

SENATE JOURNAL

EIGHTY-FOURTH LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

TWENTY-EIGHTH DAY

(Monday, March 30, 2015)

The Senate met at 2:02 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, Eltife, Estes, Fraser, Garcia, Hall, Hancock, Hinojosa, Huffines, Huffman, Kolkhorst, Menéndez, Nelson, Nichols, Perry, Rodríguez, Schwertner, Seliger, L. Taylor, V. Taylor, Uresti, Watson, West, Whitmire, Zaffirini.

Absent-excused: Lucio.

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

Pastor Trey Graham, First Baptist Church, Melissa, offered the invocation as follows:

Dear God in heaven, we bow our hearts before You now to ask Your blessing on the State of Texas and the leaders of Texas. During this Easter week, we remember the sacrifice of Jesus Christ on the cross and gratefully acknowledge that He gave His life so others might live. I pray for the Members of our Texas Senate, that they might do justice, love kindness, and walk humbly with God. I pray they would protect innocent lives, be responsible stewards of our state's resources, make wise decisions, stand for righteousness, and love God as they love one another. Give our Senators wisdom to know right and courage to do right. Please, God, bless our state and call us to seek You as we obey Your word. I pray all of this in the name of my savior, Jesus Christ. 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 Lucio was granted leave of absence for today on account of a death in the family.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Monday, March 30, 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:

HB 80 Craddick

Relating to the use of a portable wireless communication device while operating a motor vehicle; creating a criminal offense; modifying existing criminal penalties.

HB 441 Gonzales, Larry

Relating to the use of a court order as an occupational license.

HCR 86 Smithee

In memory of Amarillo City Council member James Harold Simms.

HCR 87 Smithee

In memory of Gene Earl Parker of Amarillo.

HCR 88 Moody

In memory of El Paso Constable Robert Parker White.

SB 219 Schwertner

Sponsor: Price

Relating to the provision of health and human services in this state, including the powers and duties of the Health and Human Services Commission and other state agencies, and the licensing of certain health professionals; clarifying certain statutory provisions; authorizing the imposition of fees.

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

PHYSICIAN OF THE DAY

Senator Kolkhorst was recognized and presented Dr. Stephen Howell of Sugar Land as the Physician of the Day.

The Senate welcomed Dr. Howell, accompanied by his wife, Kay, and thanked him for his participation in the Physician of the Day program sponsored by the Texas Academy of Family Physicians.

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 219**.

GUESTS PRESENTED

Senator Estes was recognized and introduced to the Senate a Parker County delegation.

The Senate welcomed its guests.

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

Senator Whitmire submitted the following Motion In Writing:

Mr. President:

I move suspension of Senate Rule 7.07(b) to permit the introduction of the following bills:

SB 2001, SB 2003, SB 2005, SB 2006, SB 2016, SB 2017, SB 2019, SB 2021, SCR 34, SJR 67.

WHITMIRE

The Motion In Writing was read and prevailed without objection.

SENATE BILLS ON FIRST READING

The following bills, filed on or before Friday, March 13, 2015, were introduced, read first time, and referred to the committees indicated:

SB 1278 by Campbell

Relating to the creation of a judicial district composed of Kendall County, the composition of the 216th Judicial District, the creation of a criminal district attorney of Kendall County, and the abolishment of the County Court at Law of Kendall County and the office of county attorney of Kendall County.

To Committee on State Affairs.

SB 1343 by Huffines

Relating to the procedure for claiming an exemption from ad valorem taxation by the Dallas County Utility and Reclamation District of certain property subject to a tax abatement agreement with the district and to the validation of certain actions of the district.

To Committee on Natural Resources and Economic Development.

SB 1440 by Campbell

Relating to the territory and authority of the Barton Springs-Edwards Aquifer Conservation District to regulate certain wells for the production of groundwater.

To Committee on Agriculture, Water, and Rural Affairs.

SENATE BILLS AND RESOLUTIONS ON FIRST READING

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

SB 2000 by Rodríguez

Relating to jurisdiction and court administration of the El Paso Criminal Law Magistrate Court.

