

SENATE JOURNAL

EIGHTY-FOURTH LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

NINETEENTH DAY
(Monday, March 9, 2015)

The Senate met at 2:06 p.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, Estes, Fraser, Garcia, Hall, Hancock, Huffines, Huffman, Kolkhorst, Lucio, Menéndez, Nelson, Nichols, Perry, Rodríguez, Schwertner, Seliger, L. Taylor, V. Taylor, Uresti, Watson, West, Whitmire, Zaffirini.

Absent-excused: Eltife, Hinojosa.

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

Rabbi Claudio J. Kogan, Temple Emanuel, McAllen, was introduced by Senator Lucio and offered the invocation as follows:

Almighty and eternal God, bless our Senators and each person of this Chamber. O source of life, help our Senators that each of them may listen with open hearts and outstretched hands for the good of all people through legislative diligence. Unite our Senators with the spirit of compromise and acceptance. God, You ennoble our lives by empowering us to do Your work here on Earth in creating a world of justice and peace for all. Let all pray for Texas, that it may ever be a light unto the nations, a beacon of freedom, human rights, and economic opportunity. We ask Your blessings, O God almighty, to remind every American legislator that at least 36 times the commandment in our Bibles of loving the widow, the orphan, and the stranger appears in the Bible. After all, our Texas ancestors were immigrants and strangers as well. On my second anniversary as an American citizen, I am honored to live in the land of the free and the home of the brave. I ask You, God, to let the lights of truth and harmony shine from this Chamber as beacons for the betterment of all Texans. 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.

LEAVES OF ABSENCE

On motion of Senator Whitmire, Senator Eltife was granted leave of absence for today on account of an illness in the family.

On motion of Senator Whitmire, Senator Hinojosa was granted leave of absence for today on account of inclement weather.

PHYSICIAN OF THE DAY

Senator Whitmire was recognized and presented Dr. Minh-Hang Chu of Humble as the Physician of the Day.

The Senate welcomed Dr. Chu, accompanied by third-year medical student Minh-Duc Huynh, and thanked her for her 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: **SCR 21**.

ACKNOWLEDGMENTS

The President acknowledged the presence of Glenn Hegar, Texas Comptroller of Public Accounts, and his children, Claire, Julia, and Jonah.

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.

GUESTS PRESENTED

Senator Huffman was recognized and introduced to the Senate Peaceful Solution Character Education participants.

The Senate welcomed its guests.

NOMINATION RETURNED

On motion of Senator Birdwell and by unanimous consent, the Senate agreed to grant the request of the Governor to return the following nomination:

Member, Texas Higher Education Coordinating Board: Christopher Martin Huckabee, Tarrant County.

SENATE RULES SUSPENDED (Posting Rules)

On motion of Senator Huffman and by unanimous consent, Senate Rule 11.10(a), Senate Rule 11.13, and Senate Rule 11.18(a) were suspended in order that the Committee on State Affairs might meet while the Senate is meeting today.

GUESTS PRESENTED

Senator West was recognized and introduced to the Senate participants in his student advisory committee.

The Senate welcomed its guests.

MOTION TO ADJOURN

On motion of Senator Whitmire and by unanimous consent, the Senate at 2:28 p.m. agreed to adjourn, in memory of Keith Friend, upon completion of the introduction of bills and resolutions on first reading, until 11:00 a.m. tomorrow.

SENATE BILLS AND RESOLUTIONS ON FIRST READING

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

SB 20 by Nelson

Relating to state agency contracting.
To Committee on Finance.

SB 201 by Nelson

Relating to the efficiency and consolidation of powers and duties within the health and human services system.
To Committee on Health and Human Services.

SB 202 by Nelson, Birdwell, Campbell, Hinojosa, Schwertner

Relating to the Department of State Health Services, the provision of health services in this state, and the regulation of certain health-related occupations and activities.
To Committee on Health and Human Services.

