

SENATE JOURNAL

EIGHTY-THIRD LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

FORTY-FIRST DAY

(Tuesday, April 16, 2013)

The Senate met at 11:06 a.m. pursuant to adjournment and was called to order by Senator Eltife.

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, Zaffirini.

Absent-excused: Whitmire, Williams.

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

Pastor Matthew Thrasher, Crossroads Church, Belton, offered the invocation as follows:

Lord of heaven and Earth, we thank You for another day. Our thoughts go out to those affected by the tragic events in Boston. Grant our leaders wisdom to lead the great State of Texas and the solidarity to work together. We ask this in the name of Your son, Jesus Christ. Amen.

Senator Nelson 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.

LEAVES OF ABSENCE

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

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

SENATE RESOLUTION 485

Senator Rodríguez offered the following resolution:

SR 485, Recognizing The University of Texas at El Paso on the occasion of its 100th anniversary.

The resolution was read and was adopted without objection.

GUESTS PRESENTED

Senator Rodríguez was recognized and introduced to the Senate a delegation from The University of Texas at El Paso, accompanied by Diana Natalicio, President; Larry Goodman, Development Board Chairman; and Russell Vandenberg, Centennial Campaign Leadership Council Chairman; and The University of Texas System representatives Paul Foster, Board of Regents, and Francisco Cigarroa, Chancellor.

The Senate welcomed its guests.

PHYSICIAN OF THE DAY

Senator Davis was recognized and presented Dr. A. Duane Selman of North Richland Hills as the Physician of the Day.

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

SENATE RESOLUTION 659

Senator Deuell offered the following resolution:

SR 659, Commending the Texas section of the United States Tennis Association.

The resolution was read and was adopted without objection.

GUESTS PRESENTED

Senator Deuell was recognized and introduced to the Senate Ken McAllister, Bobby Castillo, Al Trevino, Bert Cole, Nya Cheatham, and Jane Morrill.

The Senate welcomed its guests.

SENATE RESOLUTION 639

Senator Watson offered the following resolution:

SR 639, Congratulating Samsung Electronics on the expansion of the Samsung Austin Semiconductor plant.

WATSON
PAXTON

The resolution was read and was adopted without objection.

GUESTS PRESENTED

Senator Watson was recognized and introduced to the Senate a Samsung Electronics delegation, accompanied by Woosung Han, President, Samsung Austin Semiconductor; Katherine Morris; Buddy Nicoson, Vice-president, Fab Engineering and General Manager; and Michael Raiford, Vice-president, Manufacturing, Systems; as well as Kevin Packingham, Senior Vice-president and Chief Protocol Officer, and Tim Sheppard, Vice-president and Chief Customer Officer, both of Samsung Telecommunications America in Dallas.

The Senate welcomed its guests.

SENATE RESOLUTION 610

Senator Lucio offered the following resolution:

SR 610, Commending the Westlake High School Cheerleaders for winning a national championship.

The resolution was read and was adopted without objection.

GUESTS PRESENTED

Senator Lucio was recognized and introduced to the Senate a Westlake High School Cheerleaders delegation, accompanied by captains N'Kisha Heffington and Bridget Person; Jeff Nixon, head coach; and Missy Hall, competition coach, niece of Senator Lucio.

The Senate welcomed its guests.

**INTRODUCTION OF
BILLS AND RESOLUTIONS POSTPONED**

The Presiding Officer 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 Presiding Officer at 11:33 a.m. announced the conclusion of morning call.

**COMMITTEE SUBSTITUTE
SENATE BILL 1340 ON SECOND READING**

Senator Seliger moved to suspend the regular order of business to take up for consideration **CSSB 1340** at this time on its second reading:

CSSB 1340, Relating to the temporary operation of a race track extension location.

The motion prevailed by the following vote: Yeas 20, Nays 9.

Yeas: Carona, Davis, Deuell, Duncan, Ellis, Eltife, Fraser, Garcia, Hegar, Hinojosa, Lucio, Nichols, Rodríguez, Schwertner, Seliger, Uresti, Van de Putte, Watson, West, Zaffirini.

Nays: Birdwell, Campbell, Estes, Hancock, Huffman, Nelson, Patrick, Paxton, Taylor.

Absent-excused: Whitmire, Williams.

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: Birdwell, Campbell, Estes, Hancock, Huffman, Nelson, Patrick, Paxton, Taylor.

Absent-excused: Whitmire, Williams.

**MOTION TO PLACE
COMMITTEE SUBSTITUTE
SENATE BILL 1340 ON THIRD READING**

Senator Seliger moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1340** be placed on its third reading and final passage.

Senator Seliger withdrew the motion to suspend Senate Rule 7.18 and the Constitutional Rule.

GUESTS PRESENTED

Senator Lucio was recognized and introduced to the Senate a Texas health care long-term care nurses delegation.

The Senate welcomed its guests.

SENATE BILL 1224 ON SECOND READING

On motion of Senator Taylor and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 1224** at this time on its second reading:

SB 1224, Relating to the use by a property owner of a common or contract carrier to send a payment, report, application, statement, or other document or paper to a taxing unit or taxing official.

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:

Absent-excused: Whitmire, Williams.

