

SENATE JOURNAL

EIGHTY-FOURTH LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

TWENTY-NINTH DAY

(Tuesday, March 31, 2015)

The Senate met at 11:02 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, 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.

The Reverend Daryl Horton, Mount Zion Baptist Church, Austin, offered the invocation as follows:

Heavenly Father, as we begin a new day we take the time to say thank You. In this Chamber today, we acknowledge the importance of Your wisdom, guidance, and discernment. For the Lieutenant Governor, each Senator, and every staff member, we pray for excellent health and a sound mind. In this session remind each individual of the honor and obligation to represent all Texans and to serve this great state. Frame each debate by the intellect of our minds and the sincerity of our hearts. Empower every speaker to stand in courage while every listener is respectfully engaged, each with his or her devotion committed to the welfare of all Texans. May You receive glory in all that is recorded in this esteemed assembly. It is in His majestic name 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 Lucio was granted leave of absence for today on account of a death in the family.

PHYSICIAN OF THE DAY

Senator Watson was recognized and presented Dr. Darshan Shah of Austin as the Physician of the Day.

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

RESOLUTIONS SIGNED

The President announced the signing of the following enrolled resolutions in the presence of the Senate: **SCR 19, SCR 35, HCR 60.**

SENATE RESOLUTION 470

Senator Hall offered the following resolution:

SR 470, Recognizing March 31, 2015, as Hopkins County Day.

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 Hall was recognized and introduced to the Senate a Hopkins County Day delegation.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Kolkhorst was recognized and introduced to the Senate an Austin County Day delegation.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Creighton was recognized and introduced to the Senate a Texas Society of Anesthesiologists delegation.

The Senate welcomed its guests.

SENATE RESOLUTION 471

Senator Hall offered the following resolution:

SR 471, Recognizing March 31 and April 1, 2015, as Leadership Mesquite Days.

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 Hall was recognized and introduced to the Senate a Leadership Mesquite Days delegation.

The Senate welcomed its guests.

SENATE RESOLUTION 410

Senator Whitmire offered the following resolution:

SR 410, Recognizing March 31, 2015, as Firefighters and Paramedics Day.

The resolution was read.

On motion of Senator Uresti and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Whitmire, the resolution 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 Whitmire, joined by Senators Uresti and Campbell, was recognized and introduced to the Senate a Firefighters and Paramedics Day delegation.

The Senate welcomed its guests.

SENATE RESOLUTION 435

Senator Menéndez offered the following resolution:

SR 435, In memory of Mike Higgins.

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

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

GUESTS PRESENTED

Senator Menéndez was recognized and introduced to the Senate a Texas State Association of Fire Fighters delegation.

The Senate welcomed its guests.

SENATE BILL ON FIRST READING

The following bill, filed on or before Friday, March 13, 2015, was introduced, read first time, and referred to the committee indicated:

SB 1439 by Campbell

Relating to the territory of the Hays Trinity Groundwater Conservation District; authorizing the regulation of certain wells for the production of groundwater. To Committee on Agriculture, Water, and Rural Affairs.

SENATE BILL ON FIRST READING

The following bill was introduced, read first time, and referred to the committee indicated:

SB 2023 by Huffman

Relating to the creation of the Fort Bend County Municipal Utility District No. 191; 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.

SESSION TO CONSIDER EXECUTIVE APPOINTMENTS

The President announced the time had arrived to consider executive appointments to agencies, boards, and commissions. Notice of submission of these names for consideration was given yesterday by Senator Birdwell.

Senator Birdwell moved confirmation of the nominees reported yesterday by the Committee on Nominations.

The President asked if there were requests to sever nominees.

There were no requests offered.

NOMINEES CONFIRMED

The following nominees, as reported by the Committee on Nominations, were confirmed by the following vote: Yeas 30, Nays 0.

Absent-excused: Lucio.

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.

CONCLUSION OF MORNING CALL

The President at 11:45 a.m. announced the conclusion of morning call.

SENATE BILL 806 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 806** at this time on its second reading:

SB 806, Relating to the College Credit for Heroes program.

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 806 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 806** 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)

SENATE BILL 378 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 378** at this time on its second reading:

SB 378, Relating to the liability of certain social workers who provide volunteer health care services to charitable organizations.

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 378 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 378** 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)

(President in Chair)

**COMMITTEE SUBSTITUTE
SENATE BILL 538 ON SECOND READING**

Senator Schwertner moved to suspend the regular order of business to take up for consideration **CSSB 538** at this time on its second reading:

CSSB 538, Relating to the control of infectious diseases.

