

SENATE JOURNAL

EIGHTY-THIRD LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

SIXTEENTH DAY

(Tuesday, February 19, 2013)

The Senate met at 11:05 a.m. pursuant to adjournment and was called to order by Senator Nelson.

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

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

Dr. John Allen, Trietsch Memorial United Methodist Church, Flower Mound, offered the invocation as follows:

Almighty God, we humbly come before You and we confess that too often You are a second thought to the task before us. Our minds are quick to wander, our hearts slow to care, our eyes blind to those around us, our ears deaf from the roar of so many demands. So, God, wake us from the slumber that hinders Your wisdom, Your direction, Your counsel. Unite the honorable and quiet the self-concerned so that the governing within these hallowed and historical halls may bring true justice for all people. May the mercy of Your grace be the watchword of the day for every word that is spoken. May the wisdom of Your counsel be the guiding force for every action to be taken. I do thank You, God, for the collective experience, knowledge, and ability gathered in this hall. And I thank You in advance for the working of their vision, passion, and commitment to Your holy cause for this great state. For it is in the name of Christ Jesus I pray. Amen.

Senator Whitmire moved that the reading of the Journal of the proceedings of the previous day be dispensed with and the Journal be approved as printed.

The motion prevailed without objection.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Tuesday, February 19, 2013 - 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:

HCR 22 Zedler
In memory of Michael Gilles Purgason of Arlington.

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

PHYSICIANS OF THE DAY

Senator Watson was recognized and presented Drs. John and Judith Egerton of Austin as the Physicians of the Day.

The Senate again welcomed the Egertons and thanked them for their participation in the Physician of the Day program sponsored by the Texas Academy of Family Physicians.

SENATE RESOLUTION 64

Senator Eltife offered the following resolution:

SR 64, Recognizing February 19, 2013, as Panola County Day at the State Capitol.

The resolution was again read.

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

GUESTS PRESENTED

Senator Eltife was recognized and introduced to the Senate a Panola County Day delegation.

The Senate welcomed its guests.

(Senator Eltife in Chair)

SENATE RESOLUTION 125

Senator Nelson offered the following resolution:

SR 125, Celebrating February 18 and 19, 2013, as Denton County Days at the State Capitol.

NELSON
ESTES

(President in Chair)

The resolution was again read.

The resolution was previously adopted on Monday, February 11, 2013.

GUESTS PRESENTED

Senator Nelson, joined by Senator Estes, was recognized and introduced to the Senate a Denton County delegation, accompanied by Mary Horn, County Judge, and

County Commissioners Hugh Coleman, Ron Marchant, Bobbie J. Mitchell, and Andy Eads.

The Senate welcomed its guests.

RESOLUTIONS SIGNED

The President announced the signing of the following enrolled resolutions in the presence of the Senate: **SCR 14, HCR 39.**

GUESTS PRESENTED

Senator Estes was recognized and introduced to the Senate his wife, Jennifer; daughter-in-law, Summer; and granddaughter, Caroline.

The Senate welcomed its guests.

SENATE RESOLUTION 248

Senator Schwertner offered the following resolution:

SR 248, Recognizing February 19, 2013, as Sheriffs' Association of Texas Day at the State Capitol.

The resolution was read and was adopted without objection.

GUESTS PRESENTED

Senator Schwertner was recognized and introduced to the Senate a Sheriffs' Association of Texas delegation, accompanied by Steve Westbrook, Executive Director; Daniel Law, President, Board of Directors; and Chris Kirk, Legislative Committee Chair.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Birdwell was recognized and introduced to the Senate a Waxahachie delegation.

The Senate welcomed its guests.

SENATE RESOLUTION 230

Senator Seliger offered the following resolution:

SR 230, Recognizing February 19, 2013, as Panhandle Day at the State Capitol.

The resolution was read and was adopted without objection.