To Committee on State Affairs.

SB 2001 by Garcia

Relating to the establishment and operation of the Texas Women Veterans Program.

To Committee on Veteran Affairs and Military Installations.

SB 2002 by Creighton

Relating to the powers and duties of the Montgomery County Municipal Utility District No. 111; providing authority to issue bonds and impose fees and taxes.

To Committee on Intergovernmental Relations.

SB 2003 by Eltife

Relating to health benefit plan coverage for ovarian cancer screening.

To Committee on Business and Commerce.

SB 2005 by Menéndez

Relating to eligibility for membership and funding of benefits for certain law enforcement, custodial, and other peace officers.

To Committee on State Affairs.

SB 2006 by Ellis

Relating to decreasing the state sales and use tax rate.

To Committee on Finance.

SB 2008 by Kolkhorst

Relating to the creation of the Harris County Municipal Utility District No. 539; 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 2009 by Kolkhorst

Relating to the creation of the Harris County Municipal Utility District No. 541; 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 2010 by Kolkhorst

Relating to the creation of the Waller County Municipal Utility District No. 20; 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 2011 by Kolkhorst

Relating to the creation of the Waller County Municipal Utility District No. 21; 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 2012 by Kolkhorst

Relating to the creation of the Waller County Municipal Utility District No. 22; 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 2013 by Kolkhorst

Relating to the creation of the Harris County Municipal Utility District No. 538; 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 2014 by Kolkhorst

Relating to the creation of the Waller County Municipal Utility District No. 23; 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 2015 by Creighton

Relating to the creation of the Montgomery County Municipal Utility District No. 152; 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 2016 by Lucio

Relating to limitations on annexation by and extraterritorial jurisdiction of certain municipalities.

To Committee on Intergovernmental Relations.

SB 2017 by Lucio

Relating to the establishment of an innovative workforce training center in the Rio Grande Valley.

To Committee on Higher Education.

SB 2019 by Uresti

Relating to the composition of the Texas Violent Gang Task Force.

To Committee on Criminal Justice.

SB 2020 by Creighton

Relating to the powers, operations, and boundaries of The Woodlands Township; authorizing a fee.

To Committee on Transportation.

SB 2021 by Menéndez

Relating to the state contribution to the Teacher Retirement System of Texas.

To Committee on State Affairs.

SCR 34 by Creighton, Nichols

Directing the Texas Water Development Board to conduct a feasibility study on the use of brackish groundwater sources in Montgomery County.

To Committee on Agriculture, Water, and Rural Affairs.

SJR 67 by Menéndez

Proposing a constitutional amendment to increase the minimum amount that the state may contribute to the Employees Retirement System of Texas and the Teacher Retirement System of Texas.

To Committee on State Affairs.

SR 451 by L. Taylor

Urging Congress to direct the Department of Defense to relocate the United States Africa Command to Ellington Field Joint Reserve Base in Houston.

To Committee on Veteran Affairs and Military Installations.

SENATE RESOLUTION 444

Senator Ellis offered the following resolution:

SR 444, Commending BikeTexas for its dedication to improving bicycle safety.

The resolution was read and was adopted without objection.

All Members are deemed to have voted "Yea" on the adoption of the resolution except as follows:

Absent-excused: Lucio.

GUESTS PRESENTED

Senator Ellis was recognized and introduced to the Senate a BikeTexas delegation.

The Senate welcomed its guests.

CONCLUSION OF MORNING CALL

The President at 2:28 p.m. announced the conclusion of morning call.

COMMITTEE SUBSTITUTE**SENATE BILL 169 ON SECOND READING**

On motion of Senator Uresti and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 169** at this time on its second reading:

CSSB 169, Relating to ensuring that certain military members and their spouses and dependents maintain their positions on interest lists or other waiting lists for certain health and human services assistance programs.

The bill was read second time and was passed to engrossment without objection.

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

Absent-excused: Lucio.

COMMITTEE SUBSTITUTE**SENATE BILL 169 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 **CSSB 169** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Lucio.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

SENATE RESOLUTION 439

Senator Hinojosa offered the following resolution:

SR 439, Recognizing the dedication of the Texas Capitol Vietnam Veterans Monument.

