

SENATE JOURNAL

EIGHTY-FIFTH LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

SIXTY-SEVENTH DAY

(Monday, May 29, 2017)

The Senate met at 11:00 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, Buckingham, Burton, Campbell, Creighton, Estes, Garcia, Hall, Hancock, Hinojosa, Huffines, Huffman, Hughes, Kolkhorst, Lucio, Menéndez, Miles, Nelson, Nichols, Perry, Rodríguez, Schwertner, Seliger, Taylor of Galveston, Taylor of Collin, Uresti, Watson, West, Whitmire, Zaffirini.

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

Senator Estes offered the invocation as follows:

Lord, this morning we give You thanks for this 85th legislative session. We thank You for our new President Pro Tempore. May he fulfill the duties of his office in a grand way. We do pray for our state leaders, Governor Abbott, Lieutenant Governor Patrick, Speaker Straus. And now, I will show you the most excellent way: If I speak with the tongues of men or of angels but have not love, I am only a resounding gong or a clanging cymbal. If I have the gift of prophecy and can fathom all mysteries and all knowledge, if I have a faith that can move mountains but have not love, I am nothing. If I give all I possess to the poor and surrender my body to the flames but have not love, I gain nothing. Love is patient, love is kind, it does not envy, it does not boast, it is not proud, it is not rude, it is not self-seeking, it is not easily angered, it keeps no record of wrongs. Love does not delight in evil but rejoices with the truth. It always protects, always trusts, always hopes, always perseveres. Love never fails. But where there are prophecies, they will cease; where there are tongues, they will be stilled; where there is knowledge, it will pass away. For we know in part and we prophesy in part, but when perfection comes, the imperfect disappears. When I was a child, I talked like a child, I thought like a child, and I reasoned like a child. But when I became a man, I put childish ways behind me. Now, we see but a poor reflection in a mirror; then we shall see face to face. Now, I know in part; then I shall know fully, even as I am known. And now, these three remain: faith, hope, and love. But the greatest of these is love. 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.

BIRTHDAY GREETINGS EXTENDED

The President, on behalf of the Senate, extended birthday greetings to Senator Schwertner.

PHYSICIAN OF THE DAY

Senator Schwertner was recognized and presented Dr. Lamia Kadir of Austin as the Physician of the Day.

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

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Monday, May 29, 2017 - 1

The Honorable President of the Senate
Senate Chamber
Austin, Texas

Mr. President:

I am directed by the house to inform the senate that the house has taken the following action:

THE HOUSE HAS PASSED THE FOLLOWING MEASURES:

HCR 82

Turner

Urging Congress to retain the tax exemption for municipal bonds.

SCR 53

Taylor, Van

Sponsor: Gonzales, Larry

In memory of Dana Sean Shurtleff.

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

SENATE RESOLUTION 924

Senator Uresti offered the following resolution:

WHEREAS, Our nation's victory in World War II required the dedication and sacrifice of millions of Americans and their families, and the demands of that titanic struggle fell especially heavily on the family of Pablo and Cruz Valencia Gonzales of Fort Stockton, who sent six of their sons into harm's way; and

WHEREAS, Pablo Gonzales was the son of Felix Gonzales, one of the earliest settlers of Fort Stockton, and after the death of his wife, Cruz, in 1933, he raised their

10 children with the help of his sister, Carolina; during World War II, six of his sons entered the U.S. Army and served honorably in Europe and the Pacific and at bases in the United States; and

WHEREAS, The oldest brother, Private First Class Abran Gonzales, was deployed to England and took part in the invasion of France; Private Natividad Gonzales fought in Italy and helped to liberate Rome; Private Nicholas Gonzales saw action during his two years in the South Pacific, and the youngest of the six, Private Albertano Gonzales, served with the 3rd Army, 5th Infantry Division, in Europe, where he was personally presented with the Silver Star by General George Patton for his gallantry in combat; and

