

# SENATE JOURNAL

EIGHTY-THIRD LEGISLATURE — REGULAR SESSION

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AUSTIN, TEXAS

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PROCEEDINGS

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**THIRTY-EIGHTH DAY**

(Wednesday, April 10, 2013)

The Senate met at 11:16 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, Carona, Davis, Deuell, Duncan, Ellis, Eltife, Estes, Fraser, Garcia, Hancock, Hegar, Hinojosa, Huffman, Lucio, Nelson, Nichols, Patrick, Paxton, Rodríguez, Schwertner, Seliger, Taylor, Uresti, Van de Putte, Watson, West, Whitmire, Williams, Zaffirini.

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

Rabbi Alan Freedman, Temple Beth Shalom, Austin, offered the invocation as follows:

O Lord, as we begin our legislative day, we stand before You with our heads bowed in prayer taking the words of scripture, Your words, into our work and into our hearts. We are standing before You so that we might remember to stand up and, in the words of Leviticus, to proclaim liberty throughout the land. We bow our heads to remind us that no matter how exalted our position in life might be, our ultimate mission remains, in the words of the prophet Micah, to do justice, to love mercy, and to walk humbly with our God. And as we proceed through our day, as we do the work of the people of this great state, let us always remember to heed the words of the prophet Isaiah, who proclaimed God's call to come, let us reason together. May You, O God, bless the work of our hands this day and may You grant each Member of this Chamber a heart of wisdom so as to make this and every day count in service to You and to the people of Texas. Amen.

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

The motion prevailed without objection.

**MESSAGE FROM THE GOVERNOR**

The following Message from the Governor was read and was referred to the Committee on Nominations:

April 9, 2013  
Austin, Texas

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

On January 16, 2013, I submitted the name of Ernest W. "Ernie" Kuehne, Jr. for appointment to the University of North Texas System Board of Regents for a term to expire May 22, 2017.

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

Respectfully submitted,  
/s/Rick Perry  
Governor

**RESOLUTION SIGNED**

The President announced the signing of the following enrolled resolution in the presence of the Senate: **HCR 78**.

**PHYSICIAN OF THE DAY**

Senator Watson was recognized and presented Dr. Wil Foadey of Austin as the Physician of the Day.

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

**SENATE RESOLUTION 609**

Senator Watson offered the following resolution:

**SR 609**, Congratulating J. B. and Edna Snead on the occasion of their 75th wedding anniversary.

The resolution was read and was adopted without objection.

**GUESTS PRESENTED**

Senator Lucio was recognized and introduced to the Senate a City of Raymondville delegation.

The Senate welcomed its guests.

**SENATE RESOLUTION 629**

Senator Lucio offered the following resolution:

**SR 629**, Recognizing Texas Bow Tie Day.

The resolution was read and was adopted without objection.

**GUESTS PRESENTED**

Senator Lucio was recognized and introduced to the Senate Lorian Hernandez, Greg Swindell, Commissioner of Education Michael Williams, and Ross Bennett.

The Senate welcomed its guests.

**MESSAGE FROM THE HOUSE**

HOUSE CHAMBER

Austin, Texas

Wednesday, April 10, 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 94** Workman  
Honoring Raleigh K. Roussell for his service to the commercial building industry in Texas.

**HCR 95** Workman  
Honoring the Greater Austin Crime Commission's Longhorn Leaders program on the occasion of its 10th anniversary.

**HJR 71** Thompson, Senfronia  
Proposing a constitutional amendment to provide that the governor, and the lieutenant governor when acting as governor, retain executive authority unless unavailable as provided by law.

Respectfully,

/s/Robert Haney, Chief Clerk  
House of Representatives

**GUESTS PRESENTED**

Senator Van de Putte was recognized and introduced to the Senate a City Public Service Energy Citizens Advisory Committee delegation.

The Senate welcomed its guests.

**SENATE RESOLUTION 615**

Senator Uresti offered the following resolution:

**SR 615**, Recognizing April 10, 2013, as Crystal City Day.

The resolution was read and was adopted without objection.

**GUESTS PRESENTED**

Senator Uresti was recognized and introduced to the Senate a City of Crystal City delegation.

The Senate welcomed its guests.