SB 204 by Hinojosa, Birdwell, Campbell, Nelson, Schwertner

Relating to the functions and operations of the Department of Aging and Disability Services; increasing penalties.
To Committee on Health and Human Services.

SB 206 by Schwertner, Birdwell, Campbell, Hinojosa, Nelson

Relating to the functions of the Department of Family and Protective Services and procedures applicable to suits affecting the parent-child relationship, investigations of child abuse and neglect, and conservatorship of a child; affecting fee amounts and authorizing an administrative penalty.
To Committee on Health and Human Services.

SB 212 by Birdwell, Campbell, Hinojosa, Nelson, Schwertner

Relating to the abolishment of the Texas Council on Purchasing from People with Disabilities and the transfer of its functions to the comptroller of public accounts.
To Committee on Health and Human Services.

SB 890 by Rodríguez

Relating to restricting the use of administrative segregation by the Texas Department of Criminal Justice for certain inmates.
To Committee on Criminal Justice.

SB 891 by Rodríguez

Relating to the operations of the Texas Department of Criminal Justice, including conditions of confinement of certain inmates and required training for correctional officers employed by the department.
To Committee on Criminal Justice.

SB 892 by Seliger

Relating to educator preparation programs and teacher certification examinations.
To Committee on Education.

SB 893 by Seliger, Campbell

Relating to public school teacher performance appraisals, continuing education, professional development, career advancement, and compensation.
To Committee on Education.

SB 894 by L. Taylor

Relating to the state virtual school network.
To Committee on Education.

SB 895 by L. Taylor

Relating to state interventions and sanctions against public school campuses with unacceptable performance and the establishment of the Texas Opportunity School District.
To Committee on Education.

SB 896 by Garcia

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

SB 897 by V. Taylor

Relating to the verification of citizenship of an applicant for voter registration.
To Committee on State Affairs.

SB 898 by Fraser

Relating to charitable raffles conducted by certain professional sports team charitable foundations; providing penalties.
To Committee on Natural Resources and Economic Development.

SB 899 by Eltife

Relating to the regulation of money services businesses; affecting the prosecution of a criminal offense.
To Committee on Business and Commerce.

SB 900 by L. Taylor, Creighton, Kolkhorst, Lucio

Relating to the operation of the Texas Windstorm Insurance Association and the renaming of the Texas Windstorm Insurance Association as the Texas Coastal Insurance Association.
To Committee on Business and Commerce.

SB 901 by Eltife

Relating to the amount of temporary income benefits to which an injured employee is entitled under the workers' compensation system.
To Committee on Business and Commerce.

SB 902 by V. Taylor

Relating to the disclosure of certain public information by a public school district.
To Committee on Business and Commerce.

SB 903 by Hancock

Relating to procedures for the management, sale, or lease of certain state-owned real property and the management or collection of related funds, including disputed oil and gas royalties owed to the state.

To Committee on Business and Commerce.

SB 904 by Hinojosa

Relating to exempting emergency preparation supplies from the sales and use tax for a limited period.

To Committee on Finance.

SB 905 by Hinojosa

Relating to the appointment of a county auditor in certain populous counties.

To Committee on Intergovernmental Relations.

SB 906 by Hinojosa

Relating to increasing the optional county fee for registering a motor vehicle.

To Committee on Transportation.

SB 907 by Perry

Relating to the powers and duties of the board of regents of the Texas Tech University System and to workers' compensation coverage for employees of the system's components.

To Committee on Higher Education.

SB 908 by Zaffirini

Relating to establishment and functions of the Animal Welfare Commission.

To Committee on Agriculture, Water, and Rural Affairs.

SB 909 by Zaffirini

Relating to the county courts at law in Bexar County.

To Committee on State Affairs.

SB 910 by Zaffirini

Relating to the exemption from ad valorem taxation of the total appraised value of the residence homestead of the surviving spouse of a 100 percent or totally disabled veteran.

To Committee on Finance.

