

SENATE JOURNAL

EIGHTY-THIRD LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

THIRTY-EIGHTH DAY

(Continued)

(Thursday, April 11, 2013)

AFTER RECESS

The Senate met at 8:30 a.m. and was called to order by Senator Eltife.

**SESSION HELD FOR
LOCAL AND UNCONTESTED CALENDAR**

The Presiding Officer announced that the time had arrived to consider bills and resolutions placed on the Local and Uncontested Calendar. Notice of consideration of the local calendar was given by Senator Eltife yesterday.

Pursuant to Senate Rule 9.03(d), the following bills and resolutions were laid before the Senate in the order listed, read second time, amended where applicable, passed to engrossment or third reading, read third time, and passed. The votes on passage to engrossment or third reading, suspension of the Constitutional Three-day Rule, and final passage are indicated after each caption. All Members are deemed to have voted "Yea" on viva voce votes unless otherwise indicated.

CSSB 45 (Zaffirini)

Relating to the provision of employment assistance and supported employment to certain Medicaid waiver program participants.

(viva voce vote) (31-0) (31-0)

CSSB 62 (Nelson)

Relating to the vaccination against bacterial meningitis of entering students at public and private or independent institutions of higher education.

(viva voce vote) (31-0) (31-0)

CSSB 92 (Van de Putte)

Relating to the designation of a juvenile court and a program for certain juveniles who may be the victims of human trafficking.

(viva voce vote) (31-0) (31-0)

SB 217 (Patrick)

Relating to the continuation and functions of the state employee charitable campaign.

(viva voce vote) (31-0) (31-0)

CSSB 272 (Seliger)

Relating to water well recordkeeping and reporting requirements, including the production and use of groundwater.

(viva voce vote) (31-0) (31-0)

CSSB 280 (Zaffirini)

Relating to the creation and operation of a park and recreation district in a county with frontage on the San Marcos River and to the authority of the district to collect fees; providing penalties.

(viva voce vote) (31-0) (31-0)

SB 286 (Hinojosa)

Relating to a home loan program operated by the Texas State Affordable Housing Corporation.

(viva voce vote) (31-0) (31-0)

SB 320 (Williams)

Relating to the powers and duties of the Montgomery County Water Control and Improvement District No. 3.

(viva voce vote) (31-0) (31-0)

SB 321 (Williams)

Relating to the powers and duties of the Montgomery County Water Control and Improvement District No. 2.

(viva voce vote) (31-0) (31-0)

SB 322 (Williams)

Relating to the period for confirmation and the terms of the temporary directors of the Montgomery County Municipal Utility District No. 102.

(viva voce vote) (31-0) (31-0)

SB 323 (Williams)

Relating to the period for confirmation and the terms of the temporary directors of the Montgomery County Municipal Utility District No. 104.

(viva voce vote) (31-0) (31-0)

SB 324 (Williams)

Relating to the period for confirmation and the terms of the temporary directors of the Montgomery County Municipal Utility District No. 117.

(viva voce vote) (31-0) (31-0)

CSSB 332 (Rodríguez)

Relating to commissioners court oversight of certain emergency services districts.

(viva voce vote) (31-0) (31-0)

SB 334 (Rodríguez)

Relating to preliminary review of complaints filed with a county ethics commission.

(viva voce vote) (31-0) (31-0)

CSSB 387 (Nichols)

Relating to county participation in a program for improvement of collection of court costs, fees, and fines imposed in criminal cases.

(viva voce vote) (31-0) (31-0)

CSSB 457 (Rodríguez)

Relating to the confidentiality of certain autopsy records.

(viva voce vote) (31-0) (31-0)

CSSB 476 (Hinojosa)

Relating to installment agreements for the payment of delinquent ad valorem taxes.

(viva voce vote) (31-0) (31-0)

SB 566 (Eltife)

Relating to the establishment of a pharmacy school at The University of Texas at Tyler.

(viva voce vote) (31-0) (31-0)

SB 623 (Williams)

Relating to the creation of the Montgomery County Municipal Utility District No. 138; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

(viva voce vote) (31-0) (31-0)

SB 624 (Williams)

Relating to the creation of the Montgomery County Municipal Utility District No. 137; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

(viva voce vote) (31-0) (31-0)

CSSB 718 (West)

Relating to voluntary and involuntary mental health services.