WHEREAS, Two other brothers were still awaiting their overseas assignments when the war ended, with Private Pilar Gonzales stationed at Camp Fannin near Tyler and Private Reyes Gonzales based in Sioux Falls, South Dakota; the family's youngest son, Isabel Gonzales, later followed in his older brothers' footsteps and served in the Korean War; and

WHEREAS, Today, more than 70 years after the end of World War II, the six brothers have all passed away, but their children and grandchildren continue to honor their memory and to share the story of the brothers' sacrifice with the youngest members of the family; and

WHEREAS, These brave Texans answered their nation's call to duty and risked their lives to preserve democracy and liberty, and their efforts offer a moving example of the immense contributions that have been made by Hispanic Americans in the United States armed forces; now, therefore, be it

RESOLVED, That the Senate of the 85th Texas Legislature hereby honor Abran, Natividad, Nicholas, Albertano, Pilar, and Reyes Gonzales, Fort Stockton's own "Band of Brothers," for their courageous service during World War II; and, be it further

RESOLVED, That an official copy of this resolution be prepared for the Gonzales family as an expression of high regard by the Texas Senate.

URESTI	NELSON
BUCKINGHAM	PERRY
CAMPBELL	RODRÍGUEZ
LUCIO	SELIGER
MENÉNDEZ	TAYLOR OF COLLIN

SR 924 was read and was adopted without objection.

GUESTS PRESENTED

Senator Uresti was recognized and introduced to the Senate the Gonzales family: Robert and Ninfa Molina, Vicenta Gutierrez, Jaime Gutierrez, Olga Zambrano Gonzales, Christine Gibson, Alexis Celeste Gonzales, Avery Gibson, Carmen Lopez, Tom Wurster, Patricia Gonzales, Billie Gonzales Meador, and Kirk Meador.

The Senate welcomed its guests.

SENATE RESOLUTION 957
(Caucus Report)

Senator Whitmire offered the following resolution:

BE IT RESOLVED BY THE SENATE OF THE STATE OF TEXAS:

SECTION 1. CAUCUS REPORT. At a caucus held on May 29, 2017, and attended by 28 members of the senate, the caucus made the recommendations for the operation of the senate contained in this resolution.

SECTION 2. EMPLOYEES. (a) The lieutenant governor may employ the employees necessary for the operation of the office of the lieutenant governor from the closing of this session and until the convening of the next session. The lieutenant governor and the secretary of the senate shall be furnished postage, telegraph, telephone, express, and all other expenses incident to their respective offices.

(b) The secretary of the senate is the chief executive administrator and shall be retained during the interval between adjournment of this session and the convening of the next session of the legislature. The secretary of the senate may employ the employees necessary for the operation of the senate and to perform duties as may be required in connection with the business of the state from the closing of this session and until the convening of the next session.

(c) Each senator may employ secretarial and other office staff for the senator's office.

(d) The chairman of the administration committee is authorized to retain a sufficient number of staff employees to conclude the work of the enrolling clerk, calendar clerk, journal clerk, and sergeant-at-arms. The administration committee shall establish the salaries for the senate staff.

SECTION 3. SENATE OFFICERS. (a) The following elected officers of the 85th Legislature shall serve for the interval between adjournment of this session and the convening of the next session of the legislature:

- (1) Secretary of the Senate—Patsy Spaw;
- (2) Calendar Clerk—Tracy Ortiz;
- (3) Doorkeeper—Austin Osborn;
- (4) Enrolling Clerk—Patience Worrel;
- (5) Journal Clerk—Polly Emerson; and
- (6) Sergeant-at-Arms—Rick DeLeon.

(b) All employees and elected officers of the senate shall operate under the direct supervision of the secretary of the senate during the interim.

(c) Officers named in this section serve at the will of the senate.

SECTION 4. DUTIES OF CHAIRMAN OF ADMINISTRATION COMMITTEE. (a) The chairman of the administration committee shall place the senate chamber in order and purchase supplies and make all necessary repairs and improvements between the adjournment of this session and the convening of the next session of the legislature.

(b) The chairman shall make an inventory of all furniture and fixtures in the senate chamber and in the private offices of the members, as well as of the supplies and equipment on hand in the purchasing and supply department and shall close the books for the Regular Session of the 85th Legislature.