GUESTS PRESENTED

Senator Seliger was recognized and introduced to the Senate a Texas Panhandle communities delegation, accompanied by Al Cunningham, Chair, Board of Directors, Amarillo Chamber of Commerce; Buzz David, President and CEO of Amarillo Economic Development Corporation; J. J. Walker, Director, Public Relations and Marketing, Bell Helicopter; and Pat O'Brien, President, West Texas A&M University.

The Senate welcomed its guests.

(Senator Van de Putte in Chair)**SENATE RESOLUTION 146**

Senator Deuell offered the following resolution:

SR 146, Celebrating February 19, 2013, as Sunnyvale Day at the Capitol.

The resolution was again read.

The resolution was previously adopted on Monday, February 11, 2013.

GUESTS PRESENTED

Senator Deuell was recognized and introduced to the Senate a Town of Sunnyvale delegation, accompanied by Jim Phaup, Mayor; Saji George, Councilmember; Jim Wade, Councilmember; and Terri Shatter and David Carlile of the Sunnyvale 4A Economic Development Corporation.

The Senate welcomed its guests.

GUEST PRESENTED

Senator Ellis was recognized and introduced to the Senate Curtis Gray.

The Senate welcomed its guest.

SENATE RESOLUTION 225

Senator Hinojosa offered the following resolution:

SR 225, Recognizing February 19, 2013, as Mission 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 City of Mission delegation, accompanied by Marilyn Hardison, Board of Directors, Greater Mission Chamber of Commerce; Christopher M. Gonzales, Vice-president of Operations, Greater Mission Chamber of Commerce; and Paola Lopez, Vice-president of Events, Greater Mission Chamber of Commerce.

The Senate welcomed its guests.

GUEST PRESENTED

Senator Duncan was recognized and introduced to the Senate Dave Quest, Ports-to-Plains Alliance Board of Directors and Legislative Assembly Member, Alberta, Canada.

The Senate welcomed its guest.

SENATE RESOLUTION 220

Senator Duncan offered the following resolution:

SR 220, Recognizing February 19, 2013, as Kidney Day at the State Capitol.

The resolution was read and was adopted without objection.

GUESTS PRESENTED

Senator Duncan was recognized and introduced to the Senate a Texas Renal Coalition delegation, accompanied by Rita Littlefield, President; John Badalamenti; and A. Osama Gaber.

The Senate welcomed its guests.

SENATE RESOLUTION 233

Senator Carona offered the following resolution:

SR 233, Recognizing the Texas Apartment Association on the occasion of its 50th anniversary.

The resolution was read and was adopted without objection.

GUESTS PRESENTED

Senator Carona was recognized and introduced to the Senate a Texas Apartment Association delegation, accompanied by Tami Martin, Co-chair, 50th anniversary task force, and Mike Clark, Chair, Legislative Committee.

The Senate welcomed its guests.

SENATE RESOLUTION 216

Senator Uresti offered the following resolution:

SR 216, Recognizing February 19, 2013, as Frio County Day at the State Capitol.

The resolution was read and was adopted without objection.

GUESTS PRESENTED

Senator Uresti was recognized and introduced to the Senate a Frio County delegation, accompanied by Carlos Garcia, County Judge; Ray Aranda, Dilley Councilmember; and Albert Alvarez, Pearsall Mayor.

The Senate welcomed its guests.

GUEST PRESENTED

Senator Whitmire was recognized and introduced to the Senate Renu Khator, Chancellor, University of Houston System.

The Senate welcomed its guest.

(Senator Seliger in Chair)**REPORT OF COMMITTEE ON NOMINATIONS**

Senator Hegar submitted the following report from the Committee on Nominations:

We, your Committee on Nominations, to which were referred the following appointments, have had same under consideration and report them back to the Senate with a recommendation that they be confirmed:

Members, Board of Directors, Angelina and Neches River Authority: Louis Alan Bronaugh, Angelina County; Patricia E. Dickey, Houston County; Julie Evelyn Dowell, Smith County.