**SENATE RESOLUTION 628**

Senator West offered the following resolution:

**SR 628**, Recognizing April 10, 2013, as Best Southwest Partnership Day.

The resolution was read and was adopted without objection.

**GUESTS PRESENTED**

Senator West was recognized and introduced to the Senate a Best Southwest Partnership delegation: Kevin Fegan, Chair; Marcus Knight, Immediate Past Chair; Grant Galliford, Chair-elect; Rob Franke, Past Chair; and Joe Johnson, Executive Director.

The Senate welcomed its guests.

**SENATE RESOLUTION 632**

Senator Ellis offered the following resolution:

**SR 632**, Commending Jared Fogle for his many achievements.

The resolution was read and was adopted without objection.

**GUEST PRESENTED**

Senator Ellis was recognized and introduced to the Senate Jared Fogle of The Jared Foundation.

The Senate welcomed its guest.

**GUESTS PRESENTED**

Senator Hegar was recognized and introduced to the Senate Special Rangers from the Texas and Southwestern Cattle Raisers Association.

The Senate welcomed its guests.

**INTRODUCTION OF  
BILLS AND RESOLUTIONS POSTPONED**

The President 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 at 11:49 a.m. announced the conclusion of morning call.

**SENATE BILL 1019 ON SECOND READING**

On motion of Senator Estes and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 1019** at this time on its second reading:

**SB 1019**, Relating to the investment of funds by the governing boards of certain institutions of higher education.

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

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

### **SENATE BILL 1019 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 **SB 1019** 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 1076 ON SECOND READING**

On motion of Senator Hegar and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 1076** at this time on its second reading:

**SB 1076**, Relating to the circumstances under which an appraisal review board hearing shall be closed to the public.

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

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

### **SENATE BILL 1076 ON THIRD READING**

Senator Hegar moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 1076** 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 1811 ON SECOND READING**

On motion of Senator Hegar and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1811** at this time on its second reading:

**CSSB 1811**, Relating to the Fort Bend Subsidence District.

The bill was read second time.

Senator Hegar offered the following amendment to the bill:

#### **Floor Amendment No. 1**

Amend **CSSB 1811** (senate committee report) as follows:

- (1) In the recital to SECTION 1 of the bill (page 1, line 27) strike "(1-b)".
- (2) In SECTION 1 of the bill, in amended Section 8834.001, Special District Local Laws Code (page 1, lines 35-38), strike proposed Subdivision (1-a).

(3) In SECTION 1 of the bill, in amended Section 8834.001, Special District Local Laws Code (page 1, line 39), strike "(1-b)" and substitute "(1-a)".

The amendment to **CSSB 1811** 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 Hegar and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

**CSSB 1811** 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 1811 ON THIRD READING**

Senator Hegar moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1811** 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 1120 ON SECOND READING**

On motion of Senator West and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1120** at this time on its second reading:

**CSSB 1120**, Relating to a residential tenant's lease obligation after the loss of the leased premises resulting from a natural disaster.

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: Hegar.

**COMMITTEE SUBSTITUTE  
SENATE BILL 1120 ON THIRD READING**

Senator West moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1120** 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 30, Nays 1.

Nays: Hegar.

**SENATE BILL 1467 ON THIRD READING**

Senator Estes moved to suspend the regular order of business to take up for consideration **SB 1467** at this time on its third reading and final passage:

**SB 1467**, Relating to economic development incentives for firearms manufacturers, firearms accessory manufacturers, and ammunition manufacturers.

The motion prevailed by the following vote: Yeas 24, Nays 7.

Yeas: Campbell, Carona, Davis, Deuell, Duncan, Eltife, Estes, Fraser, Hancock, Hegar, Hinojosa, Huffman, Lucio, Nelson, Nichols, Patrick, Paxton, Schwertner, Seliger, Taylor, Van de Putte, Whitmire, Williams, Zaffirini.

Nays: Birdwell, Ellis, Garcia, Rodríguez, Uresti, Watson, West.

The bill was read third time and was passed by the following vote: Yeas 24, Nays 7. (Same as previous roll call)

**(President Pro Tempore Van de Putte in Chair)**

**COMMITTEE SUBSTITUTE  
SENATE BILL 1142 ON SECOND READING**

On motion of Senator Duncan and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1142** at this time on its second reading:

**CSSB 1142**, Relating to an adult high school diploma and industry certification charter school pilot program for adults 19 to 50 years of age.