SENATE BILL 1224 ON THIRD READING

Senator Taylor moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 1224** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent-excused: Whitmire, Williams.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
SENATE JOINT RESOLUTION 32 ON SECOND READING**

On motion of Senator Paxton and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSJR 32** at this time on its second reading:

CSSJR 32, Proposing a constitutional amendment to authorize a political subdivision other than a school district to establish a limitation on the amount of ad valorem taxes that the political subdivision may impose on the residence homesteads of persons who are disabled or elderly and their surviving spouses.

The resolution 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:

Absent-excused: Whitmire, Williams.

**COMMITTEE SUBSTITUTE
SENATE JOINT RESOLUTION 32 ON THIRD READING**

Senator Paxton moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSJR 32** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent-excused: Whitmire, Williams.

The resolution was read third time and was passed by the following vote: Yeas 29, Nays 0. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
SENATE BILL 489 ON SECOND READING**

On motion of Senator Paxton and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 489** at this time on its second reading:

CSSB 489, Relating to the authority of a taxing unit other than a school district to establish a limitation on the amount of ad valorem taxes that the taxing unit may impose on the residence homesteads of individuals who are disabled or elderly and their surviving spouses.

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:

Absent-excused: Whitmire, Williams.

**COMMITTEE SUBSTITUTE
SENATE BILL 489 ON THIRD READING**

Senator Paxton moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 489** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent-excused: Whitmire, Williams.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0. (Same as previous roll call)

SENATE BILL 772 ON SECOND READING

On motion of Senator Uresti and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 772** at this time on its second reading:

SB 772, Relating to the elimination of obsolete and redundant reporting requirements for the Department of Agriculture.

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:

Absent-excused: Whitmire, Williams.

SENATE BILL 772 ON THIRD READING

Senator Uresti moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 772** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent-excused: Whitmire, Williams.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0. (Same as previous roll call)

COMMITTEE SUBSTITUTE

SENATE BILL 895 ON SECOND READING

On motion of Senator Davis and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 895** at this time on its second reading:

CSSB 895, Relating to access to records of a nonprofit organization supporting the Cancer Prevention and Research Institute of Texas under the public information law.

The bill was read second time.

Senator Davis offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 895** (senate committee report), in SECTION 1 of the bill, by striking added Section 102.262(c), Health and Safety Code (page 1, lines 23 through 26), and substituting the following:

(c) The records of a nonprofit organization established to provide support to the institute are public information subject to Chapter 552, Government Code.

The amendment to **CSSB 895** 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 except as follows:

Absent-excused: Whitmire, Williams.

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

CSSB 895 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:

Absent-excused: Whitmire, Williams.

**COMMITTEE SUBSTITUTE
SENATE BILL 895 ON THIRD READING**

Senator Davis moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 895** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent-excused: Whitmire, Williams.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
SENATE BILL 1730 ON SECOND READING**

Senator Nichols moved to suspend the regular order of business to take up for consideration **CSSB 1730** at this time on its second reading:

CSSB 1730, Relating to comprehensive development agreements of the Texas Department of Transportation or a regional mobility authority.

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.

Senator Lucio offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 1730** (senate committee printing) in SECTION 2 of the bill, in amended Section 223.2011(a)(3)(A), Transportation Code (page 3, line 14), by striking "77/83" and substituting "77 [~~77/83~~]".

The amendment to **CSSB 1730** 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 except as follows:

Absent-excused: Whitmire, Williams.

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

CSSB 1730 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: Campbell.

Absent-excused: Whitmire, Williams.

**COMMITTEE SUBSTITUTE
SENATE BILL 1730 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 **CSSB 1730** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 1.

Nays: Campbell.

Absent-excused: Whitmire, Williams.

The bill was read third time and was passed by the following vote: Yeas 28, Nays 1. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
SENATE BILL 709 ON SECOND READING**

On motion of Senator Lucio and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 709** at this time on its second reading:

CSSB 709, Relating to representation of a person in a special education impartial due process hearing.

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:

Absent-excused: Whitmire, Williams.

**COMMITTEE SUBSTITUTE
SENATE BILL 709 ON THIRD READING**

Senator Lucio moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 709** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent-excused: Whitmire, Williams.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
SENATE BILL 346 ON SECOND READING**

Senator Seliger moved to suspend the regular order of business to take up for consideration **CSSB 346** at this time on its second reading:

CSSB 346, Relating to reporting requirements of certain persons who do not meet the definition of political committee.

The motion prevailed.

Senators Birdwell, Campbell, Estes, Fraser, Nelson, 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: Birdwell, Campbell, Estes, Fraser, Nelson, Paxton.

Absent-excused: Whitmire, Williams.

**COMMITTEE SUBSTITUTE
SENATE BILL 346 ON THIRD READING**

Senator Seliger moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 346** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 24, Nays 5.

Yeas: Carona, Davis, Deuell, Duncan, Ellis, Eltife, Garcia, Hancock, Hegar, Hinojosa, Huffman, Lucio, Nelson, Nichols, Patrick, Rodríguez, Schwertner, Seliger, Taylor, Uresti, Van de Putte, Watson, West, Zaffirini.

Nays: Birdwell, Campbell, Estes, Fraser, Paxton.

Absent-excused: Whitmire, Williams.

The bill was read third time and was passed by the following vote: Yeas 23, Nays 6.