(c) The chairman shall not acquire any equipment on a rental/purchase plan unless the equipment is placed on the senate inventory at the termination of the plan.

(d) The chairman shall examine records and accounts payable out of the contingent expense fund as necessary to approve all claims and accounts against the senate, and no claim or account shall be paid without the consent and approval of the chairman.

(e) The chairman and any member of the administration committee shall be entitled to receive actual and necessary expenses incurred during the interim.

(f) In addition to the duties of the administration committee expressly imposed by this resolution, the committee shall take actions necessary to ensure that the administrative operations of the senate comply with applicable law and are conducted effectively and efficiently.

SECTION 5. JOURNAL. (a) The secretary of the senate shall have 225 volumes of the Senate Journal of the Regular Session of the 85th Legislature printed. Two hundred and twenty-five copies shall be bound in buckram and delivered to the secretary of the senate who shall forward one volume to each member of the senate, the lieutenant governor, and each member of the house of representatives on request.

(b) The printing of the journals shall be done in accordance with the provisions of this resolution under the supervision of the chairman of the administration committee. The chairman shall refuse to receive or receipt for the journals until corrected and published in accordance with the preexisting law as finally approved by the chairman of the administration committee. When the accounts have been certified by the chairman of the administration committee, the accounts shall be paid out of the contingent expense fund of the 85th Legislature.

SECTION 6. PAYMENT OF SALARIES AND EXPENSES. (a) Salaries and expenses authorized by this resolution shall be paid out of the per diem and contingent expense fund of the 85th Legislature as provided by this section.

(b) The senate shall request the comptroller of public accounts to issue general revenue warrants for:

(1) payment of the employees of the lieutenant governor's office, the lieutenant governor, members of the senate, employees of the senate committees, and employees of the senate, except as provided by Subchapter H, Chapter 660, Government Code, upon presentation of the payroll account signed by the chairman of the administration committee and the secretary of the senate; and

(2) the payment of materials, supplies, and expenses of the senate, including travel expenses for members and employees, upon vouchers signed by the chairman of the administration committee and the secretary of the senate.

SECTION 7. EXPENSE REIMBURSEMENT AND PER DIEM. (a) In furtherance of the legislative duties and responsibilities of the senate, the administration committee shall charge to the individual member's office budget:

(1) the reimbursement of all actual expenses incurred by the members when traveling in performance of legislative duties and responsibilities or incident to those duties; and

(2) the payment of all other reasonable and necessary expenses for the operation of the office of the individual senator during any period the legislature is not in session. Expenditures for these services by the administration committee are

authorized as an expense of the senate and shall not be restricted to Austin but may be incurred in individual senatorial districts. Such expenses shall be paid from funds appropriated for the use of the senate on vouchers approved by the chairman of the administration committee and the secretary of the senate in accordance with regulations governing such expenditures.

(b) Each senator shall be permitted a payroll of \$39,000 per month to employ secretarial and other office staff and for intrastate travel expenses for staff employees. This payroll amount accrues on the first day of the month and may not be expended prior to the month in which it accrues, but any unexpended portion for a month may be carried forward from month to month until the end of the fiscal year. An unexpended amount remaining at the end of each fiscal year, not to exceed \$10,000, may be carried forward to the next fiscal year. Other expenses, including travel expenses or other reasonable and necessary expenses incurred in the furtherance and performance of legislative duties or in operation of the member's office or incident thereto, shall be provided in addition to the maximum salary authorized.

(c) The secretary of the senate may order reimbursement for legislative expenses consistent with this resolution and the establishment by the Texas Ethics Commission of per diem rates.

(d) Any member of the senate and the lieutenant governor are eligible to receive such reimbursement on application of the member or the lieutenant governor to the secretary of the senate.

(e) On the application of a member of the senate or the lieutenant governor, the applicant shall be entitled to reimbursement for legislative expenses for each legislative day.