The motion prevailed by the following vote: Yeas 27, Nays 3.

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

Nays: Estes, Fraser, Nichols.

Absent-excused: Lucio.

The bill was read second time.

Senator Kolkhorst offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 538** as follows:

(1) In SECTION 1 of the bill, in added Section 418.031(a)(1), Government Code (Committee printing page 1, line 36), strike "or" and substitute "and".

(2) In SECTION 7 of the bill, in added Section 81.0891(a)(1)(A), Health and Safety Code (Committee printing page 4, line 34), strike "or" and substitute "and".

The amendment to **CSSB 538** 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 Schwertner and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

CSSB 538 as amended was passed to engrossment by the following vote: Yeas 25, Nays 5.

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

Nays: Burton, Estes, Fraser, Hall, Nichols.

Absent-excused: Lucio.

**COMMITTEE SUBSTITUTE
SENATE BILL 538 ON THIRD READING**

Senator Schwertner moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 538** be placed on its third reading and final passage.

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

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

Nays: Estes, Fraser.

Absent-excused: Lucio.

The bill was read third time and was passed by the following vote: Yeas 25, Nays 5.

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

Nays: Burton, Estes, Fraser, Hall, Nichols.

Absent-excused: Lucio.

SENATE BILL 382 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 382** at this time on its second reading:

SB 382, Relating to public school educator continuing education credit for instruction on the use of an automated external defibrillator.

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 382 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 382** 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 20 ON SECOND READING**

On motion of Senator Nelson and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 20** at this time on its second reading:

CSSB 20, Relating to state agency contracting; creating an offense.

The bill was read second time.

Senator Nelson offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 20** (senate committee printing) as follows:

(1) In SECTION 10 of the bill, in proposed Section 2155.5035(a)(1), Government Code (page 3, line 65), strike "shall" and substitute "may".

(2) In SECTION 16 of the bill, in proposed Section 2261.251, Government Code (page 5, line 26), between "this subchapter applies to" and "an", insert "the Texas Department of Transportation and to".

The amendment to **CSSB 20** 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 Nelson and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

CSSB 20 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.

**COMMITTEE SUBSTITUTE
SENATE BILL 20 ON THIRD READING**

Senator Nelson moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 20** 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 34 ON SECOND READING

On motion of Senator Zaffirini and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 34** at this time on its second reading:

SB 34, Relating to a report concerning information security for this state's information resources.

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 34 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 **SB 34** 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 6 ON THIRD READING

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

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 third time and was passed by the following vote: Yeas 20, Nays 10. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
SENATE BILL 267 ON SECOND READING**

Senator Perry moved to suspend the regular order of business to take up for consideration **CSSB 267** at this time on its second reading:

CSSB 267, Relating to the regulation by a municipality or county of the rental or leasing of housing accommodations.

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 and was passed to engrossment by the following vote: Yeas 20, Nays 10. (Same as previous roll call)

SENATE BILL 478 ON SECOND READING

On motion of Senator Zaffirini and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 478** at this time on its second reading:

SB 478, Relating to the promulgation of certain forms for use in landlord-tenant matters.

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 478 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 **SB 478** 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 390 ON SECOND READING

On motion of Senator Burton and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 390** at this time on its second reading:

SB 390, Relating to docket preference for trials in which the alleged victim is younger than 14 years of age.

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 390 ON THIRD READING

Senator Burton moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 390** 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 850 ON SECOND READING

Senator V. Taylor moved to suspend the regular order of business to take up for consideration **SB 850** at this time on its second reading:

SB 850, Relating to a public duty justification for conduct of a service member of the Texas military forces.

The motion prevailed.

Senators Ellis, Garcia, Hinojosa, Menéndez, Rodríguez, Uresti, and Zaffirini 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 23, Nays 7.

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

Nays: Ellis, Garcia, Hinojosa, Menéndez, Rodríguez, Uresti, Zaffirini.

Absent-excused: Lucio.

SENATE BILL 850 ON THIRD READING

Senator V. 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 850** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 25, Nays 5.

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

Nays: Ellis, Garcia, Menéndez, Rodríguez, Zaffirini.

Absent-excused: Lucio.

The bill was read third time and was passed by the following vote: Yeas 23, Nays 7.

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

Nays: Ellis, Garcia, Hinojosa, Menéndez, Rodríguez, Uresti, Zaffirini.

Absent-excused: Lucio.

SENATE BILL 761 ON SECOND READING

On motion of Senator Creighton and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 761** at this time on its second reading:

SB 761, Relating to the taxation of fireworks.