Yeas: Carona, Davis, Deuell, Duncan, Ellis, Eltife, Garcia, Hancock, Hegar, Hinojosa, Huffman, Lucio, Nichols, Patrick, Rodríguez, Schwertner, Seliger, Taylor, Uresti, Van de Putte, Watson, West, Zaffirini.

Nays: Birdwell, Campbell, Estes, Fraser, Nelson, Paxton.

Absent-excused: Whitmire, Williams.

REASON FOR VOTE

Senator Birdwell submitted the following reason for vote on **CSSB 346**:

Today I cast my vote in opposition to Senate Bill 346. The bill was primarily captioned to address transparency—"Relating to reporting requirements of certain persons who do not meet the definition of a political committee"—and while I am certainly a strong proponent for such open government and transparency, I had

constitutional concerns on the bill. First, the bill establishes separate reporting requirements for corporations. Some corporations like labor unions are exempt, while other corporations like 501(c)(4) entities are not. In 1990, the Supreme Court determined in *Austin vs. Michigan Chamber of Commerce* that different restrictions on speech related to spending based upon corporate identity were constitutional. Had SB 346 been passed while that 1990 case had still been the prevailing precedent, I believe it would have been constitutional. However, in 2010 the Supreme Court decision in the *Citizens United vs. Federal Election Commission* case determined that the First Amendment to the U.S. Constitution prohibited the government from restricting independent political expenditures by corporations, associations, or labor unions. The court also found that the First Amendment protects associations or individuals in addition to individual speakers. Corporations, as associations of individuals, therefore have First Amendment rights. Second, SB 346 treats corporations differently from labor unions and associations in what they must report. SB 346 requires that corporations which spend less than \$25,000 must report expenditures, while those corporations which spend more than \$25,000 must not only report expenditures, but report their donors. Again, this is a disparate treatment not only among corporations based upon their spending levels, but corporations as they are treated in relation to labor unions and associations. The reporting requirement of donors also begs another constitutional question. In 1995, in *McIntyre vs. Ohio Election Commission*, the Supreme Court determined that citizens had the right to engage in anonymous political speech. Since corporations now have the same First Amendment rights as individuals to anonymous political speech, requiring the reporting of donors strikes me as a violation of the First Amendment. For these reasons and concerns I voted against SB 346 today.

BIRDWELL

(Senator Nelson in Chair)

**COMMITTEE SUBSTITUTE
SENATE BILL 992 ON SECOND READING**

On motion of Senator Taylor and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 992** at this time on its second reading:

CSSB 992, Relating to misrepresentations in connection with certain drug testing devices or equipment; providing 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 except as follows:

Absent-excused: Whitmire, Williams.

**COMMITTEE SUBSTITUTE
SENATE BILL 992 ON THIRD READING**

Senator Taylor moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 992** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent-excused: Whitmire, Williams.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0. (Same as previous roll call)

SENATE BILL 446 ON SECOND READING

On motion of Senator Eltife and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 446** at this time on its second reading:

SB 446, Relating to allowable transfers to the Parks and Wildlife Department and the Texas Historical Commission of proceeds from the taxes on the sale, storage, or use of sporting goods.

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:

Absent-excused: Whitmire, Williams.

SENATE BILL 446 ON THIRD READING

Senator Eltife moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 446** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent-excused: Whitmire, Williams.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
SENATE BILL 1265 ON SECOND READING**

On motion of Senator Nichols and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1265** at this time on its second reading:

CSSB 1265, Relating to the election of board members for emergency services districts in certain counties.

The bill was read second time.

Senator Eltife offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 1265** (senate committee report) as follows:

(1) In SECTION 1 of the bill, amending Section 775.034(h), Health and Safety Code, strike amended Subsection (h) (page 1, lines 22-26) and substitute the following:

(h) This section does not apply to a district located wholly in a county:

(1) with a population of more than three million;

(2) with a population of more than 200,000 that borders Lake Palestine; or

(3) with a population of less than 200,000 that borders another state and the

Gulf Intracoastal Waterway.

(2) In the recital to SECTION 3 of the bill (page 1, line 31), strike "Subsection (a)," and substitute "Subsections (a), (e), (f), and (g),".

(3) In the recital to SECTION 3 of the bill (page 1, line 32), strike "is" and substitute "are".

(4) In SECTION 3 of the bill, amending Section 775.0345(a), Health and Safety Code, strike amended Subsection (a) (page 1, lines 33-37) and substitute the following:

(a) This section applies only to a district located wholly in a county:

(1) with a population of more than three million;

(2) with a population of more than 200,000 that borders Lake Palestine; or

(3) with a population of less than 200,000 that borders another state and the

Gulf Intracoastal Waterway.

(5) In SECTION 3 of the bill, amending Section 775.0345, Health and Safety Code (page 1, between lines 37 and 38), insert the following:

(e) A candidate for emergency services commissioner on an initial board must give the voter registrar of the county [~~clerk~~] a sworn notice of the candidate's intention to run for office. The notice must state the person's name, age, and address and state that the person is serving notice of intent to run for emergency services commissioner. On receipt of the notice, the voter registrar of the county [~~clerk~~] shall have the candidate's name placed on the ballot.