The bill was read second time.

Senator Duncan offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend **CSSB 1142** (senate committee printing) as follows:

(1) Strike SECTION 5 of the bill (page 2, line 49, through page 3, line 9) and renumber subsequent SECTIONS of the bill accordingly.

(2) In SECTION 6 of the bill, in added Section 29.259(h)(1), Education Code (page 3, lines 63-64), strike "funds appropriated for adult basic education" and substitute "general revenue funds appropriated for the pilot program".

The amendment to **CSSB 1142** was read and was adopted by a viva voce vote.

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

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

**CSSB 1142** 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 1142 ON THIRD READING**

Senator Duncan moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1142** 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 11 ON SECOND READING**

On motion of Senator Nelson and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 11** at this time on its second reading:

**CSSB 11**, Relating to the drug testing of certain persons seeking financial assistance benefits.

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 11 ON THIRD READING**

Senator Nelson moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 11** 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.

**GUESTS PRESENTED**

Senator Campbell was recognized and introduced to the Senate students from Texas State University—San Marcos: Andrew Potter, Megan Trexler, Tiffany Young, Drake VanDuker, and Vanessa Cortez.

The Senate welcomed its guests.

**SENATE BILL 1395 ON SECOND READING**

Senator Estes moved to suspend the regular order of business to take up for consideration **SB 1395** at this time on its second reading:

**SB 1395**, Relating to the regulation of dangerous wild animals.

The motion prevailed.

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

The bill was read second time.



Senator Zaffirini offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend **SB 1395** (senate committee printing) as follows:

(1) Strike the recital to SECTION 2 of the bill, amending Section 822.102(a), Health and Safety Code (page 1, lines 39-40), and substitute "Section 822.102, Health and Safety Code, is amended by amending Subsection (a) and adding Subsection (c) to read as follows:".

(2) In SECTION 2 of the bill, in amended Section 822.102(a), Health and Safety Code (page 1, line 41), strike "This" and substitute "Except as otherwise provided by Subsection (c), this [This]".

(3) In SECTION 2 of the bill, immediately following amended Section 822.102(a), Health and Safety Code (page 2, between lines 49 and 50), insert the following:

(c) Section 822.1025 applies to an organization described by Subsection (a)(13) and a wildlife sanctuary described by Subsection (a)(14).

(4) Add the following appropriately numbered SECTION and renumber subsequent SECTIONS accordingly:

SECTION \_\_\_\_\_. Subchapter E, Chapter 822, Health and Safety Code, is amended by adding Section 822.1025 to read as follows:

Sec. 822.1025. DUTIES OF CERTAIN ENTITIES. (a) Not later than December 31 of each year, an organization described by Section 822.102(a)(13) or a wildlife sanctuary described by Section 822.102(a)(14) shall provide to the animal registration agency and the department an annual notification, on a form provided by the department, that includes:

(1) the name, address, and telephone number of the organization or sanctuary;

(2) a complete identification of each dangerous wild animal in the custody and control of the organization or sanctuary, including species, sex, and age, if known; and

(3) the exact location where each animal is to be kept.

(b) Not later than the 10th day after the date on which an organization described by Section 822.102(a)(13) or a wildlife sanctuary described by Section 822.102(a)(14) acquires a dangerous wild animal, the organization or sanctuary shall provide to the animal registration agency and the department an update to the annual notification described by Subsection (a).

(c) The animal registration agency may establish and charge reasonable fees for the notification under this section in order to recover the costs associated with the administration and enforcement of this section. The fee under this subsection may not exceed \$50 for each animal listed in the notice and may not exceed \$500, regardless of the number of animals listed in the notice.

(d) The department may charge a reasonable fee in an amount sufficient to recover the costs associated with accepting and processing a notification under this section.

(e) Sections 822.107 and 822.110 apply to an organization described by Section 822.102(a)(13) or a wildlife sanctuary described by Section 822.102(a)(14).