(f) For purposes of this section, a legislative day includes each day of a regular or special session of the legislature, including any day the legislature is not in session for a period of four consecutive days or less, and all days the legislature is not in session if the senator or lieutenant governor attends a meeting of a joint, special, or legislative committee as evidenced by the official record of the body, and each day, limited to 12 days per month for non-chairs or 16 days per month for chairs and the lieutenant governor, the senator or the lieutenant governor, including those living within a 50-mile radius, is otherwise engaged in legislative business as evidenced by claims submitted to the chairman of the administration committee.

SECTION 8. MEMBER'S EMPLOYEE LEAVE POLICY. (a) An employee of a senator accrues vacation leave, compensatory leave, or sick leave in accordance with policies adopted by the senator consistent with the requirements of this section.

(b) An employee may accrue vacation leave, compensatory leave, or sick leave only if the employee files a monthly time record with the senate human resources office. Time records are due not later than the 10th day of the following month.

(c) Compensatory time must be used not later than the last day of the 12th month following the month in which the time was accrued.

(d) An employee is not entitled to compensation for accrued but unused compensatory time.

SECTION 9. DESIGNATION FOR ATTENDANCE AT MEETINGS AND FUNCTIONS. (a) The lieutenant governor may appoint any member of the senate, the secretary of the senate, or any other senate employee to attend meetings of the

National Conference of State Legislatures and other similar meetings. Necessary and actual expenses are authorized upon the approval of the chairman of the administration committee and the secretary of the senate.

(b) The lieutenant governor may designate a member of the senate to represent the senate at ceremonies and ceremonial functions. The necessary expenses of the senator and necessary staff for this purpose shall be paid pursuant to a budget approved by the administration committee.

SECTION 10. MEETINGS DURING INTERIM. (a) Each of the standing committees and subcommittees of the senate of the 85th Legislature may continue to meet at such times and places during the interim as determined by such committees and subcommittees and to hold hearings, recommend legislation, and perform research on matters directed either by resolution, the lieutenant governor, or as determined by majority vote of each committee.

(b) Each continuing committee and subcommittee shall continue to function under the rules adopted during the legislative session where applicable.

(c) Expenses for the operation of these committees and subcommittees shall be paid pursuant to a budget prepared by each committee and approved by the administration committee.

(d) The operating expenses of these committees shall be paid from the contingent expense fund of the senate, and committee members shall be reimbursed for their actual expenses incurred in carrying out the duties of the committees.

SECTION 11. SENATE OFFICES. Members not returning for the 86th Legislature shall vacate their senate offices by December 1, 2018.

SECTION 12. FURNISHING OF INFORMATION BY SENATE EMPLOYEE. An employee of the senate may not furnish any information to any person, firm, or corporation other than general information pertaining to the senate and routinely furnished to the public.

SECTION 13. OUTSIDE EMPLOYMENT. An employee of the senate may not be employed by and receive compensation from any other person, firm, or corporation during the employee's senate employment without the permission of the employee's senate employer.

SECTION 14. REMOVAL OF SENATE PROPERTY. The secretary of the senate is specifically directed not to permit the removal of any of the property of the senate from the senate chamber or the rooms of the senate except as authorized by the chairman of the administration committee.

SR 957 was read and was adopted without objection.

SENATE CONCURRENT RESOLUTION 61

The President laid before the Senate the following resolution:

WHEREAS, Senate Bill No. 1450 has been adopted by the house of representatives and the senate and is being prepared for enrollment; and

WHEREAS, The bill now contains technical errors that should be corrected; now, therefore, be it

RESOLVED by the 85th Legislature of the State of Texas, That the enrolling clerk of the senate be instructed to make the following corrections to the enrolled version of Senate Bill No. 1450:

(1) In SECTION 1 of the bill, in the heading to amended Section 36.004, Insurance Code, strike "INTERIM".

(2) In SECTION 1 of the bill, in amended Section 36.004(a), Insurance Code, strike "that version of".

(3) In SECTION 1 of the bill, in added Section 36.004(b)(1), Insurance Code, strike "that version" and substitute "the commissioner to adopt rules consistent with the rule, regulation, directive, or standard".