SB 911 by Zaffirini

Relating to the eligibility for grants for natural gas fueling stations under the Texas natural gas vehicle grant program.

To Committee on Natural Resources and Economic Development.

SB 912 by Eltife

Relating to a volume-based exemption from reporting requirements for certain accidental discharges or spills from wastewater facilities.

To Committee on Agriculture, Water, and Rural Affairs.

SB 913 by Zaffirini

Relating to energy and water management planning and reporting requirements for state agencies and institutions of higher education.

To Committee on Business and Commerce.

SB 914 by Kolkhorst

Relating to a council on long-term care facility surveys and informal dispute resolution.

To Committee on Health and Human Services.

SB 915 by Kolkhorst

Relating to the textbook affordability pilot program and to certain studies and reports by the Texas Higher Education Coordinating Board regarding achievable cost-saving measures and the use and availability of electronic, public domain, and open source textbooks at institutions of higher education

To Committee on Higher Education.

SB 916 by Seliger

Relating to the creation of a program to improve public education through partnerships between certain public school campuses and public universities.

To Committee on Education.

SB 917 by Seliger

Relating to the applicability of the Texas Mass Gatherings Act to certain horse and greyhound races.

To Committee on Intergovernmental Relations.

SB 918 by Nichols

Relating to the procedure for claiming an exemption from ad valorem taxation of the property of a veteran's organization.

To Committee on Finance.

SB 919 by Fraser

Relating to oil and gas wells that traverse multiple tracts.

To Committee on Natural Resources and Economic Development.

SB 920 by Watson

Relating to the director of the Music, Film, Television, and Multimedia Office.

To Committee on Natural Resources and Economic Development.

SB 921 by Watson

Relating to the creation and administration of a disaster recovery fund.

To Committee on Natural Resources and Economic Development.

SB 922 by Watson

Relating to authorizing the optional imposition of a county air quality fee at the time other emissions-related inspection fees are collected.

To Committee on Natural Resources and Economic Development.

SB 923 by Watson

Relating to the prosecution of the offense of obstruction or retaliation; creating a criminal offense.

To Committee on Criminal Justice.

SB 924 by Watson

Relating to the guaranteed level of state and local funds for the instructional facilities allotment and the existing debt allotment under the public school finance system.

To Committee on Education.

SB 925 by Kolkhorst

Relating to providing training academies for public school teachers who provide reading instruction to students in kindergarten through grade three.

To Committee on Education.

SB 926 by Creighton

Relating to the compelled production of certain customer records by a financial institution.

To Committee on Business and Commerce.

SB 927 by Rodríguez

Relating to the classification of workers for purposes of the Texas Unemployment Compensation Act; providing a penalty.

To Committee on Natural Resources and Economic Development.

SB 928 by Lucio

Relating to the abolition of the equine incentive program.

To Committee on Agriculture, Water, and Rural Affairs.

SB 929 by Fraser

Relating to building energy efficiency performance standards; establishing the Building Energy Efficiency Advisory Committee.

To Committee on Natural Resources and Economic Development.

SB 930 by Fraser

Relating to procedures and eligibility for terminating participation in the Teacher Retirement System of Texas deferred retirement option plan.

To Committee on State Affairs.

SB 931 by Fraser

Relating to the goal for renewable energy and competitive renewable energy zones.

To Committee on Natural Resources and Economic Development.

SB 932 by Fraser

Relating to the authority of the Public Utility Commission of Texas to retain assistance for federal proceedings affecting certain electric utilities and consumers.

To Committee on Natural Resources and Economic Development.

SB 933 by Fraser

Relating to the authority of the Public Utility Commission of Texas to review transmission interconnections that enable imports or exports from the ERCOT power grid.

To Committee on Natural Resources and Economic Development.

SB 934 by Kolkhorst

Relating to providing training academies for public school teachers who provide mathematics instruction to students in kindergarten through grade three.

To Committee on Education.

SB 935 by Kolkhorst

Relating to the establishment of reading excellence teams.