(f) An organization described by Section 822.102(a)(13) or a wildlife sanctuary described by Section 822.102(a)(14) that violates Subsections (a)-(d) is subject to Sections 822.113-822.115 as if the organization or sanctuary had violated Section 822.103(a). An organization or sanctuary that violates Subsection (e) is subject to Sections 822.113 and 822.115, as applicable.

(5) Add the following appropriately numbered SECTION and renumber subsequent SECTIONS accordingly:

SECTION \_\_\_\_\_. (a) Except as otherwise provided by Subsection (b) of this section, each animal registration agency in this state and the Department of State Health Services shall establish procedures to comply with Section 822.1025, Health and Safety Code, as added by this Act, not later than January 1, 2014.

(b) An animal registration agency is not required to establish procedures under Subsection (a) of this section if the municipality or county in which the agency is located prohibits the ownership, possession, or confinement of dangerous wild animals as defined by Section 822.101, Health and Safety Code.

The amendment to **SB 1395** 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.

**SB 1395** as amended was passed to engrossment by a viva voce vote.

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

Nays: Huffman, Patrick.

### **SENATE BILL 1395 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 **SB 1395** be placed on its third reading and final passage.

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

Yeas: Birdwell, Campbell, Carona, Davis, Deuell, Duncan, Ellis, Eltife, Estes, Fraser, Garcia, Hancock, Hegar, Hinojosa, Lucio, Nelson, Nichols, Paxton, Rodriguez, Schwertner, Seliger, Taylor, Uresti, Van de Putte, Watson, West, Whitmire, Williams, Zaffirini.

Nays: Huffman, 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 SENATE BILL 753 ON SECOND READING**

Senator Patrick moved to suspend the regular order of business to take up for consideration **CSSB 753** at this time on its second reading:

**CSSB 753**, Relating to the production of the index of the parties to all suits by the clerk of a district court.

The motion prevailed.

Senators Duncan, Hancock, and Paxton 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: Duncan, Hancock, Paxton.

#### **COMMITTEE SUBSTITUTE SENATE BILL 753 ON THIRD READING**

Senator Patrick moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 753** be placed on its third reading and final passage.

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

Yeas: Birdwell, Campbell, Carona, Davis, Deuell, Ellis, Eltife, Estes, Fraser, Garcia, Hegar, Hinojosa, Huffman, Lucio, Nelson, Nichols, Patrick, Rodríguez, Schwertner, Seliger, Taylor, Uresti, Van de Putte, Watson, West, Whitmire, Williams, Zaffirini.

Nays: Duncan, Hancock, Paxton.

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

#### **SENATE BILL 1267 ON SECOND READING**

On motion of Senator Nichols and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 1267** at this time on its second reading:

**SB 1267**, Relating to the liability of individuals providing labor or assistance to the Texas Forest Service in the performance of certain fire suppression duties.

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

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

#### **SENATE BILL 1267 ON THIRD READING**

Senator Nichols moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 1267** 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 974 ON SECOND READING**

Senator Campbell moved to suspend the regular order of business to take up for consideration **SB 974** at this time on its second reading:

**SB 974**, Relating to the name of Texas State University—San Marcos.

The motion prevailed by the following vote: Yeas 25, Nays 4.

Yeas: Birdwell, Campbell, Carona, Duncan, Eltife, Estes, Fraser, Garcia, Hancock, Hegar, Hinojosa, Huffman, Nelson, Nichols, Patrick, Paxton, Rodríguez, Schwertner, Seliger, Taylor, Uresti, Van de Putte, Whitmire, Williams, Zaffirini.

Nays: Davis, Lucio, Watson, West.

Absent: Deuell, Ellis.

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

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

**SENATE BILL 974 ON THIRD READING**

Senator Campbell moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 974** 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 632 ON SECOND READING**

Senator Carona moved to suspend the regular order of business to take up for consideration **CSSB 632** at this time on its second reading:

**CSSB 632**, Relating to contracts between optometrists or therapeutic optometrists and health maintenance organizations or insurers.

The motion prevailed.

Senator Campbell 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: Campbell.

**COMMITTEE SUBSTITUTE  
SENATE BILL 632 ON THIRD READING**

Senator Carona moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 632** be placed on its third reading and final passage.

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

Nays: Campbell.