(viva voce vote) (31-0) (31-0)

CSSB 793 (Deuell)

Relating to newborn hearing screening.

(viva voce vote) (31-0) (31-0)

(Senator Uresti in Chair)**SB 795** (Lucio)

Relating to the composition and powers of a governing body in certain municipalities.

(viva voce vote) (31-0) (31-0)

SB 831 (Taylor)

Relating to a list of mental health, substance abuse, and suicide prevention programs that may be selected for implementation by public schools.

(viva voce vote) (31-0) (31-0)

SB 844 (Ellis)

Relating to unemployment compensation eligibility and chargebacks regarding certain persons who leave work to attend training.

(viva voce vote) (28-3) "Nays" Fraser, Huffman, Nelson (28-3) "Nays" Fraser, Huffman, Nelson

SB 846 (Van de Putte)

Relating to training, certification, and accreditation provided or regulated by the Texas Veterans Commission.

(viva voce vote) (31-0) (31-0)

CSSB 869 (Van de Putte)

Relating to the regulation of the practice of pharmacy; authorizing fees.

(viva voce vote) (31-0) (31-0)

SB 875 (Eltife)

Relating to the purchase of plastic bulk merchandise containers by certain businesses; providing a civil penalty.

(viva voce vote) (30-1) "Nay" Fraser (30-1) "Nay" Fraser

CSSB 951 (Carona)

Relating to surplus lines insurance.

(viva voce vote) (31-0) (31-0)

CSSB 973 (Carona)

Relating to the regulation of barbering and cosmetology; authorizing fees.

(viva voce vote) (31-0) (31-0)

CSSB 990 (West)

Relating to criminal history record information obtained or disseminated by certain private entities; providing a civil penalty; authorizing fees.

(viva voce vote) (31-0) (31-0)

SB 997 (Deuell)

Relating to the sales and use tax consequences of economic development agreements in certain municipalities.

(viva voce vote) (31-0) (31-0)

CSSB 1023 (Watson)

Relating to the renewal and extension and modification of a 99-year lease of certain state property to the City of Austin.

(viva voce vote) (31-0) (31-0)

CSSB 1035 (Carona)

Relating to alcoholic beverage license applications and fees.

(viva voce vote) (31-0) (31-0)

SB 1041 (Zaffirini)

Relating to authorizing certain counties to impose a hotel occupancy tax.

(viva voce vote) (31-0) (31-0)

CSSB 1057 (Nelson)

Relating to information about private health care insurance coverage and the health insurance exchange for individuals applying for certain Department of State Health Services health or mental health benefits, services, and assistance.

(viva voce vote) (31-0) (31-0)

CSSB 1074 (Hegar)

Relating to electronic transmission of documentation involved in certain insurance transactions.

(viva voce vote) (31-0) (31-0)

SB 1093 (West)

Relating to nonsubstantive additions to and corrections in enacted codes, to the nonsubstantive codification or disposition of various laws omitted from enacted codes, and to conforming codifications enacted by the 82nd Legislature to other Acts of that legislature.

(viva voce vote) (31-0) (31-0)

Senator West offered the following committee amendment to the bill:

Committee Amendment No. 1

Amend **SB 1093** (introduced version) in SECTION 10.003 of the bill by striking the language of Subsection (a) of that SECTION and relettering subsequent subsections of that SECTION accordingly.

The amendment to **SB 1093** was read and was adopted by a viva voce vote.

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

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

SB 1094 (Hinojosa)

Relating to security interests in oil and gas production and its proceeds.

(viva voce vote) (31-0) (31-0)

SB 1101 (Van de Putte)

Relating to the Cybersecurity, Education, and Economic Development Council.

(viva voce vote) (31-0) (31-0)

SB 1102 (Van de Putte)

Relating to the appointment of a state cybersecurity coordinator.

(viva voce vote) (31-0) (31-0)

CSSB 1113 (Zaffirini)

Relating to matching private grants given to enhance additional research activities at institutions of higher education.

(viva voce vote) (31-0) (31-0)

CSSB 1114 (Whitmire)

Relating to the prosecution of certain misdemeanor offenses committed by children and to school district law enforcement.

(viva voce vote) (31-0) (31-0)

CSSB 1125 (Carona)

Relating to first-party indemnity coverage purchased by insurance purchasing groups.