(f) The voter registrar of the county [~~clerk~~] shall appoint an election judge to certify the results of the election.

(g) After the election is held, the voter registrar or deputy registrar of the county [~~clerk or the clerk's deputy~~] shall prepare a sworn statement of the election costs incurred by the county. The statement shall be given to the newly elected board, which shall order the appropriate official to reimburse the county for the county's election costs.

(6) In SECTION 5 of the bill, amending Section 775.0445(b), Health and Safety Code, strike amended Subsection (b) (page 1, lines 44-48) and substitute the following:

(b) This section applies only to a district located wholly in a county:

(1) with a population of more than three million;

(2) with a population of more than 200,000 that borders Lake Palestine; or

(3) with a population of less than 200,000 that borders another state and the Gulf Intracoastal Waterway.

(7) In SECTION 6(d) of the bill (page 2, line 6), strike "Subdivision (2)" and substitute "Subdivision (2) or (3)".

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

SECTION _____. The heading to Section 775.0355, Health and Safety Code, is amended to read as follows:

Sec. 775.0355. DISQUALIFICATION OF EMERGENCY SERVICES COMMISSIONERS IN CERTAIN [~~POPULOUS~~] COUNTIES.

SECTION _____. Section 775.0355(b), Health and Safety Code, is amended to read as follows:

(b) This section applies only to a district located wholly in a county:

(1) with a population of more than three million; or

(2) with a population of more than 200,000 that borders Lake Palestine.

The amendment to **CSSB 1265** 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 except as follows:

Absent-excused: Whitmire, Williams.

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

CSSB 1265 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:

Absent-excused: Whitmire, Williams.

COMMITTEE SUBSTITUTE SENATE BILL 1265 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 **CSSB 1265** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent-excused: Whitmire, Williams.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0. (Same as previous roll call)

COMMITTEE SUBSTITUTE SENATE BILL 857 ON SECOND READING

On motion of Senator Seliger and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 857** at this time on its second reading:

CSSB 857, Relating to the authority of the Texas Higher Education Coordinating Board regarding the initiation, consolidation, or elimination of a degree or certificate program offered by a public institution of higher education.

The bill was read second time.

Senator Birdwell offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 857** (senate committee printing), in SECTION 1 of the bill, in amended Section 61.051, Education Code, by adding the following at the end of added Subsection (e-1) (page 1, line 53):

If the institution's governing board does not accept the board's recommendation to consolidate or eliminate a degree or certificate program, the institution, or, if applicable, the university system of which the institution is a component institution, shall identify the program as recommended for consolidation or elimination on the next legislative appropriation request submitted to the legislature by the institution or university system.

The amendment to **CSSB 857** 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 except as follows:

Absent-excused: Whitmire, Williams.

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

CSSB 857 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:

Absent-excused: Whitmire, Williams.

**COMMITTEE SUBSTITUTE
SENATE BILL 857 ON THIRD READING**

Senator Seliger moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 857** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent-excused: Whitmire, Williams.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0. (Same as previous roll call)

SENATE BILL 1390 ON SECOND READING

Senator Davis moved to suspend the regular order of business to take up for consideration **SB 1390** at this time on its second reading:

SB 1390, Relating to an audit by the state auditor of the Texas Enterprise Fund.

The motion prevailed.

Senators Hancock, Nichols, and Schwertner 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: Hancock, Nichols, Schwertner.

Absent-excused: Whitmire, Williams.

SENATE BILL 1390 ON THIRD READING

Senator Davis moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 1390** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 26, Nays 3.

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

Nays: Hancock, Nichols, Schwertner.

Absent-excused: Whitmire, Williams.

The bill was read third time and was passed by the following vote: Yeas 26, Nays 3. (Same as previous roll call)

COMMITTEE SUBSTITUTE SENATE BILL 1729 ON SECOND READING

On motion of Senator Nichols and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1729** at this time on its second reading:

CSSB 1729, Relating to an agreement between the Department of Public Safety and a county for the provision of renewal and duplicate driver's license and other identification certificate services; authorizing a fee.

The bill was read second time.

Senator Nichols offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 1729** (senate committee printing) in SECTION 1 of the bill as follows:

(1) In the heading to proposed Section 521.008, Transportation Code (page 1, line 28), strike "AGREEMENT" and substitute "PILOT PROGRAM".

(2) In proposed Section 521.008(a), Transportation Code (page 1, line 30), strike "(a) The" and substitute "(a) The department may establish a pilot program for the provision of renewal and duplicate driver's license, election identification certificate, and personal identification certificate services in:

(1) not more than three counties with a population of 50,000 or less;

(2) not more than three counties with a population of more than 50,000 but less than 1,000,001; and

(3) not more than two counties with a population of more than 1 million.

(a-1) Under the pilot program, the

(3) In proposed Section 521.008(b), Transportation Code (page 1, line 48), strike "(a)" and substitute "(a-1)".

(4) Strike proposed Section 521.008(d), Transportation Code (page 1, lines 55-57), and substitute the following:

(d) The commissioners court of a county may provide services through any consenting county office. A county office may decline or consent to provide services under this section by providing written notice to the commissioners court.

(5) In proposed Section 521.008(e), Transportation Code (page 1, line 59), strike "(a)" and substitute "(a-1)".