Commissioners, Board of Pilot Commissioners for Galveston County Ports: Vandy Anderson, Galveston County; W. Bradshaw Boney, Galveston County; Linda Raedene Rounds, Galveston County.

Chair, State Board of Education: Barbara Calhoun Cargill, Montgomery County.

Members, Board of Directors, Gulf Coast Waste Disposal Authority: Zoe Milian Barinaga, Harris County; Stanley Craig Cromartie, Galveston County; Lamont Edward Meaux, Chambers County.

Members, Board of Directors, Lower Neches Valley Authority: Matthew McDade Phelan, Jefferson County; Jordan William Reese, Jefferson County; James Olan Webb, Hardin County.

Member, Board of Directors, North Texas Tollway Authority: William David Elliott, Fannin County.

Director, Office of State-Federal Relations: Jason Kevin Patteson, Travis County.

Secretary of State: John Thomas Steen, Bexar County.

Commissioner, Pecos River Compact Commission: Frederic H. S. Tate, Presidio County.

Members, Board of Directors, Red River Authority of Texas: Nathan James Bell, Lamar County; Montford T. Johnson, Randall County; Billy Mayfield McCraw, Fannin County.

Members, Board of Directors, San Jacinto River Authority: John Dallas Eckstrum, Montgomery County; Joseph Lawrence Stunja, Harris County.

Members, Board of Trustees, Teacher Retirement System of Texas: Thelma Karen Charleston, Harris County; Joseph Victor Colonna, Dallas County; R. David Kelly, Collin County; Anita Ann Smith Palmer, Wichita County.

Commissioners, Texas Animal Health Commission: Brandon Henry Bouma, Hale County; Thomas G. Kezar, Hays County; Ernesto Antonio Morales, Medina County; Michael Louis Vickers, Brooks County.

Members, Texas Low-Level Radioactive Waste Disposal Compact Commission: Richard H. Dolgener, Andrews County; Eric Joseph Doyal, Harris County; Milton B. Lee, Bexar County; Linda Kay Lane Morris, McLennan County; John Matthew Salsman, Brazos County; Robert C. Wilson, Caldwell County.

Members, Board of Directors, Texas Mutual Insurance Company: Jay L. Eisen, Jefferson County; Delia Maria Reyes, Denton County; John Dayton Swanson, Denton County.

Members, Texas State Board of Plumbing Examiners: Enrique Castro, El Paso County; Janet L. Gallagher, Travis County; Ricardo Jose Guerra, Travis County.

Members, Texas Veterans Commission: John Kevin Ellzey, Ellis County; Richard Alexander McLeon, Victoria County.

Member, Veterans' Land Board: Alan L. Johnson, Cameron County.

NOTICE OF CONSIDERATION OF NOMINATIONS

Senator Hegar gave notice that he would tomorrow submit to the Senate for consideration nominations to agencies, boards, and commissions of the state.

CO-AUTHOR OF SENATE BILL 24

On motion of Senator Hinojosa, Senator Carona will be shown as Co-author of **SB 24**.

CO-AUTHOR OF SENATE BILL 28

On motion of Senator Zaffirini, Senator Van de Putte will be shown as Co-author of **SB 28**.

CO-AUTHOR OF SENATE BILL 61

On motion of Senator Nelson, Senator Uresti will be shown as Co-author of **SB 61**.

CO-AUTHOR OF SENATE BILL 64

On motion of Senator Nelson, Senator Lucio will be shown as Co-author of **SB 64**.

CO-AUTHOR OF SENATE BILL 97

On motion of Senator Patrick, Senator Campbell will be shown as Co-author of **SB 97**.

CO-AUTHOR OF SENATE BILL 247

On motion of Senator Carona, Senator Hinojosa will be shown as Co-author of **SB 247**.

CO-AUTHORS OF SENATE BILL 307

On motion of Senator Huffman, Senators Hinojosa and Lucio will be shown as Co-authors of **SB 307**.