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 761 ON THIRD READING

Senator Creighton moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 761** 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 CONCURRENT RESOLUTION 36

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, April 1, 2015, and ending on Tuesday, April 7, 2015.

WHITMIRE

SCR 36 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: Lucio.

SENATE BILL 293 WITH HOUSE AMENDMENT

Senator Nelson called **SB 293** from the President's table for consideration of the House amendment to the bill.

The President laid the bill and the House amendment before the Senate.

Floor Amendment No. 1

Amend **SB 293** (house committee report) as follows:

- (1) On page 2, line 2, strike "5A(a)(5)" and substitute "5A(a)".
- (2) On page 2, line 4, between "law" and "on the", insert ", as amended by Chapter 1371 (S.B. 1678), Acts of the 83rd Legislature, Regular Session, 2013,".
- (3) On page 2, line 7, strike "that Act" and substitute "S.B. 1678, 83rd Legislature, Regular Session, 2013,".
- (4) On page 2, line 8, between "fund" and "are", insert a comma.

The amendment was read.

Senator Nelson moved to concur in the House amendment to **SB 293**.

The motion prevailed by the following vote: Yeas 27, Nays 3.

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

Nays: Burton, Hall, Schwertner.

Absent-excused: Lucio.

**SENATE RULES SUSPENDED
(Posting Rules)**

Senator Nelson moved to suspend Senate Rule 11.10(a) and Senate Rule 11.18(a) in order that the Committee on Finance might meet and consider the following bill and resolution in the Senate Chamber today: **SB 9, SJR 2**.

The motion prevailed by a viva voce vote.

All Members are deemed to have voted "Yea" on the motion to suspend the posting rules except as follows:

Nays: Watson.

Absent-excused: Lucio.

**SENATE RULES SUSPENDED
(Posting Rules)**

On motion of Senator Eltife and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Business and Commerce might meet.

**SENATE RULE 11.13 SUSPENDED
(Consideration of Bills in Committees)**

On motion of Senator Eltife and by unanimous consent, Senate Rule 11.13 was suspended to grant the Committee on Business and Commerce permission to meet while the Senate is meeting today.

CO-AUTHOR OF SENATE BILL 20

On motion of Senator Nelson, Senator Zaffirini will be shown as Co-author of **SB 20**.

CO-AUTHOR OF SENATE BILL 114

On motion of Senator V. Taylor, Senator Kolkhorst will be shown as Co-author of **SB 114**.

CO-AUTHOR OF SENATE BILL 159

On motion of Senator Rodríguez, Senator West will be shown as Co-author of **SB 159**.

CO-AUTHOR OF SENATE BILL 390

On motion of Senator Burton, Senator Garcia will be shown as Co-author of **SB 390**.

CO-AUTHORS OF SENATE BILL 760

On motion of Senator Schwertner, Senators Campbell, Kolkhorst, Rodríguez, and Zaffirini will be shown as Co-authors of **SB 760**.

CO-AUTHOR OF SENATE BILL 953

On motion of Senator Birdwell, Senator Perry will be shown as Co-author of **SB 953**.

CO-AUTHOR OF SENATE BILL 1253

On motion of Senator Hall, Senator Campbell will be shown as Co-author of **SB 1253**.

CO-AUTHOR OF SENATE BILL 1819

On motion of Senator Campbell, Senator Hall will be shown as Co-author of **SB 1819**.

CO-AUTHOR OF SENATE BILL 1858

On motion of Senator Garcia, Senator Seliger will be shown as Co-author of **SB 1858**.

CO-AUTHOR OF SENATE JOINT RESOLUTION 25

On motion of Senator Nelson, Senator Hancock will be shown as Co-author of **SJR 25**.

RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

Memorial Resolution

SR 472 by Hall, In memory of Richard Nelson Rose.

Congratulatory Resolutions

SR 464 by Garcia, Recognizing Calvary Missionary Baptist Church on the occasion of its 89th anniversary.

SR 465 by Garcia, Recognizing Ivas and Jewitt Montgomery on the occasion of their retirement.

SR 466 by Nichols, Recognizing Jerry Huffman on the occasion of his retirement.

SR 467 by Nichols, Recognizing United Pentecostal Church of Weches on the occasion of its 90th anniversary.

SR 473 by Ellis, Recognizing Roy and Lillian Burley on the occasion of their 70th wedding anniversary.

SR 474 by Ellis, Recognizing Jane Hamilton on the occasion of the birth of her daughter, Sloan Hannah Hamilton.

SR 475 by Hinojosa, Recognizing Mariachi Azul Y Plata of the Ben Bolt Palito Blanco Independent School District for winning a state championship.