The resolution was again read.

The resolution was previously adopted on Wednesday, March 25, 2015.

GUESTS PRESENTED

Senator Hinojosa was recognized and introduced to the Senate a delegation of the Texas Capitol Vietnam Veterans Monument planning committee members.

The Senate welcomed its guests.

SENATE BILL 140 ON SECOND READING

On motion of Senator Perry and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 140** at this time on its second reading:

SB 140, Relating to a sales and use tax exemption for telecommunications services used for the navigation of certain farm and ranch machinery and equipment.

The bill was read second time and was passed to engrossment without objection.

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

Absent-excused: Lucio.

SENATE BILL 140 ON THIRD READING

Senator Perry moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 140** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Lucio.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

COMMITTEE SUBSTITUTE SENATE BILL 46 ON SECOND READING

On motion of Senator Zaffirini and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 46** at this time on its second reading:

CSSB 46, Relating to the confidentiality of certain property tax appraisal photographs.

The bill was read second time and was passed to engrossment without objection.

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

Absent-excused: Lucio.

**COMMITTEE SUBSTITUTE
SENATE BILL 46 ON THIRD READING**

Senator Zaffirini moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 46** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Lucio.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
SENATE BILL 494 ON SECOND READING**

Senator Watson moved to suspend the regular order of business to take up for consideration **CSSB 494** at this time on its second reading:

CSSB 494, Relating to the availability of certain property and casualty insurance forms on the Internet.

The motion prevailed.

Senators Bettencourt, Burton, Campbell, Hall, Hancock, Huffines, Kolkhorst, and V. Taylor 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 the following vote: Yeas 22, Nays 8.

Yeas: Birdwell, Creighton, Ellis, Eltife, Estes, Fraser, Garcia, Hinojosa, Huffman, Menéndez, Nelson, Nichols, Perry, Rodríguez, Schwertner, Seliger, L. Taylor, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Bettencourt, Burton, Campbell, Hall, Hancock, Huffines, Kolkhorst, V. Taylor.

Absent-excused: Lucio.

**COMMITTEE SUBSTITUTE
SENATE BILL 494 ON THIRD READING**

Senator Watson moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 494** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 24, Nays 6.

Yeas: Birdwell, Creighton, Ellis, Eltife, Estes, Fraser, Garcia, Hancock, Hinojosa, Huffman, Kolkhorst, Menéndez, Nelson, Nichols, Perry, Rodríguez, Schwertner, Seliger, L. Taylor, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Bettencourt, Burton, Campbell, Hall, Huffines, V. Taylor.

Absent-excused: Lucio.

The bill was read third time and was passed by the following vote: Yeas 22, Nays 8.

Yeas: Birdwell, Creighton, Ellis, Eltife, Estes, Fraser, Garcia, Hinojosa, Huffman, Menéndez, Nelson, Nichols, Perry, Rodríguez, Schwertner, Seliger, L. Taylor, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Bettencourt, Burton, Campbell, Hall, Hancock, Huffines, Kolkhorst, V. Taylor.

Absent-excused: Lucio.

SENATE RESOLUTION 445

Senator Ellis offered the following resolution:

SR 445, Congratulating Carol Lewis on her induction into the Southwest Conference Hall of Fame.

ELLIS
BETTENCOURT

The resolution was read and was adopted without objection.

All Members are deemed to have voted "Yea" on the adoption of the resolution except as follows:

Absent-excused: Lucio.

GUESTS PRESENTED

Senator Ellis, joined by Senator Bettencourt, was recognized and introduced to the Senate Southwest Conference Hall of Fame inductee Carol Lewis and her brother, Olympian Carl Lewis.

The Senate welcomed its guests.

SENATE BILL 805 ON SECOND READING

On motion of Senator Campbell and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 805** at this time on its second reading:

SB 805, Relating to the employment of individuals qualified for a veteran's employment preference.

The bill was read second time and was passed to engrossment without objection.