(4) In SECTION 1 of the bill, in added Section 36.004(c), Insurance Code, strike "an interim" and substitute "a".

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

SECTION ____ . Section 36.004, Insurance Code, as amended by this Act, applies only to a rule adopted or amended on or after the effective date of this Act. A rule adopted before the effective date of this Act and not amended on or after that date is governed by the law applicable to the rule immediately before the effective date of this Act, and that law is continued in effect for that purpose.

TAYLOR OF GALVESTON

SCR 61 was read.

On motion of Senator Taylor of Galveston, the resolution was considered immediately and was adopted by the following vote: Yeas 31, Nays 0.

SENATE CONCURRENT RESOLUTION 63

The President laid before the Senate the following resolution:

WHEREAS, Senate Bill No. 1839 has been adopted by the senate and the house of representatives and is being prepared for enrollment; and

WHEREAS, The bill contains technical errors that should be corrected; now, therefore, be it

RESOLVED by the 85th Legislature of the State of Texas, That the enrolling clerk of the senate be instructed to make the following correction to the enrolled version of Senate Bill No. 1839:

In SECTION 12 of the bill, strike Subdivision (3), repealing Section 21.057(e), Education Code, (page 10, line 9).

HUGHES

SCR 63 was read.

On motion of Senator Hughes, the resolution was considered immediately and was adopted by the following vote: Yeas 31, Nays 0.

SENATE RESOLUTION 885

Senator Lucio offered the following resolution:

SR 885, In memory of Natalie Cowen Gonzalez.

The resolution was read.

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

On motion of Senator Lucio, **SR 885** was adopted without objection.

In honor of the memory of Natalie Cowen Gonzalez, the text of the resolution is printed at the end of today's *Senate Journal*.

ELECTION OF PRESIDENT PRO TEMPORE AD INTERIM EIGHTY-FIFTH LEGISLATURE

The President announced that the time had arrived for the election of President Pro Tempore Ad Interim of the 85th Legislature.

Senator Nelson placed in nomination the name of Senator Nichols for the office of President Pro Tempore Ad Interim of the 85th Legislature.

On motion of Senator Nelson, Senator Nichols was elected President Pro Tempore Ad Interim.

The President declared that the Honorable Robert Nichols had been duly elected President Pro Tempore Ad Interim of the 85th Legislature by acclamation.

The President appointed the following Committee to Escort Senator Nichols and his family to the President's Rostrum: Senators Whitmire, Creighton, Hancock, Kolkhorst, and Huffman.

Senator Nichols and his party were then escorted to the President's Rostrum by the committee.

OATH OF OFFICE ADMINISTERED

The President administered the Constitutional Oath of Office to Senator Nichols as follows:

I, Robert Nichols, do solemnly swear, that I will faithfully execute the duties of the office of President Pro Tempore Ad Interim of the Senate of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this state, so help me God.

ACKNOWLEDGMENT

The President acknowledged the presence of Karl Rove.

The Senate welcomed its guest.

MOTION IN WRITING

Senator Kolkhorst offered the following Motion In Writing:

Mr. President:

I move that the policy governing the release of videotapes of Senate proceedings be waived in order to allow Senator Nichols to have a videotape of today's session.

I also move that all the remarks made during the Senate proceedings for election of the President Pro Tempore Ad Interim be reduced to writing and placed in the journal.

KOLKHORST

The Motion In Writing was read and prevailed without objection.

