

SENATE JOURNAL

EIGHTY-FOURTH LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

SEVENTH DAY

(Wednesday, February 4, 2015)

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

The roll was called and the following Senators were present: Bettencourt, Birdwell, Burton, Campbell, Creighton, Ellis, Eltife, Estes, Fraser, Garcia, Hall, Hancock, Hinojosa, Huffines, Huffman, Kolkhorst, Lucio, Nelson, Nichols, Perry, Rodriguez, Schwertner, Seliger, L. Taylor, V. Taylor, Uresti, Watson, West, Whitmire, Zaffirini.

Absent-excused: Van de Putte.

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

The Reverend Richard L. Blanton, New Hope Baptist Church, Waco, was introduced by Senator Birdwell and offered the invocation as follows:

Dear God, we thank You for the gift of this day and the privilege of serving You and our fellowman, not as a burden but a delight. Enable us to do and be more than we can think or imagine. Make us strong to do Your work and Your will. Help us to dare to make a difference. Grant Your wisdom. If we were really brilliant, had all knowledge, could understand all things, and were spiritual giants, we would simply ask help to do our best. But even our best is not good enough. We accede to learn and ask Your spirit to teach and guide us into all truth, infuse the right values, and renew the right spirit in our hearts. Finally, protect those who protect us and preserve our standard of living. Recover our warriors, mend the wounded, comfort those who mourn, heal the hurting, revive the weary, and inspire the hopeless. For some, in the name of the Father our creator, and others, the Son and Spirit, we pray. Amen.

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

The motion prevailed without objection.

LEAVE OF ABSENCE

On motion of Senator Whitmire, Senator Van de Putte was granted leave of absence for today on account of family business.

PHYSICIAN OF THE DAY

Senator Nichols was recognized and presented Dr. Ron McMurray of Jasper as the Physician of the Day.

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

RESOLUTION SIGNED

The President announced the signing of the following enrolled resolution in the presence of the Senate: **HCR 50**.

SENATE CONCURRENT RESOLUTION 7

The President laid before the Senate the following resolution:

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

RESOLVED by the 84th Legislature of the State of Texas, That each house grant the other permission to adjourn for more than three days during the period beginning on Wednesday, February 4, 2015, and ending on Monday, February 9, 2015.

WHITMIRE

SCR 7 was read.

On motion of Senator Whitmire, the resolution was considered immediately and was adopted by the following vote: Yeas 30, Nays 0.

Absent-excused: Van de Putte.

SENATE RESOLUTION 55

Senator Campbell offered the following resolution:

SR 55, Recognizing February 6, 2015, as National Wear Red Day.

The resolution was read and was adopted without objection.

GUESTS PRESENTED

Senator Campbell was recognized and introduced to the Senate a National Wear Red Day delegation.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Birdwell was recognized and introduced to the Senate a Waco delegation: McLennan County Judge Scott Felton, Councilmember John Kinnaird, City Manager Dale Fisseler, Greater Waco Chamber of Commerce President Matt Meadors, Public Policy Committee Co-chair Debbie Keel, and J. D. Windham.

The Senate welcomed its guests.

SENATE RESOLUTION 87

Senator Huffman offered the following resolution:

SR 87, Recognizing February 4, 2015, as Dyslexia Awareness Day.

The resolution was read and was adopted without objection.

GUESTS PRESENTED

Senator Huffman was recognized and introduced to the Senate a delegation representing Dyslexia Awareness Day.

The Senate welcomed its guests.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Wednesday, February 4, 2015 - 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 55 Simpson

Granting the legislature permission to adjourn for more than three days from Thursday, February 5th, 2015 to Monday, February 9th, 2015.

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

GUESTS PRESENTED

Senator Uresti was recognized and introduced to the Senate fifth- and sixth-grade students from Sacred Heart Elementary School.

The Senate welcomed its guests.

SENATE RESOLUTION 97

Senator Zaffirini offered the following resolution:

SR 97, Recognizing February 4, 2015, as Orange and Maroon Legislative Day.

ZAFFIRINI	FRASER
BETTENCOURT	HUFFINES
CAMPBELL	SCHWERTNER
CREIGHTON	VAN DE PUTTE
ELLIS	WATSON
ELTIFE	

The resolution was read and was adopted without objection.

GUESTS PRESENTED

Senator Zaffirini was recognized and introduced to the Senate an Orange and Maroon Legislative Day delegation: Texas A&M University Interim President Mark Hussey, Texas Exes Chair Charles Matthews, The Association of Former Students Chair Bo Bradbury, and Texas Exes Executive Director Leslie Cedar.

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.

MOTION TO ADJOURN

On motion of Senator Whitmire and by unanimous consent, the Senate at 11:30 a.m. agreed to adjourn, upon completion of the introduction of bills and resolutions on first reading, until 2:00 p.m. Monday, February 9, 2015.

SENATE BILLS ON FIRST READING

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

SB 401 by Schwertner

Relating to requiring state contractors to participate in the federal electronic verification of employment authorization program, or E-verify.

To Committee on Business and Commerce.

SB 402 by Estes

Relating to the information required to be provided by a payor of proceeds from the sale of oil or gas from an oil or gas well to a payee on the request by the payee.

To Committee on Natural Resources and Economic Development.

SB 403 by V. Taylor

Relating to the limitation on the rate of growth of appropriations.

To Committee on Finance.

SB 404 by V. Taylor

Relating to requiring state agencies to identify spending reduction measures.

To Committee on Finance.

SB 405 by Rodríguez

Relating to voter registration at the polling place during early voting.

To Committee on State Affairs.