The amendment to **CSSB 1729** 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 except as follows:

Absent-excused: Whitmire, Williams.

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

CSSB 1729 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:

Absent-excused: Whitmire, Williams.

COMMITTEE SUBSTITUTE SENATE BILL 1729 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 **CSSB 1729** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent-excused: Whitmire, Williams.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0. (Same as previous roll call)

SENATE BILL 1546 ON SECOND READING

On motion of Senator Eltife and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 1546** at this time on its second reading:

SB 1546, Relating to the management and use of the Texas preservation trust fund.

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:

Absent-excused: Whitmire, Williams.

SENATE BILL 1546 ON THIRD READING

Senator Eltife moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 1546** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent-excused: Whitmire, Williams.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
SENATE BILL 1541 ON SECOND READING**

On motion of Senator Van de Putte and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1541** at this time on its second reading:

CSSB 1541, Relating to discipline of public school students by school bus drivers.

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:

Absent-excused: Whitmire, Williams.

**COMMITTEE SUBSTITUTE
SENATE BILL 1541 ON THIRD READING**

Senator Van de Putte moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1541** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent-excused: Whitmire, Williams.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0. (Same as previous roll call)

SENATE BILL 1584 ON SECOND READING

On motion of Senator Rodríguez and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 1584** at this time on its second reading:

SB 1584, Relating to the validation of the dissolution of the Development Corporation of Presidio and the creation of the Presidio Municipal Development District.

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:

Absent-excused: Whitmire, Williams.

SENATE BILL 1584 ON THIRD READING

Senator Rodríguez moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 1584** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent-excused: Whitmire, Williams.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0. (Same as previous roll call)

COMMITTEE SUBSTITUTE SENATE BILL 1409 ON SECOND READING

Senator Patrick moved to suspend the regular order of business to take up for consideration **CSSB 1409** at this time on its second reading:

CSSB 1409, Relating to public information regarding facilities of school districts and open-enrollment charter schools.

The motion prevailed.

Senators Birdwell and Nelson 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: Birdwell, Nelson.

Absent-excused: Whitmire, Williams.

COMMITTEE SUBSTITUTE SENATE BILL 1409 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 1409** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 27, Nays 2.

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

Nays: Birdwell, Nelson.

Absent-excused: Whitmire, Williams.

The bill was read third time and was passed by the following vote: Yeas 27, Nays 2. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
SENATE BILL 1708 ON SECOND READING**

Senator Rodríguez moved to suspend the regular order of business to take up for consideration **CSSB 1708** at this time on its second reading:

CSSB 1708, Relating to the acquisition of certain real property in El Paso County for the construction of facilities for the Department of Public Safety of the State of Texas.

The motion prevailed.

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

The bill was read second time.

Senator Rodríguez offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 1708** (senate committee printing) in SECTION 1 of the bill as follows:

(1) In the heading to proposed Section 2166.554, Government Code (page 1, lines 25-26), strike "FOR CONSTRUCTION OF FACILITIES".

(2) Strike proposed Sections 2166.554(c) and (d), Government Code (page 1, lines 33-39).

The amendment to **CSSB 1708** 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 except as follows:

Absent-excused: Whitmire, Williams.

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

CSSB 1708 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.

Absent-excused: Whitmire, Williams.

**COMMITTEE SUBSTITUTE
SENATE BILL 1708 ON THIRD READING**

Senator Rodríguez moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1708** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent-excused: Whitmire, Williams.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0. (Same as previous roll call)

(President in Chair)

BILL SIGNED

The President announced the signing of the following enrolled bill in the presence of the Senate after the caption had been read: **SB 398**.

**COMMITTEE SUBSTITUTE
SENATE BILL 1387 ON SECOND READING**

Senator Carona moved to suspend the regular order of business to take up for consideration **CSSB 1387** at this time on its second reading:

CSSB 1387, Relating to water well drillers and pump installers; changing fees.

The motion prevailed.

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

The bill was read second time.

Senator Carona offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 1387** (senate committee report) as follows:

(1) In SECTION 1 of the bill, in added Section 1901.001(13-a), Occupations Code (page 1, line 29), between "wells" and "who", insert ", or a qualified employee of a groundwater conservation district,".

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

SECTION ____ . Section 1902.001, Occupations Code, is amended by adding Subdivision (8-a) to read as follows:

(8-a) "Third-party inspector" means a qualified employee of a state agency with jurisdiction over wells, or a qualified employee of a groundwater conservation district, who assists the department with enforcement activities.

SECTION ____ . Subchapter I, Chapter 1902, Occupations Code, is amended by adding Section 1902.405 to read as follows:

Sec. 1902.405. THIRD-PARTY INSPECTORS; ENFORCEMENT. The department may contract with a third-party inspector to assist in the enforcement of this chapter or a rule adopted under this chapter, including rules governing the performance of inspections and the conduct of investigations.

The amendment to **CSSB 1387** 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 except as follows:

Absent-excused: Whitmire, Williams.

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

CSSB 1387 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: Birdwell, Huffman, Nelson, Patrick, Paxton, Seliger.

Absent-excused: Whitmire, Williams.

**COMMITTEE SUBSTITUTE
SENATE BILL 778 ON SECOND READING**

Senator Carona moved to suspend the regular order of business to take up for consideration **CSSB 778** at this time on its second reading:

CSSB 778, Relating to trusts.