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

Absent-excused: Lucio.

SENATE BILL 805 ON THIRD READING

Senator Campbell moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 805** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Lucio.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
SENATE BILL 389 ON SECOND READING**

On motion of Senator Rodríguez and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 389** at this time on its second reading:

CSSB 389, Relating to the placement of military occupational specialty codes on certain notices of state agency employment openings.

The bill was read second time and was passed to engrossment without objection.

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

Absent-excused: Lucio.

**COMMITTEE SUBSTITUTE
SENATE BILL 389 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 389** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Lucio.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

SENATE RESOLUTION 430

Senator Birdwell offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to join Texans across the state in celebrating March 30, 2015, as Baylor Day at the Capitol; and

WHEREAS, Baylor University was established February 1, 1845, by an act of the Congress of the Republic of Texas; it is the oldest continually operating university in the state; and

WHEREAS, This private Christian university and nationally ranked research institution provides a vibrant campus community to some 15,000 students; it offers 141 undergraduate degrees, 75 graduate degrees, 37 doctoral degrees, and a juris doctor in addition to a wide array of preprofessional tracks and specialized academic opportunities; and

WHEREAS, Baylor University is also home to a variety of exceptional athletic programs; its football team recently won the school's first outright conference championship since 1980, and the women's basketball team continued its dominance with its fourth consecutive sweep of regular-season and conference tournament titles; and

WHEREAS, The university produced the top graduate success rate score in the Big 12 Conference in the 2013-2014 academic year; a school-record 213 Baylor University student-athletes were selected to Academic All-Big 12 teams and a school-record 678 students were named to the Big 12 Commissioner's Honor Roll; and

WHEREAS, The school's combination of interdisciplinary research and a faculty committed to teaching and scholarship have served to create an institution with an international reputation for educational excellence; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 84th Legislature, hereby commend Baylor University on its commitment to educating men and women for worldwide leadership and service and extend to its students, faculty, and staff best wishes for a memorable Baylor Day at the Capitol; and, be it further

RESOLVED, That a copy of this Resolution be prepared for the university as an expression of esteem from the Texas Senate.

BIRDWELL
HANCOCK
L. TAYLOR
WATSON

SR 430 was again read.

The resolution was previously adopted on Wednesday, March 25, 2015.

GUESTS PRESENTED

Senator Birdwell was recognized and introduced to the Senate a Baylor Day delegation: President and Chancellor Ken Starr and Waco Mayor Malcolm Duncan.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Schwertner was recognized and introduced to the Senate a Texas Engineering Experiment Station 100th anniversary delegation: The Texas A&M University System Chancellor John Sharp and Katherine Banks.

The Senate welcomed its guests.

COMMITTEE SUBSTITUTE SENATE BILL 96 ON SECOND READING

Senator Hinojosa moved to suspend the regular order of business to take up for consideration **CSSB 96** at this time on its second reading:

CSSB 96, Relating to a prohibition on the use and possession of e-cigarettes on school property or at school-related or school-sanctioned activities.

The motion prevailed.

Senators Burton and Huffines 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: Burton, Huffines.

Absent-excused: Lucio.

**COMMITTEE SUBSTITUTE
SENATE BILL 96 ON THIRD READING**

Senator Hinojosa moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 96** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 2.

Yeas: Bettencourt, Birdwell, Campbell, Creighton, Ellis, Eltife, Estes, Fraser, Garcia, Hall, Hancock, Hinojosa, Huffman, Kolkhorst, Menéndez, Nelson, Nichols, Perry, Rodríguez, Schwertner, Seliger, L. Taylor, V. Taylor, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Burton, Huffines.

Absent-excused: Lucio.

The bill was read third time and was passed by the following vote: Yeas 28, Nays 2. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
SENATE BILL 13 ON SECOND READING**

On motion of Senator Perry and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 13** at this time on its second reading:

CSSB 13, Relating to measures to support public school student academic achievement and career preparation, including measures to improve and support dual credit courses and the development of public outreach materials.

The bill was read second time and was passed to engrossment without objection.