To Committee on Education.

SB 936 by Kolkhorst

Relating to the eligibility for supplemental nutrition assistance benefits for certain persons who owe delinquent child support.

To Committee on Health and Human Services.

SB 937 by Kolkhorst

Relating to nontolled lanes on a highway that has been converted from a nontolled highway to a toll project.

To Committee on Transportation.

SB 938 by Kolkhorst

Relating to the exercise of eminent domain by a toll project entity.

To Committee on Transportation.

SB 939 by Kolkhorst

Relating to disclosure of financial studies and reports associated with a toll project.

To Committee on Transportation.

SB 940 by V. Taylor

Relating to the notification and reporting duties of a state governmental entity with public retirement system investment holdings in Sudan or Iran.

To Committee on State Affairs.

SB 941 by Creighton

Relating to the standard of review for a determination of standing in a contested case hearing conducted by the Texas Commission on Environmental Quality.

To Committee on Natural Resources and Economic Development.

SB 942 by Estes, Ellis

Relating to warrants or orders issued to obtain certain information through installation or use of global positioning system wireless device trackers, international mobile subscriber identity locators, or other devices or equipment, and to public access to law enforcement or prosecutor requests for certain related location or communication information; creating an offense.

To Committee on State Affairs.

SB 943 by Rodríguez

Relating to contempt of court committed by certain juvenile offenders and the detention of certain juvenile offenders.

To Committee on Criminal Justice.

SB 944 by Rodríguez

Relating to the establishment of a task force to promote uniformity in the collection and reporting of information relating to family violence, sexual assault, stalking, and human trafficking.

To Committee on Criminal Justice.

SB 945 by L. Taylor

Relating to funding under the public school finance system for a school district with a compressed tax rate below the state maximum compressed tax rate.

To Committee on Education.

SB 946 by Creighton

Relating to the creation of the Montgomery County Municipal Utility District No. 145; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

To Committee on Intergovernmental Relations.

SB 947 by Zaffirini, Rodríguez, Watson

Relating to a study and report by the Texas Higher Education Coordinating Board on the feasibility of providing off-campus employment positions through the Texas college work-study program.

To Committee on Higher Education.

SB 948 by V. Taylor

Relating to mediation as an alternative dispute resolution process.

To Committee on State Affairs.

SB 949 by Uresti

Relating to the release of certain child fatality and near fatality information for abused or neglected children.

To Committee on Health and Human Services.

SB 950 by Uresti

Relating to certain procedural measures in a suit affecting a parent-child relationship to protect a child against child neglect or physical or sexual abuse.

To Committee on State Affairs.

SB 951 by Uresti

Relating to allocation of oil and gas lease and royalty payments derived from land deeded to Texas counties for road purposes.

To Committee on Finance.

SB 952 by West

Relating to parental notification of physical fitness assessment results and development of wellness plans for certain public school students.

To Committee on Education.

SB 953 by Birdwell

Relating to an exemption for certain persons who sell signs from the requirement to be licensed as an electrician.

To Committee on Business and Commerce.

SB 954 by Lucio

Relating to the establishment of school district policies regarding the marketing and commercial advertising of food products on school property.

To Committee on Education.

SB 955 by Schwertner

Relating to permissible locations of open-enrollment charter schools created by institutions of higher education.

To Committee on Education.

SB 956 by Eltife

Relating to the delivery of personal automobile and residential property insurance policies; adding provisions that may be subject to a criminal penalty.

To Committee on Business and Commerce.

SB 957 by Eltife

Relating to the regulation of crafted precious metal dealers.

To Committee on Business and Commerce.

SB 958 by Uresti

Relating to the authority of the Texas Facilities Commission to manage a construction project at the site of the G. J. Sutton State Office Complex in Bexar County.

To Committee on Business and Commerce.

SB 959 by V. Taylor

Relating to the collection of a complete set of fingerprints from certain applicants for driver's licenses.