The motion prevailed.

Senator Garcia 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: Garcia.

Absent-excused: Whitmire, Williams.

**COMMITTEE SUBSTITUTE
SENATE BILL 778 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 778** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 1.

Nays: Garcia.

Absent-excused: Whitmire, Williams.

The bill was read third time and was passed by the following vote: Yeas 28, Nays 1. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
SENATE BILL 734 ON SECOND READING**

On motion of Senator Carona and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 734** at this time on its second reading:

CSSB 734, Relating to the licensing of captive insurance companies; authorizing fees and authorizing and imposing taxes.

The bill was read second time.

Senator Carona offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 734** (senate committee printing) in SECTION 1 of the bill, in added Section 223A.003(b), Insurance Code (page 1, line 44), by striking "located in this state" and substituting "without regard to the location of the property or risk".

The amendment to **CSSB 734** 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 except as follows:

Absent-excused: Whitmire, Williams.

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

CSSB 734 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:

Absent-excused: Whitmire, Williams.

**COMMITTEE SUBSTITUTE
SENATE BILL 734 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 734** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent-excused: Whitmire, Williams.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0. (Same as previous roll call)

SENATE RESOLUTION 682

Senator Taylor offered the following resolution:

SR 682, In memory of Bob Perry.

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

In honor of the memory of Bob Perry, the text of the resolution is printed at the end of today's *Senate Journal*.

REMARKS ORDERED PRINTED

On motion of Senator Lucio and by unanimous consent, the remarks by Senators Taylor, Lucio, and Patrick regarding **SR 682** were ordered reduced to writing and printed in the *Senate Journal* as follows:

Senator Taylor: Thank you, Mr. President. I do rise today in honor of the passing of a great Texan and American patriot. Bob Perry, who died this past Saturday, was a man of legendary compassion and integrity who had the vision to see the unlimited

potential of this great state and all the people that he knew here. His passing is a great loss to our state and to the nation. As you've heard, he was born in Bosque County, attended Baylor University, and then started the very well known Perry Homes in 1968. He was a pillar of industry in our state as well as a philanthropist who moved and improved the lives of thousands of people and changed the face of our state. His commitment to his community as well as to politics is obviously well known and been well publicized, but lesser known has been his commitment and his contributions to those orphans and children in Mexico and Central America. That kind of legacy of giving and compassion will continue to inspire all of us in the years to come. Bob was, indeed, fearless in the defending of freedom and liberty and never wavered in the courage of his convictions, no matter the politics or the bad press. No challenge was too great for Mr. Perry to take on when he believed it was the right thing to do. He was also a man with deeply held faith who believed in life and family and followed the commandment of love to others and to give generously. In the words of the Apostle Paul, Bob Perry fought the fight, he finished the race, and he kept the faith. Mr. Perry's generosity and compassion, his zeal for principles and freedom, have made an indelible mark on Texas and those of us who knew him. Bob's passing is a great loss for this state and for our nation, and he will be greatly missed.

Senator Lucio: Thank you, Mr. President, and thank you, Senator Taylor. I, with a heavy heart, I, today, join with all of you, and I join with the family and countless numbers of friends of Bob Perry in mourning his passing this weekend. He was a godly man, and he was one of my personal heroes. Over the course of my career in the Legislature, we had many wonderful opportunities to develop a meaningful relationship and friendship. He, obviously, will be sorely missed by those of us that knew him and knew him well in South Texas. I also had the opportunity to work with Mr. Perry on humanitarian issues. The love he had for the less fortunate was incredible, absolutely tremendous. In his life he made an impact on thousands of people, including young orphans throughout Central and South America. I personally saw the fruits of his labors as we visited Casa Hogar orphanage in Matamoros, Mexico, which borders my Senate District just south of the border. I want to say that on that particular trip it was in the height of the war on drugs that was going on, and Mr. Perry came to me, says Senator, Senator would you take me there? And I said, You know, it's okay if they take me, but if they take you they'll hit a gold mine. We'll go, but we can't announce that we're going, to let anybody know that we're going to go visit because the press will, obviously, come to us. And we were able to go into Matamoros, visit little over 300 orphans, go into the kitchen, saw a beautiful kitchen, Senator Patrick, that was full of food based on his generosity. Saw the schoolhouse, saw the dormitories and a big reception room where we embraced each other and we cried together, we laughed together, it was a moment that I will never, ever forget. And I looked at him, and his profile, and I saw a man that truly, truly cared. A man with great compassion and a man that I knew was in union with God even as he lived and walked this Earth. So, my respect for him escalated to the heavens, quite frankly. Mr. Perry was a humble man who gave unselfishly and who never asked for anything. My 26 years here in Austin, not once did I get one phone call demanding any kind of help even though he had supported me and many others on this floor and many others that were no longer on this floor over the years. All of us can learn a lot from this man

who belonged to a conservative political party but whose heart and generosity guided his personal policy position. His legacy will be one of service to God's people. Because of his good works on Earth, I know, I truly know that he is in union with God. I extend, on behalf of my family and all of us that got to know him well in South Texas, our personal sympathies to Mrs. Perry and to the Perry family. Thank you, Mr. President, and thank you, Senator Taylor.