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

Absent-excused: Lucio.

**COMMITTEE SUBSTITUTE
SENATE BILL 13 ON THIRD READING**

Senator Perry moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 13** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Lucio.

The bill was read third time and was passed by the vote: Yeas 30, Nays 0.
(Same as previous roll call)

(Senator Schwertner in Chair)

SENATE BILL 383 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 383** at this time on its second reading:

SB 383, Relating to the time of delivery to the early voting ballot board for ballots voted by mail in certain counties.

The bill was read second time and was passed to engrossment without objection.

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

Absent-excused: Lucio.

SENATE BILL 383 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 383** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Lucio.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

SENATE BILL 631 ON SECOND READING

On motion of Senator Campbell and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 631** at this time on its second reading:

SB 631, Relating to the authority of certain contiguous municipalities to agree to extend municipal court jurisdiction.

The bill was read second time and was passed to engrossment without objection.

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

Absent-excused: Lucio.

SENATE BILL 631 ON THIRD READING

Senator Campbell moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 631** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Lucio.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

COMMITTEE SUBSTITUTE
SENATE BILL 570 ON SECOND READING

Senator Estes moved to suspend the regular order of business to take up for consideration **CSSB 570** at this time on its second reading:

CSSB 570, Relating to the use of fireworks at certain Texas Department of Transportation rest areas; creating a criminal offense.

The motion prevailed by the following vote: Yeas 26, Nays 4.

Yeas: Bettencourt, Campbell, Creighton, Ellis, Eltife, Estes, Fraser, Garcia, Hall, Hinojosa, Huffman, Kolkhorst, Menéndez, Nelson, Nichols, Perry, Rodríguez, Schwertner, Seliger, L. Taylor, V. Taylor, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Birdwell, Burton, Hancock, Huffines.

Absent-excused: Lucio.

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, Burton, Hancock, Huffines.

Absent-excused: Lucio.

COMMITTEE SUBSTITUTE
SENATE BILL 570 ON THIRD READING

Senator Estes moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 570** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 26, Nays 4.

Yeas: Bettencourt, Campbell, Creighton, Ellis, Eltife, Estes, Fraser, Garcia, Hall, Hinojosa, Huffman, Kolkhorst, Menéndez, Nelson, Nichols, Perry, Rodríguez, Schwertner, Seliger, L. Taylor, V. Taylor, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Birdwell, Burton, Hancock, Huffines.

Absent-excused: Lucio.

The bill was read third time and was passed by the following vote: Yeas 26, Nays 4. (Same as previous roll call)

(President in Chair)

SENATE BILL 818 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 818** at this time on its second reading:

SB 818, Relating to the requirement that a parent appointed as a conservator of a child disclose certain information regarding family violence.

The bill was read second time.

Senator Rodríguez offered the following amendment to the bill:

Floor Amendment No. 1

Amend **SB 818** (senate committee printing) in SECTION 1 of the bill, in added Section 153.076(b)(4), Family Code (page 1, line 37), between "charged" and "with", by inserting "by indictment or information".

The amendment to **SB 818** was read and was adopted without objection.

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

Absent-excused: Lucio.

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

SB 818 as amended was passed to engrossment without objection.

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

Absent-excused: Lucio.

SENATE BILL 818 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 818** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Lucio.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
SENATE BILL 304 ON SECOND READING**

On motion of Senator Schwertner and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 304** at this time on its second reading:

CSSB 304, Relating to the abuse and neglect of residents of certain facilities.

The bill was read second time and was passed to engrossment without objection.

**COMMITTEE SUBSTITUTE
SENATE BILL 907 ON SECOND READING**

On motion of Senator Perry and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 907** at this time on its second reading:

CSSB 907, 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.

The bill was read second time and was passed to engrossment without objection.

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

Absent-excused: Lucio.

**COMMITTEE SUBSTITUTE
SENATE BILL 907 ON THIRD READING**

Senator Perry moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 907** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Lucio.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
SENATE BILL 825 ON SECOND READING**

On motion of Senator Huffman and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 825** at this time on its second reading:

CSSB 825, Relating to the prosecution of the offense of prostitution.