SB 406 by Rodríguez

Relating to reforming the electoral process; creating a criminal offense.

To Committee on State Affairs.

SB 407 by Rodríguez

Relating to the acceptance of a voter.
To Committee on State Affairs.

SB 408 by Rodríguez

Relating to consideration of a bidder's principal place of business in awarding certain county contracts.
To Committee on Intergovernmental Relations.

SB 409 by Rodríguez

Relating to the dissemination of confidential information contained in the juvenile justice information system.
To Committee on State Affairs.

SB 410 by Ellis

Relating to reimbursement under preferred provider benefit plans for services provided by licensed podiatrists.
To Committee on Business and Commerce.

SB 411 by Ellis

Relating to the recording of certain grand jury proceedings that involve a peace officer.
To Committee on State Affairs.

SB 412 by Ellis

Relating to the penalty for certain offenders for possession of a small amount of certain controlled substances.
To Committee on Criminal Justice.

SB 413 by Seliger

Relating to qualifications for membership on the Texas Water Development Board.
To Committee on Agriculture, Water, and Rural Affairs.

SB 414 by Campbell

Relating to a suit for possession of or access to a child by a grandparent.
To Committee on State Affairs.

SB 415 by Watson

Relating to the designation of a portion of Farm-to-Market Road 685 in Travis County as the Deputy Jessica Hollis Boulevard.
To Committee on Transportation.

SB 416 by West

Relating to prohibiting a person's waiver of a right to an expunction or to an order of nondisclosure with respect to a criminal offense.
To Committee on Criminal Justice.

SB 417 by West

Relating to the eligibility of certain persons to participate in a drug court program.
To Committee on Criminal Justice.

SB 418 by Whitmire

Relating to requests by the State Commission on Judicial Conduct for certain records held by court reporters.

To Committee on State Affairs.

SB 419 by Ellis

Relating to the penalty for possession of certain small amounts of controlled substances in Penalty Group 1.

To Committee on Criminal Justice.

SB 420 by Birdwell

Relating to the creation of a campus of the Texas State Technical College System in Ellis County.

To Committee on Higher Education.

SB 421 by Lucio

Relating to participation of certain school districts in the three-year high school diploma plan pilot program.

To Committee on Education.

SB 422 by Watson

Relating to the establishment and operation of a motor-bus-only lane pilot program in certain counties.

To Committee on Transportation.

SB 423 by West

Relating to expanding eligibility for medical assistance to certain persons under the federal Patient Protection and Affordable Care Act and ensuring the provision of quality care under and the effectiveness of the medical assistance program.

To Committee on Health and Human Services.

SB 424 by Schwertner

Relating to the licensing and regulation of hospitals in this state; increasing the amount of administrative penalties assessed or imposed against certain hospitals.

To Committee on Health and Human Services.

SB 425 by Schwertner

Relating to health care information provided by and notice of facility fees charged by certain freestanding emergency medical care facilities and the availability of mediation.

To Committee on Business and Commerce.

SB 426 by Ellis

Relating to a sales tax exemption for certain items sold during a limited period.

To Committee on Finance.

SB 427 by Ellis

Relating to restrictions on the location and operation of concrete crushing facilities.

To Committee on Natural Resources and Economic Development.

SB 428 by Eltife

Relating to the approval of certain alcoholic beverages by the Texas Alcoholic Beverage Commission.

To Committee on Business and Commerce.

SB 429 by Eltife

Relating to constructing facilities for state agencies in the Capitol Complex and the North Austin Complex.

To Committee on Business and Commerce.

SB 430 by Eltife

Relating to allowing the holder of a brewpub license to sell ale and malt liquor to certain wholesalers.

To Committee on Business and Commerce.

CO-AUTHOR OF SENATE BILL 324

On motion of Senator Nichols, Senator Eltife will be shown as Co-author of **SB 324**.

CO-AUTHORS OF SENATE BILL 346

On motion of Senator Estes, Senators Burton and Hancock will be shown as Co-authors of **SB 346**.

CO-AUTHORS OF SENATE CONCURRENT RESOLUTION 1

On motion of Senator Creighton, Senators Campbell, Huffines, Kolkhorst, and Perry will be shown as Co-authors of **SCR 1**.

RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

Memorial Resolutions

SR 96 by Zaffirini, In memory of Rachel Littlejohn-Diebel.

SR 99 by Zaffirini, In memory of Gene Simeon Walker Sr.

SR 104 by Watson, In memory of Mark Daniel Johnson.

Congratulatory Resolutions

SR 95 by Zaffirini, Recognizing Terry Simpson, who was named 2014 Newsmaker of the Year.

SR 98 by Zaffirini, Recognizing the Laredo Chamber of Commerce on the occasion of its 100th anniversary.

SR 100 by Kolkhorst, Recognizing Janey and Melvin Lack for receiving the Distinguished Citizen Award.

SR 102 by Estes, Recognizing the City of Graham on the occasion of Graham Day.

SR 103 by Estes, Recognizing the City of Graham on the occasion of its food-truck championship competition.

Official Designation Resolutions

SR 94 by Zaffirini, Recognizing Bee County Day on February 10, 2015.

SR 101 by Watson, Observing February of 2015 as Turner Syndrome Awareness Month.

SR 105 by Kolkhorst, Recognizing Washington County Day on February 24, 2015.

ADJOURNMENT

Pursuant to a previously adopted motion, the Senate at 11:36 a.m. adjourned until 2:00 p.m. Monday, February 9, 2015.

APPENDIX

RESOLUTIONS ENROLLED

February 3, 2015

SR 68, SR 84, SR 86, SR 88, SR 89, SR 90, SR 91, SR 92, SR 93