Senator Patrick: Thank you, Mr. President. I'm proud to join Senator Taylor and Senator Lucio in authoring this resolution. And I'm really going to miss Bob Perry. My dad died in 2002. And one of the things I really miss about my dad is, I couldn't call him up and ask for his advice at times, or just counsel on how to handle a situation in personal life. And as I got to know Bob Perry, about five years after my dad died, and I knew him for a period of time, but I got to know him well after I came into office, and, like Senator Lucio said, even though he was a supporter of mine, I never had a phone call from him about anything political. But I would call him, and I would talk to him about the issues that I would talk to my father about, and he would listen, and he would give me counsel. Because no matter how old we are, we always need someone to turn to, I think, for advice at times. So, I'll really miss him. His soft voice, his gentle spirit, he was truly a humble man. When you look at the, it's reported, millions and millions of dollars that he gave to Republicans and Democrats and conservative causes over the years, you never saw him on Fox News or CNN. He wasn't in the headlines of the papers. He didn't go to political events. He cared about the republic. He cared about the country. And if you were standing tall for our republic, he stood with you. And the only time I would ever get a call is just to say thank you or encourage me if he thought I had a bad day. So, as I get older, I'm running out of people older than me to call for advice. But I'll miss Bob Perry. He was a great Texan, just an absolutely fantastic human being. Thank you, Mr. President.

SENATE BILL 171 REREFERRED
(Motion In Writing)

Senator West submitted a Motion In Writing requesting that **SB 171** be withdrawn from the Committee on Agriculture, Rural Affairs and Homeland Security and rereferred to the Committee on Intergovernmental Relations.

The Motion In Writing prevailed without objection.

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

Senator Eltife submitted the following Motion In Writing:

Mr. President:

I move suspension of Senate Rule 7.07(b) to permit the introduction of the following bills: **SB 1891**, **SB 1892**.

ELTIFE

The Motion In Writing prevailed without objection.

SENATE BILLS ON FIRST READING

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

SB 1891 by Watson

Relating to the imposition of an additional fee for filing civil cases in certain Travis County courts.

To Committee on Jurisprudence.

SB 1892 by Garcia

Relating to the composition of the Texas Coordinating Council for Veterans Services and its coordinating workgroups.

To Committee on Veteran Affairs and Military Installations.

HOUSE BILL ON FIRST READING

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

HB 1550 to Committee on Economic Development.

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:

Judge, 357th Judicial District Court, Cameron County: Oscar X. Garcia, Cameron County.

Members, Board of Directors, Brazos River Authority: Richard Lee Ball, Palo Pinto County; Frank LeRoy Bell, Taylor County; Peter Gerrit Bennis, Tarrant County; Paul Joseph Christensen, McLennan County; Chet David Creel, Young County; William A. Masterson, King County; William John Rankin, Washington County; George David Scott, Fort Bend County; Raleigh R. White, Bell County; Salvatore A. Zaccagnino, Burleson County.

Criminal District Attorney, Kaufman County: Erleigh Norville Wiley, Kaufman County.

Members, Health and Human Services Council: James Richard Barajas, Tarrant County; Leon John Leach, Austin County; Thomas Craig Wheat, Dallas County.

Members, Public Safety Commission: Ada Elene Brown, Collin County; John Randall Watson, Johnson County.

Members, Board of Regents, The Texas A&M University System: Anthony Glenn Buzbee, Galveston County; Morris E. Foster, Travis County; Charles Walter Schwartz, Harris County.

Members, Texas Board of Professional Geoscientists: Joseph P. DeWoody, Tarrant County; Charles Thomas Hallmark, Robertson County; Christopher Colville Mathewson, Brazos County; William David Prescott, Potter County.

Members, Texas Crime Stoppers Council: Jorge Edwardo Gaytan, Harris County; Emerson Frederick Lane, Jefferson County; Ernesto Rodriguez, Hidalgo County; Susan Rogers, Ector County.

Members, Governing Board, Texas Department of Housing and Community Affairs: Leslie Bingham Escareno, Cameron County; Lowell Adams Keig, Travis County; John Mark McWatters, Dallas County.

Members, Texas Real Estate Commission: Adrian Aron Arriaga, Hidalgo County; Thomas John Turner, Travis County; Chart Hampton Westcott, Dallas County; Avis Geer Wukasch, Williamson County.

Members, Texas State Library and Archives Commission: Sharon Tully Carr, Fort Bend County; Fenton Lynwood Givens, Collin County.

Members, Board of Regents, Texas State Technical College System: Joe M. Gurecky, Fort Bend County; John Kent Hatchel, McLennan County; Joe K. Hearne, Dallas 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 496

On motion of Senator Seliger, Senator West will be shown as Co-author of **SB 496**.

CO-AUTHOR OF SENATE BILL 726

On motion of Senator Paxton, Senator Estes will be shown as Co-author of **SB 726**.

CO-AUTHOR OF SENATE BILL 939

On motion of Senator West, Senator Uresti will be shown as Co-author of **SB 939**.

CO-AUTHOR OF SENATE BILL 993

On motion of Senator Deuell, Senator Uresti will be shown as Co-author of **SB 993**.