To Committee on Transportation.

SB 960 by Uresti

Relating to the right of a dentist to contract for certain services.

To Committee on Health and Human Services.

SCR 20 by Hall

Urging the United States Congress to provide Department of Homeland Security funds for the protection of the Texas electric grid.

To Committee on Natural Resources and Economic Development.

SCR 22 by Seliger

Designating Quitaque as the official Bison Capital of Texas.

To Committee on Administration.

SJR 39 by Fraser

Proposing a constitutional amendment authorizing the legislature to permit professional sports team charitable foundations to conduct charitable raffles.

To Committee on Natural Resources and Economic Development.

SJR 40 by Zaffirini

Proposing a constitutional amendment authorizing the legislature to provide for an exemption from ad valorem taxation of all or part of the market value of the residence homestead of the surviving spouse of a 100 percent or totally disabled veteran who died before the law authorizing a residence homestead exemption for such a veteran took effect.

To Committee on Finance.

CO-AUTHOR OF SENATE BILL 3

On motion of Senator Birdwell, Senator Campbell will be shown as Co-author of **SB 3**.

CO-AUTHOR OF SENATE BILL 267

On motion of Senator Perry, Senator Huffines will be shown as Co-author of **SB 267**.

CO-AUTHORS OF SENATE BILL 444

On motion of Senator Hall, Senators Huffines and Kolkhorst will be shown as Co-authors of **SB 444**.

CO-AUTHOR OF SENATE BILL 863

On motion of Senator Birdwell, Senator Campbell will be shown as Co-author of **SB 863**.

RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

Memorial Resolutions

SR 334 by Watson, In memory of Wayne Bert Sorensen.

SR 336 by Watson, In memory of Morris Chapman Taylor.

SR 340 by Huffman, In memory of Jeremy Davis Brown.

SR 342 by Huffman, In memory of Robert Crayford Lee.

Congratulatory Resolutions

SR 330 by West, Recognizing Eddie Lee Walker on the occasion of her 100th birthday.

SR 332 by Watson, Recognizing Paul F. Davis on the occasion of his retirement.

SR 337 by Ellis, Commending Christopher Minh-Thong Nguyen for achieving the rank of Eagle Scout.

SR 338 by Ellis, Recognizing Alan Kirk Brown on the occasion of his 30th anniversary as pastor of First Mount Carmel Missionary Baptist Church.

SR 343 by Nelson, Recognizing Leadership Grapevine on the occasion of its visit to the Capitol.

SR 344 by Garcia, Recognizing Lucy Moreno for her service to the Young at Heart senior group at St. Patrick Catholic Church.

Official Designation Resolutions

SR 333 by Birdwell, Recognizing March 10, 2015, as Corsicana and Navarro County Day.

SR 339 by Kolkhorst, Recognizing March 31, 2015, as Austin County Day.

SR 341 by Garcia, Celebrating March 28, 2015, as Dixie Little League Day.

ADJOURNMENT

Pursuant to a previously adopted motion, the Senate at 2:41 p.m. adjourned, in memory of Keith Friend, 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:

March 9, 2015

TRANSPORTATION — **CSSB 288, CSSB 415**

HEALTH AND HUMAN SERVICES — **SB 114, SB 373, CSSB 219**

BILL AND RESOLUTION ENGROSSED

March 4, 2015

SB 5, SJR 5

RESOLUTIONS ENROLLED

March 4, 2015

SCR 21, SR 290, SR 296, SR 302, SR 310, SR 311, SR 312, SR 313, SR 314, SR 315, SR 316, SR 317, SR 318, SR 319, SR 320, SR 321, SR 322, SR 323, SR 324, SR 325, SR 326, SR 327, SR 328, SR 329

SENT TO SECRETARY OF STATE

March 5, 2015

SCR 18

SENT TO GOVERNOR

March 5, 2015

SCR 15

SENT TO SECRETARY OF STATE

March 9, 2015

SCR 21