CO-AUTHORS OF SENATE BILL 406

On motion of Senator Nelson, Senators Nichols and Rodríguez will be shown as Co-authors of **SB 406**.

CO-AUTHORS OF SENATE BILL 465

On motion of Senator Van de Putte, Senators Carona and Rodríguez will be shown as Co-authors of **SB 465**.

CO-AUTHOR OF SENATE BILL 508

On motion of Senator Watson, Senator Fraser will be shown as Co-author of **SB 508**.

CO-AUTHOR OF SENATE BILL 515

On motion of Senator Eltife, Senator Estes will be shown as Co-author of **SB 515**.

CO-AUTHOR OF SENATE BILL 516

On motion of Senator Eltife, Senator Estes will be shown as Co-author of **SB 516**.

CO-AUTHOR OF SENATE BILL 517

On motion of Senator Eltife, Senator Estes will be shown as Co-author of **SB 517**.

CO-AUTHOR OF SENATE BILL 518

On motion of Senator Eltife, Senator Estes will be shown as Co-author of **SB 518**.

CO-AUTHOR OF SENATE BILL 532

On motion of Senator Van de Putte, Senator Williams will be shown as Co-author of **SB 532**.

CO-AUTHOR OF SENATE BILL 542

On motion of Senator Watson, Senator Lucio will be shown as Co-author of **SB 542**.

CO-AUTHOR OF SENATE BILL 565

On motion of Senator Ellis, Senator Lucio will be shown as Co-author of **SB 565**.

CO-AUTHORS OF SENATE CONCURRENT RESOLUTION 2

On motion of Senator Ellis, Senators Lucio and Van de Putte will be shown as Co-authors of **SCR 2**.

CO-AUTHOR OF SENATE CONCURRENT RESOLUTION 6

On motion of Senator Estes, Senator Eltife will be shown as Co-author of **SCR 6**.

CO-AUTHORS OF SENATE JOINT RESOLUTION 30

On motion of Senator Van de Putte, Senators Carona and Rodríguez will be shown as Co-authors of **SJR 30**.

RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

Memorial Resolutions

SR 241 by Davis, In memory of Leslie E. "Lon" Goldstein of Fort Worth.

SR 242 by Davis, In memory of James Moore West of Fort Worth.

SR 243 by Davis, In memory of Stacey Lynn Stewart.

SR 245 by Davis, In memory of James Richelieu Cumby, Jr., of Fort Worth.

SR 246 by Davis, In memory of Santos "Blondie" Aguilar of Fort Worth.

Congratulatory Resolutions

SR 239 by Huffman, Commending the Greater Houston Pachyderm Club for its efforts to promote citizen participation in politics.

SR 244 by Davis, Recognizing Umoja for its contributions to the young people of the Dallas-Fort Worth area.

SR 247 by Davis, Recognizing B. R. Daniels, Sr., of Fort Worth for his 40 years in the ministry.

HCR 37 (Campbell), Congratulating Alva and Willie Mae Haydon of Dripping Springs on their 75th wedding anniversary.

Official Designation Resolutions

SR 238 by Watson, Recognizing February 18 through 22, 2013, as Texas Technology Week.

SR 249 by Van de Putte, Campbell, Uresti, and Zaffirini, Recognizing February 21, 2013, as Viva San Antonio Day at the State Capitol.

ADJOURNMENT

On motion of Senator Whitmire, the Senate at 12:12 p.m. adjourned, in memory of Karen Martinez, until 11:00 a.m. tomorrow.

APPENDIX

RESOLUTIONS ENROLLED

February 18, 2013

SCR 14, SR 210, SR 211, SR 212, SR 213, SR 214, SR 215, SR 217, SR 218, SR 219, SR 223, SR 224, SR 226, SR 227, SR 228, SR 229, SR 232, SR 234, SR 235, SR 236, SR 237