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

**(President in Chair)**

**COMMITTEE SUBSTITUTE  
SENATE BILL 33 ON SECOND READING**

On motion of Senator Zaffirini and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 33** at this time on its second reading:

**CSSB 33**, Relating to the electronic monitoring of residents at state supported living centers; providing criminal penalties.

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

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

**COMMITTEE SUBSTITUTE  
SENATE BILL 33 ON THIRD READING**

Senator Zaffirini moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 33** 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.

**SESSION TO CONSIDER EXECUTIVE APPOINTMENTS**

The President announced the time had arrived to consider executive appointments to agencies, boards, and commissions. Notice of submission of these names for consideration was given yesterday by Senator Hegar.

Senator Hegar moved confirmation of the nominees reported yesterday by the Committee on Nominations.

The President asked if there were requests to sever nominees.

There were no requests offered.

**NOMINEES CONFIRMED**

The following nominees, as reported by the Committee on Nominations, were confirmed by the following vote: Yeas 30, Nays 0, Present-not voting 1.

Present-not voting: Garcia.

Members, Oversight Committee, Cancer Prevention and Research Institute of Texas: Angelos G. Angelou, Travis County; Arthur Gerald Geistweidt, Mason County.

Members, Credit Union Commission: Allyson Morrow, Cameron County; Barbara Kay Stewart, Morris County; Vik Vad, Travis County.

Members, Board of Directors, Rio Grande Regional Water Authority: Troy Coby Allen, Hidalgo County; Dario Vidal Guerra, Hidalgo County; Arturo Hinojosa, Hidalgo County; Sonia Lambert, Cameron County; Lance Scott Neuhaus, Hidalgo County; Joe Alfred Pennington, Willacy County; Frank White, Hidalgo County.

Members, Risk Management Board, State Office of Risk Management: Lloyd Marshall Garland, Lubbock County; John Wesley Youngblood, Milam County.

Justice, Supreme Court of Texas: Jeffrey Scott Boyd, Travis County.

Members, Texas Council on Purchasing from People with Disabilities: Jack Daniel Bremer, Comal County; Michael Kevin Cloud, Travis County; Glenn Ray Hagler, Williamson County; Kevin Milanes Jackson, Travis County; Beverly Jackson Loss, Hunt County; Alfred Harlow Matson, Smith County; Dietrich Matthew Grogan von Biedenfeld, Brazoria County.

Members, Texas Transportation Commission: Jeff Austin, Smith County; Jeffrey Alan Moseley, Harris County; Victor Thomas Vandergriff, Tarrant County.

#### **REASON FOR VOTE**

Senator Garcia submitted the following reason for vote on the confirmation of nominees reported by the Committee on Nominations:

While I voted "Present-not voting" on the slate of nominations presented on the Senate floor today, I want to register my opposition to the confirmation of Justice Jeffrey S. Boyd to the Supreme Court of Texas. Due to a lack of authored judicial opinions by which to determine his judicial philosophy, I do not have sufficient evidence with which to determine his qualifications for the position and how his appointment may impact my constituents and the people of Texas. I do support all the other nominations presented today.

GARCIA

#### **SENATE RULE 7.07(b) SUSPENDED (Permission to Introduce) (Motion In Writing)**

Senator Whitmire submitted the following Motion In Writing:

Mr. President:

I move suspension of Senate Rule 7.07(b) to permit the introduction of the following resolution: **SJR 1**.

WHITMIRE

The Motion In Writing prevailed without objection.

**SENATE BILLS AND RESOLUTION ON FIRST READING**

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

**SB 1884** by Taylor

Relating to the creation of the Westwood Management District; providing authority to issue bonds; providing authority to impose fees or taxes.  
To Committee on Intergovernmental Relations.

**SB 1885** by Estes

Relating to the creation of the Comanche Municipal Management District No. 1.  
To Committee on Intergovernmental Relations.

**SB 1886** by Estes

Relating to the creation of the Old Celina Municipal Management District No. 1.  
To Committee on Intergovernmental Relations.

**SJR 1** by Williams

Proposing a constitutional amendment providing for the creation and use of funds in the state treasury to provide financial assistance for certain projects related to economic development and water infrastructure and for the transfer to the funds of money from the economic stabilization fund.  
To Committee on Finance.