The bill was read second time and was passed to engrossment without objection.

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

Absent-excused: Lucio.

**COMMITTEE SUBSTITUTE
SENATE BILL 825 ON THIRD READING**

Senator Huffman moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 825** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Lucio.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

(Senator Eltife in Chair)

(President in Chair)

**COMMITTEE SUBSTITUTE
SENATE BILL 6 ON SECOND READING**

Senator L. Taylor moved to suspend the regular order of business to take up for consideration **CSSB 6** at this time on its second reading:

CSSB 6, Relating to public school performance ratings.

The motion prevailed by the following vote: Yeas 20, Nays 10.

Yeas: Bettencourt, Birdwell, Burton, Campbell, Creighton, Eltife, Estes, Fraser, Hall, Hancock, Huffines, Huffman, Kolkhorst, Nelson, Nichols, Perry, Schwertner, Seliger, L. Taylor, V. Taylor.

Nays: Ellis, Garcia, Hinojosa, Menéndez, Rodríguez, Uresti, Watson, West, Whitmire, Zaffirini.

Absent-excused: Lucio.

The bill was read second time.

Senator L. Taylor offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 6** (senate committee printing) in SECTION 2 of the bill (page 1, line 54) by striking "2016-2017" and substituting "2017-2018".

The amendment to **CSSB 6** was read and was adopted without objection.

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

Absent-excused: Lucio.

Senator Menéndez offered the following amendment to the bill:

Floor Amendment No. 2

Amend **CSSB 6** (senate committee printing) as follows:

(1) In SECTION 1 of the bill, strike amended Section 39.054(a), Education Code (page 1, lines 27-46), and substitute the following:

(a) The commissioner shall adopt rules to evaluate school district and campus performance and assign each district and campus an overall [a] performance rating of A, B, C, D, or F and an indicator performance rating of A, B, C, D, or F for each student achievement indicator adopted under Section 39.053. In adopting rules under this subsection, the commissioner shall determine the criteria for each designated letter indicator performance rating. The commissioner shall also assign each district and campus an overall performance rating, based on the application of criteria adopted by the commissioner to the indicator performance ratings for the district or campus, that indicates whether the district or campus met overall performance standards. An

overall or indicator [A-district] performance rating of A reflects exemplary performance. An overall or indicator performance rating of B reflects recognized performance. An overall or indicator performance rating of [B, or] C reflects acceptable performance. An overall or indicator [and a district] performance rating of D or F reflects unacceptable performance. [The commissioner shall also assign each campus a performance rating of exemplary, recognized, acceptable, or unacceptable. A campus performance rating of exemplary, recognized, or acceptable reflects acceptable performance, and a campus performance rating of unacceptable reflects unacceptable performance.] A district may not receive an overall or indicator [a] performance rating of A if the district includes any campus with a corresponding overall or indicator performance rating of D or F [unacceptable]. A reference in law to an acceptable rating or acceptable performance includes an overall or indicator performance rating of A or B or exemplary or recognized performance.

(2) In SECTION 1 of the bill, adding Section 39.054(a-1), Education Code (page 1, line 48), strike "rating" and substitute "ratings [rating]".

(3) In SECTION 1 of the bill, adding Section 39.054(a-1), Education Code (page 1, line 50), strike "a performance rating" and substitute "an overall or indicator [a] performance rating".

The amendment to **CSSB 6** was read and was adopted without objection.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 2 except as follows:

Absent-excused: Lucio.

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

CSSB 6 as amended was passed to engrossment by the following vote: Yeas 20, Nays 10.

Yeas: Bettencourt, Birdwell, Burton, Campbell, Creighton, Eltife, Estes, Fraser, Hall, Hancock, Huffines, Huffman, Kolkhorst, Nelson, Nichols, Perry, Schwertner, Seliger, L. Taylor, V. Taylor.

Nays: Ellis, Garcia, Hinojosa, Menéndez, Rodríguez, Uresti, Watson, West, Whitmire, Zaffirini.

Absent-excused: Lucio.