(viva voce vote) (31-0) (31-0)

(Senator Hancock in Chair)**SB 1134** (Ellis)

Relating to the duties of the Department of Information Resources regarding cybersecurity.

(viva voce vote) (31-0) (31-0)

SB 1165 (Hegar)

Relating to the use of real property by the University of Houston–Sugar Land.

(viva voce vote) (31-0) (31-0)

CSSB 1178 (Deuell)

Relating to training for public school educators in identifying mental health and suicide risks among students.

(viva voce vote) (31-0) (31-0)

SB 1195 (Ellis)

Relating to a contract for the acquisition of goods or services to which The University of Texas M. D. Anderson Cancer Center is a party.

(viva voce vote) (31-0) (31-0)

CSSB 1237 (Schwertner)

Relating to referral of disputes for alternative dispute resolution, including victim-directed referrals; authorizing a fee.

(viva voce vote) (31-0) (31-0)

CSSB 1248 (Carona)

Relating to the documentary fee charged in connection with the sale of certain recreational vehicles and boats.

(viva voce vote) (31-0) (31-0)

CSSB 1251 (Carona)

Relating to authorized charges and terms for certain consumer loans.

(viva voce vote) (31-0) (31-0)

CSSB 1282 (Duncan)

Relating to deadlines for proposals for adoption by certain districts or authorities of desired future conditions of relevant aquifers.

(viva voce vote) (31-0) (31-0)

CSSB 1299 (Patrick)

Relating to powers of the West Harris County Regional Water Authority relating to certain wells.

(viva voce vote) (31-0) (31-0)

CSSB 1300 (Eltife)

Relating to environmental or health and safety audits under the Texas Environmental, Health, and Safety Audit Privilege Act.

(viva voce vote) (31-0) (31-0)

SB 1332 (Duncan)

Relating to who is an employee for large and small employers for health benefit plans.

(viva voce vote) (31-0) (31-0)

SB 1352 (Van de Putte)

Relating to inclusion of mental health concerns in existing state and local coordinated school health efforts.

(viva voce vote) (31-0) (31-0)

SB 1373 (Hinojosa)

Relating to the display of the Honor and Remember flag.

(viva voce vote) (31-0) (31-0)

CSSB 1388 (Carona)

Relating to identity recovery services; imposing a fee.

(viva voce vote) (31-0) (31-0)

CSSB 1393 (Estes)

Relating to homeland security strategy.

(viva voce vote) (31-0) (31-0)

SB 1394 (Estes)

Relating to the statewide critical infrastructure protection strategy.

(viva voce vote) (31-0) (31-0)

SB 1423 (Hinojosa)

Relating to validating certain acts of the Lower Nueces River Water Supply District transferring real property rights.

(viva voce vote) (31-0) (31-0)

SB 1430 (Hinojosa)

Relating to the applicability of certain public works contracting requirements.

(viva voce vote) (31-0) (31-0)

CSSB 1537 (Deuell)

Relating to certain required notices under the Texas Unemployment Compensation Act, including employer liability arising from failure to provide the notice.

(viva voce vote) (31-0) (31-0)

CSSB 1597 (Zaffirini)

Relating to the development of state agency information security plans.

(viva voce vote) (31-0) (31-0)

CSSB 1602 (Zaffirini)

Relating to reports and other information required of or held by institutions of higher education.

(viva voce vote) (31-0) (31-0)

SB 1613 (Zaffirini)

Relating to the abolition of the Office of State-Federal Relations.

(viva voce vote) (31-0) (31-0)

SB 1665 (Carona)

Relating to the deposit of assessments and fees collected for examination expenses.

(viva voce vote) (31-0) (31-0)

CSSB 1702 (Taylor)

Relating to residential property insured by the Texas Windstorm Insurance Association.

(viva voce vote) (31-0) (31-0)

SB 1833 (Uresti)

Relating to the rate of the hotel occupancy tax in certain counties.

(viva voce vote) (28-3) "Nays" Fraser, Hancock, Schwertner (28-3) "Nays" Fraser, Hancock, Schwertner

SB 1835 (Hegar)

Relating to the Calhoun County Groundwater Conservation District; providing authority to impose a voter-approved tax.

(viva voce vote) (31-0) (31-0)

ADJOURNMENT

Pursuant to a previously adopted motion, the Senate at 9:00 a.m. adjourned, in memory of the life of Carlos Truan, until 11:00 a.m. today.