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

Senator Eltife submitted the following Motion In Writing:

Mr. President:

I move to suspend Senate Rule 11.13 so that committees may meet during the Local and Uncontested Calendar.

ELTIFE

The Motion In Writing prevailed without objection.

**NOTICE GIVEN FOR  
LOCAL AND UNCONTESTED CALENDAR**

Senator Eltife announced that a Local and Uncontested Calendar had been furnished to each Member of the Senate. He then gave notice that the Local and Uncontested Calendar Session would be held at 8:30 a.m. tomorrow and that all bills and resolutions would be considered on second and third reading in the order in which they were listed.

**SENATE RULES SUSPENDED  
(Posting Rules)**

On motion of Senator Williams and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Finance might meet and consider **SJR 1** tomorrow.

**SENATE RULES SUSPENDED**  
**(Posting Rules)**

On motion of Senator Patrick and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Education might meet and consider **SB 906** tomorrow.

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

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

**SENATE RULES SUSPENDED**  
**(Posting Rules)**

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

**SB 400, SB 598, SB 861, SB 950, SB 962, SB 1034, SB 1268, SB 1280, SB 1364, SB 1639, HB 1600.**

**MOTION TO ADJOURN**

On motion of Senator Whitmire and by unanimous consent, the Senate at 1:34 p.m. agreed to adjourn, in memory of the life of Carlos Truan, upon conclusion of the Local and Uncontested Calendar Session, until 11:00 a.m. tomorrow.

**CO-AUTHOR OF SENATE BILL 11**

On motion of Senator Nelson, Senator Schwertner will be shown as Co-author of **SB 11**.

**CO-AUTHOR OF SENATE BILL 21**

On motion of Senator Williams, Senator Schwertner will be shown as Co-author of **SB 21**.

**CO-AUTHOR OF SENATE BILL 248**

On motion of Senator Davis, Senator Garcia will be shown as Co-author of **SB 248**.

**CO-AUTHOR OF SENATE BILL 459**

On motion of Senator Rodríguez, Senator Garcia will be shown as Co-author of **SB 459**.

**CO-AUTHOR OF SENATE BILL 1398**

On motion of Senator Estes, Senator Van de Putte will be shown as Co-author of **SB 1398**.

**CO-AUTHOR OF SENATE BILL 1476**

On motion of Senator West, Senator Rodríguez will be shown as Co-author of **SB 1476**.



**CO-AUTHOR OF SENATE BILL 1655**

On motion of Senator Williams, Senator Estes will be shown as Co-author of **SB 1655**.

**CO-AUTHORS OF SENATE JOINT RESOLUTION 55**

On motion of Senator Williams, Senators Deuell and Estes will be shown as Co-authors of **SJR 55**.

**RESOLUTIONS OF RECOGNITION**

The following resolutions were adopted by the Senate:

**Congratulatory Resolutions**

**SR 630** by Lucio, Recognizing the Pharr Oratory of Saint Philip Neri School System on the occasion of its 30th anniversary.

**SR 631** by Ellis, Recognizing Eva Perkins on the occasion of her 74th birthday.

**RECESS**

On motion of Senator Whitmire, the Senate at 1:34 p.m. recessed until 8:30 a.m. tomorrow for the Local and Uncontested Calendar Session.

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**APPENDIX**

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**COMMITTEE REPORTS**

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

April 10, 2013

AGRICULTURE, RURAL AFFAIRS AND HOMELAND SECURITY — **CSSB 1857**

CRIMINAL JUSTICE — **SB 481, SB 834, SB 892, SB 1316**

EDUCATION — **SB 914, CSSB 1406, SB 860**

GOVERNMENT ORGANIZATION — **CSSB 1708**

EDUCATION — **CSSB 17**

NATURAL RESOURCES — **SB 1162, SB 1163, SB 1844, SB 873, SB 1876**

**BILLS ENGROSSED**

April 9, 2013

**SB 121, SB 291, SB 427, SB 449, SB 547, SB 552, SB 953, SB 966, SB 1115, SB 1367, SB 1437, SB 1530, SB 1538, SB 1803**

**RESOLUTIONS ENROLLED**April 9, 2013**SR 591, SR 608, SR 619, SR 622, SR 623, SR 624, SR 626, SR 627**