SENATE BILL 217 REREFERRED (Motion In Writing)

Senator Hinojosa submitted a Motion In Writing requesting that **SB 217** be withdrawn from the Committee on Business and Commerce and rereferred to the Committee on Finance.

The Motion In Writing was read and prevailed without objection.

REPORT OF COMMITTEE ON NOMINATIONS

Senator Birdwell 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:

Member, Board of Directors, North Texas Tollway Authority: William David Elliott, Fannin County.

Members, State Board of Examiners for Speech-Language Pathology and Audiology: Tammy Michelle Camp, Lubbock County; Shannon K. McClendon, Hays County; Leila Salmons, Harris County; Phillip Lee Wilson, Dallas County.

Members, State Committee of Examiners in the Fitting and Dispensing of Hearing Instruments: Tracy Allen Byerly, Kerr County; Benjamin Walter Norris, McLennan County.

Commissioners, Texas Animal Health Commission: William Frank Edmiston, Schleicher County; Kenneth Gene Jordan, San Saba County; Joe Lynn Leathers, King County; Thomas Eugene Oates, Walker County; Eric Dean White, Mason County; Jay Russell Winter, Lubbock County.

Members, Texas Commission on the Arts: Dale Wills Brock, Tarrant County; Alphonse A. Dotson, McCulloch County.

Members, Texas State Board of Examiners of Dietitians: Janet Suzanne Hall, Williamson County; Brian Keith Irons, Lubbock County; Valerie Naymick Shurley, Williamson County.

Members, Texas State Board of Examiners of Psychologists: Timothy F. Branaman, Collin County; Angela Downes, Dallas County; Lou Ann Todd Mock, Harris County.

Members, Texas State Board of Plumbing Examiners: Julio Cesar Cerda, Hidalgo County; David Anthony Garza, Cameron County; Edward Don Thompson, Smith County.

Members, Texas State Board of Podiatric Medical Examiners: James Michael Lunsford, Harris County; Joe E. Martin, Brazos County; James Michael Miller, Parker County; Chakilla Robinson, Fort Bend County.

Members, Board of Regents. Texas Tech University System: Ronnie Dea Hammonds, Harris County; Christopher Martin Huckabee, Tarrant County; Mickey Long, Midland County.

NOTICE OF CONSIDERATION OF NOMINATIONS

Senator Birdwell 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 5

On motion of Senator Nichols, Senator Uresti will be shown as Co-author of **SB 5**.

CO-AUTHORS OF SENATE BILL 13

On motion of Senator Perry, Senators Garcia, Rodríguez, and West will be shown as Co-authors of **SB 13**.

CO-AUTHORS OF SENATE BILL 20

On motion of Senator Nelson, Senators Hinojosa and Schwertner will be shown as Co-authors of **SB 20**.

CO-AUTHOR OF SENATE BILL 96

On motion of Senator Hinojosa, Senator West will be shown as Co-author of **SB 96**.

CO-AUTHOR OF SENATE BILL 169

On motion of Senator Lucio, Senator Hinojosa will be shown as Co-author of **SB 169**.

CO-AUTHOR OF SENATE BILL 340

On motion of Senator Huffines, Senator Hall will be shown as Co-author of **SB 340**.

CO-AUTHOR OF SENATE BILL 358

On motion of Senator West, Senator Whitmire will be shown as Co-author of **SB 358**.

CO-AUTHOR OF SENATE BILL 383

On motion of Senator Uresti, Senator Garcia will be shown as Co-author of **SB 383**.

CO-AUTHOR OF SENATE BILL 825

On motion of Senator Huffman, Senator Garcia will be shown as Co-author of **SB 825**.

CO-AUTHOR OF SENATE BILL 1066

On motion of Senator Zaffirini, Senator Menéndez will be shown as Co-author of **SB 1066**.

CO-AUTHOR OF SENATE BILL 1182

On motion of Senator Huffines, Senator Hall will be shown as Co-author of **SB 1182**.

CO-AUTHOR OF SENATE BILL 1532

On motion of Senator Burton, Senator Campbell will be shown as Co-author of **SB 1532**.