SR 477 by Menéndez, Ellis, Garcia, Rodríguez, Uresti, Watson, West, Whitmire, and Zaffirini, Recognizing the 19th Annual Cesar Chavez March for Justice.

Official Designation Resolutions

SR 463 by V. Taylor, Recognizing March 31 and April 1, 2015, as Plano Legislative Days.

SR 469 by Hall, Recognizing March 12, 2015, as Balch Springs Day.

SR 476 by Creighton, Celebrating March 31, 2015, as Texas Anesthesiologists Day.

ADJOURNMENT

On motion of Senator Whitmire, the Senate at 2:02 p.m. adjourned, in memory of Richard "Rick" Rose and Mike Higgins, 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 31, 2015

HIGHER EDUCATION — **CSSB 420**

NATURAL RESOURCES AND ECONOMIC DEVELOPMENT — **CSSB 776**

STATE AFFAIRS — **SB 432, SB 643, SB 812, SB 1703, CSSB 474, CSSB 1707**

HEALTH AND HUMAN SERVICES — **CSSB 125, CSSB 277**

BUSINESS AND COMMERCE — CSSB 572, SB 1077, SB 94, SB 540, SB 670, SB 875, SB 899, SB 880, SB 979

STATE AFFAIRS — CSSB 387, CSSB 824, CSSB 291

BUSINESS AND COMMERCE — SB 481, CSSB 655, SB 1264

BILLS ENGROSSED

March 30, 2015

SB 13, SB 46, SB 96, SB 140, SB 169, SB 304, SB 383, SB 389, SB 494, SB 570, SB 631, SB 805, SB 818, SB 825, SB 907

BILL AND RESOLUTIONS ENROLLED

March 30, 2015

SB 219, SCR 19, SCR 35, SR 441, SR 442, SR 443, SR 444, SR 445, SR 446, SR 448, SR 449, SR 450, SR 452, SR 453, SR 454, SR 455

SENT TO SECRETARY OF STATE

March 31, 2015

SCR 35

SENT TO GOVERNOR

March 31, 2015

SCR 19

In Memory
of
Mike Higgins
Senate Resolution 435

WHEREAS, Mike Higgins of Austin, chief of staff of the Texas State Association of Fire Fighters, passed away on March 2, 2015, at the age of 59; and

WHEREAS, A native Texan, Mr. Higgins was born in El Paso to Owen and Dixie Belew Higgins on October 15, 1955; he grew up with the companionship of his brother and sister, Marcus and Judy, and graduated from Sherman High School before going on to attend Grayson College; and

WHEREAS, Mr. Higgins began his career as a firefighter and paramedic with the Sherman Fire Department in 1978; eventually, he developed an interest in the implications of public policy for the safety and well-being of firefighters, and he was inspired to join the staff of the Texas State Association of Fire Fighters in 1988; in the course of his work, he represented the organization as a lobbyist, negotiated labor contracts, and backed firefighters during arbitrations; and

WHEREAS, Among the achievements in which Mike Higgins took particular pride were the passage of the first "meet and confer" law supporting the right of firefighters to organize for collective bargaining and another law permitting them to collect donations for the Muscular Dystrophy Association; he also played a key role in the establishment of the Texas Commission on Fire Protection in the 1990s, and even as he battled illness during the later years of his life, he rarely missed a commission meeting; during his many years in public service, he further shared his expertise on health, labor, transportation, and various other matters pertaining to state government; and

WHEREAS, In all his endeavors, Mr. Higgins was sustained by the love and support of his wife of 38 years, Peggy, his children, Hillary, Katie, and Stephen, and his grandson, Micah; he treasured the time he spent with his family, and as a "recovering golfer," he took pains to devote his leisure hours to other activities; and

WHEREAS, Steadfast in his commitment to Texas firefighters, Mike Higgins made a profound impact in the lives of those who swear the oath of this noble profession, and his achievements will be remembered and admired for years to come; now, therefore, be it

RESOLVED, That the Senate of the 84th Texas Legislature hereby pay tribute to the life of Mike Higgins and extend heartfelt condolences to the members of his family: to his wife, Peggy Hurley Higgins; to his children, Katie Higgins Pratt and her husband, Heath, Stephen Higgins, and Hillary

Higgins; to his grandson, Micah Pratt; to his siblings, Marcus Higgins and Judy Higgins Kropf; and to his other relatives, his many friends, and his fellow firefighters across the Lone Star State; and, be it further

RESOLVED, That an official copy of this resolution be prepared for his family and that when the Texas Senate adjourns this day, it do so in memory of Mike Higgins.

MENÉNDEZ