CO-AUTHOR OF SENATE BILL 1142

On motion of Senator Duncan, Senator Van de Putte will be shown as Co-author of **SB 1142**.

CO-AUTHOR OF SENATE BILL 1256

On motion of Senator Patrick, Senator Campbell will be shown as Co-author of **SB 1256**.

CO-AUTHOR OF SENATE BILL 1409

On motion of Senator Patrick, Senator Campbell will be shown as Co-author of **SB 1409**.

CO-AUTHOR OF SENATE BILL 1747

On motion of Senator Uresti, Senator Duncan will be shown as Co-author of **SB 1747**.

CO-AUTHOR OF SENATE BILL 1773

On motion of Senator Huffman, Senator Uresti will be shown as Co-author of **SB 1773**.

CO-AUTHOR OF SENATE JOINT RESOLUTION 65

On motion of Senator Seliger, Senator Uresti will be shown as Co-author of **SJR 65**.

CO-AUTHORS OF SENATE RESOLUTION 682

On motion of Senator Taylor, Senators Lucio and Patrick will be shown as Co-authors of **SR 682**.

RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

Memorial Resolutions

SR 677 by Davis, In memory of Tamara Lynn Farris "Tammy" Gordon.

SR 678 by Davis, In memory of Geraldine Brinck.

SR 687 by Hinojosa, In memory of Mike M. Anzaldúa, Jr.

Congratulatory Resolutions

SR 676 by Davis, Recognizing Gordon Dickson for receiving the Excellence in Journalism Award.

SR 679 by Fraser, Recognizing Johnny Manziel for winning the 2012 Heisman Trophy.

SR 680 by Zaffirini, Recognizing Virginia Lee "Ginger" and Leon Thomas Matula, Jr., on the occasion of their 25th anniversary.

SR 681 by Taylor, Recognizing Thomas L. Huber III for his service as a veterinarian.

SR 685 by Campbell, Recognizing Robert Paul Johnson on the occasion of his retirement.

SR 688 by Hinojosa, Recognizing the Driscoll Children's Hospital on the occasion of its 60th anniversary.

SR 691 by Hegar, Recognizing Jim Short for his achievements in cutting horse competition.

SR 692 by West, Recognizing New Light Church on the occasion of its 10th anniversary.

ADJOURNMENT

On motion of Senator Eltife, the Senate at 1:32 p.m. adjourned, in memory of Bob Perry and Kenneth, Melissa, Madison, and Marley Ann Koontz, until 11:00 a.m. tomorrow.

APPENDIX

COMMITTEE REPORTS

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

April 16, 2013

VETERAN AFFAIRS AND MILITARY INSTALLATIONS — **CSSB 1553**

TRANSPORTATION — **CSSB 1670**

EDUCATION — **CSSB 1658**

TRANSPORTATION — **CSSB 1671**

HEALTH AND HUMAN SERVICES — **CSSB 955**

STATE AFFAIRS — **CSSB 315, CSSB 591, CSSB 693, CSSB 1221**

INTERGOVERNMENTAL RELATIONS — **SB 1481, CSSB 1510, CSSB 1596**

JURISPRUDENCE — **CSSB 1419**

HIGHER EDUCATION — **CSSB 1741**

FINANCE — **CSSB 16**

BILLS ENGROSSED

April 15, 2013

SB 8, SB 336, SB 459, SB 485, SB 546, SB 774, SB 898, SB 904, SB 939, SB 1173, SB 1365, SB 1398, SB 1406, SB 1857

BILL AND RESOLUTIONS ENROLLED

April 15, 2013

SB 398, SR 642, SR 643, SR 644, SR 645, SR 646, SR 647, SR 648, SR 649, SR 650, SR 651, SR 652, SR 653, SR 654, SR 655, SR 656, SR 657, SR 658, SR 661, SR 663, SR 664, SR 665, SR 666, SR 667, SR 668, SR 669, SR 670, SR 671, SR 672, SR 673

SENT TO GOVERNOR

April 16, 2013

SB 157

In Memory
of
Bob Perry
Senate Resolution 682

WHEREAS, The Senate of the State of Texas joins the citizens of Houston in mourning the loss of Bob Perry, who died April 13, 2013, at the age of 80; and

WHEREAS, Bob Perry was born October 30, 1932, in Bosque County; he earned a degree from Baylor University and taught high school history before entering the construction and homebuilding business; he founded Perry Homes in 1968; and

WHEREAS, Mr. Perry was a well-known philanthropist who donated generously to such causes as caring for orphans in South and Central America, including the Casa Hogar orphanage in Matamoros; and

WHEREAS, He was a major donor to conservative political candidates, campaigns, and political action committees; between 2000 and 2010 alone, he gave some \$66 million to groups in Texas and across the nation, notably Texans for Lawsuit Reform, the Swift Boat Veterans for Truth, the Economic Freedom Fund, American Crossroads, and Restore Our Future; and

WHEREAS, A man of courage and unshakeable principles, he gave generously to others, and his unfailing civility, his commitment to conservative causes, and his enthusiasm for living each day to the fullest will not be forgotten; and

WHEREAS, He was a devoted husband and father, and he leaves behind memories that will be treasured forever by his family and friends; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 83rd Legislature, hereby extend sincere condolences to the bereaved family of Bob Perry; and, be it further

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

TAYLOR