CO-AUTHOR OF SENATE BILL 1533

On motion of Senator Burton, Senator Hall will be shown as Co-author of **SB 1533**.

CO-AUTHOR OF SENATE BILL 1642

On motion of Senator West, Senator Nichols will be shown as Co-author of **SB 1642**.

CO-AUTHOR OF SENATE BILL 1674

On motion of Senator Huffines, Senator Hall will be shown as Co-author of **SB 1674**.

CO-AUTHOR OF SENATE BILL 1968

On motion of Senator Huffman, Senator Hall will be shown as Co-author of **SB 1968**.

CO-AUTHOR OF SENATE JOINT RESOLUTION 5

On motion of Senator Nichols, Senator Uresti will be shown as Co-author of **SJR 5**.

CO-AUTHOR OF SENATE JOINT RESOLUTION 43

On motion of Senator Huffines, Senator Hall will be shown as Co-author of **SJR 43**.

RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

Congratulatory Resolutions

SR 441 by Garcia, Recognizing Don Nelson on the occasion of his retirement.

SR 446 by West, Recognizing Dale Luke Smiley on the occasion of his retirement.

SR 450 by Zaffirini, Recognizing the Texas State Soil and Water Conservation Board on the occasion of its 75th anniversary.

SR 452 by L. Taylor, Recognizing the Brazosport Area Home School Graduating Class of 2015.

SR 453 by West, Congratulating Sejena Elvera and Juan Javier Ramirez on the occasion of the birth of their son, Jensen Javier Ramirez.

SR 454 by Estes, Recognizing the Denco Area 9-1-1 District for its work on behalf of Lewisville residents.

SR 455 by West, Congratulating Eleanor Nelson Conrad for being named a 2015 Distinguished Alumni honoree.

Official Designation Resolutions

SR 442 by Hinojosa, Recognizing September 28 through October 2, 2015, as Malnutrition Awareness Week in Texas.

SR 443 by Fraser and Whitmire, Recognizing April 8, 2015, as Masonic Grand Lodge of Texas Day.

SR 448 by Watson, Recognizing April 2, 2015, as Homelessness Awareness Day.

SR 449 by Eltife, Recognizing March 31 and April 1, 2015, as Rusk County Days.

ADJOURNMENT

On motion of Senator Whitmire, the Senate at 5:20 p.m. adjourned, in memory of J. J. Baskin, 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 30, 2015

EDUCATION — SB 159, CSSB 892

AGRICULTURE, WATER, AND RURAL AFFAIRS — CSSB 505, CSSB 394, SB 987, SB 611, SB 1132, CSSB 970

INTERGOVERNMENTAL RELATIONS — SB 584

TRANSPORTATION — CSSB 530, CSSB 57

BUSINESS AND COMMERCE — SB 188, SB 783, SB 858, SB 901, CSSB 189, CSSB 782, SB 667, SB 844, CSSB 876

HEALTH AND HUMAN SERVICES — CSSB 760, SB 622, CSSB 582, CSSB 791

FINANCE — CSSB 2004

BUSINESS AND COMMERCE — CSSB 699

HIGHER EDUCATION — CSSB 1191

NATURAL RESOURCES AND ECONOMIC DEVELOPMENT — CSSB 777, CSSB 774, CSSB 633, CSSB 931, CSSB 933

EDUCATION — CSSB 893

HEALTH AND HUMAN SERVICES — CSSB 1117, SB 1407

FINANCE — CSSB 18

BILLS AND RESOLUTION ENGROSSED

March 25, 2015

SB 1, SB 7, SB 8, SB 31, SB 114, SB 147, SB 308, SB 536, SB 630, SB 652, SB 695, SB 752, SB 833, SB 947, SB 1024, SJR 1

RESOLUTIONS ENROLLED

March 25, 2015

SR 424, SR 426, SR 430, SR 431, SR 432, SR 433, SR 434, SR 436, SR 437, SR 438, SR 439, SR 440

SENT TO GOVERNOR

March 30, 2015

SB 219

