEREAS, Following the war, Mr. True returned to Hale County and began his career as a farmer; active in the Hale County Farm Bureau for a number of years, he went on to serve on the board of directors of the Texas Farm Bureau; he was elected president of TFB in 1982, and in his 11 years in that post, he made an indelible mark on both the organization and on the greater agricultural community; he oversaw the creation of the TFB AGFUND, which has since become a nationally recognized agriculture political action committee; along the way, he earned a reputation as a passionate advocate for Texas farmers and an effective consensus builder; and

WHEREAS, In addition to his work with TFB, this esteemed Texan was appointed to the Governor's Task Force on Immigration and Agricultural Development, the Joint Committee on Farmworker Insurance, and the Texas Family Farm and Ranch Advisory Committee; he served on a multitude of agriculture and farm insurance boards, including that of the American Farm Bureau Federation, which honored him with its Meritorious Service Award; among his numerous other accolades were his induction into the State Fair of Texas Heritage Hall of Honor and his recognition as a Distinguished Texan in Agriculture by the Texas A&M University College of Agriculture and Life Sciences; and

WHEREAS, Mr. True shared more than six rewarding decades with his wife, the former Anna Jean Roberts, whom he married in 1946; the couple were blessed with a son, David; over the years, Mrs. Roberts frequently accompanied her husband to many Texas Farm Bureau events across the state and beyond; and

WHEREAS, During his lifetime, S. M. True contributed immeasurably to Texas agriculture, helping to preserve the livelihood of countless farmers across the state, and his legacy will be a continuing source of inspiration for all who knew him; now, therefore, be it

RESOLVED, That the Senate of the 83rd Texas Legislature hereby pay tribute to the memory of S. M. True, Jr., and extend sincere sympathy to the members of his family: to his son, David True, and his wife, Linda; to his grandchildren, Blaine True and Larissa True; to his brother, Riley True, and his wife, Margaret; to his sister, Ona Belle Stephens, and her husband, Bill; to his nephew, Mark True, and his wife, Mary; to Eric Plumlee; to Ahmet and Gonul Yilmaz; and to his other relatives and friends; and, be it further

RESOLVED, That an official copy of this resolution be prepared for his family and that when the Texas Senate adjourns this day, it do so in memory of S. M. True, Jr.

DUNCAN