REMARKS ORDERED PRINTED

Senator Nelson: Thank you, Mr. President and Members. Mr. President, I rise to nominate Senator Robert Nichols as President Pro Tempore of the Texas Senate. As outlined in our Texas Constitution, the Senate President Pro Tempore is one of the most honored positions in Texas government, the third in line for governorship, Senator Nichols. Senators select one of our own to perform the duties of the Lieutenant Governor in his absence, and if the Governor and Lieutenant Governor are both out of state, the President Pro Tempore is acting Governor. It is an important responsibility, and I can think of no one who is better to lead our state in this manner than Senator Robert Nichols. A true public servant, Senator Nichols was first elected to the Texas Senate in 2006 after serving two terms on the Jacksonville City Council, serving as Mayor, and then serving as Texas Department of Transportation Commissioner for eight years. That's when I first met Senator Nichols. I invited him to come to my district to see traffic congestion up in the Metroplex, and I made sure that his arrival was at 5:30, right when he would come in the middle of rush hour traffic, and it worked. It was during his time as Transportation Commissioner that Senator Nichols earned a staunch reputation for increasing efficiency without compromising quality, and that reputation followed him to the Texas Senate. He has fought to protect landowners' rights, increased educational opportunities in East Texas, and reformed transportation policies. He has been quite passionate in his work to reduce Medicaid fraud and to promote free market principles. During his first term on the Sunset Advisory Committee, he was able to eliminate six state agencies and saved our taxpayers \$162 million. Thank you for that. Senate District 12, the district he represents, covers 19 counties, and he makes it a point to visit each of them on a regular basis. You all have heard, we all know, but some of the audience may know that he has 101 school districts in his Senate district. And during his superintendent tour in the fall before session, he makes sure that he visits each and every one of those 101 school districts, and he tells me he has easily driven a half million miles traveling his district. He has personally written, handwritten, over 10,000 thank you notes to his constituents. And in his district, he's not known as Senator Nichols, he's Mr. Nichols. Here at the Capitol, he is an extraordinary and loyal boss to his staff. He always walks in and shakes, shake hands and greets each of his staffers every day, and that's a carryover, by the way, from when he had factories and he did the same thing in his factories. He would go from back to front and work his way through those closest to his office, shaking every hand, greeting every one. I've heard him tell a great story that because his district spans such a large area, he was told by an elected official that it was probably the only, he'd probably never see you again, and he now makes it a point every time he goes to that county to make sure that he goes and sees that elected official just to say, I'm here. We are all so grateful that his constituents sent Senator Nichols to serve in the Texas Senate. He has been a remarkable Member of this body, and I can especially attest to what a strong Member of the Senate Finance Committee he is. I appreciate having his voice and his leadership on our team. In the Senate we are all blessed to know Senator Nichols on a personal level. He is the product of Jacksonville public schools, he played high school football, and like his reputation here in the Texas Senate, he's always been considered just a great, all-around guy. He worked his way through college by selling fireworks and ironing clothes for other

students. He told me I could tell that. It worked for him, I mean, he earned his bachelor's degree from Lamar University in 1968 and went on to become an engineer. We enjoy so much hearing Senator Nichols speak of his family, and we're so happy that you all could join us here today. I have to go back to his grandfather was Lewis Nichols, a Methodist minister. He made a tremendous impact on the foundation of Senator Nichols' strong values and his strong faith. In 1975, Senator Nichols married his high school sweetheart, Donna. And the story is that they started dating when he was 16 and she was 14, but Donna always told their three kids that he was 10 years older than her, and you believed him. Uhm-hum. Well, for the past 40 years they have raised their three children, Brittney, Joshua, and Collynn'rae. Just this past December we inaugurated him into our Senate grandparent caucus. He has a new granddaughter, Remi, is that right? His father, Talley, began the iconic Texas company, Nichols Industry, which has been a cornerstone of his hometown in Jacksonville since 1955. You should hear Senator Nichols' story about his roots originating from manufacturing cap guns, millions of them. From millions of cap guns to the business acumen of a tremendous leader, he has organized highly successful manufacturing firms, developed and delivered hospital supplies, and has earned 32 U.S. patents and 128 foreign patents. But most important to his district is the fact that through his work he has played a critical role in the creation of more than 900 jobs for East Texas families. He loves his district and he loves his constituents and they love him. We know Robert Nichols as the most interesting man in the world. Now, I have to tell y'all back there in the Member—am I right, Senator West—back there in the Members' lounge, we've got a little table where we all go grab a bite, and you really want to rush to sit next to Senator Nichols because you're going to hear great stories. I mean, they cover his, his world travels, his hunting trips, I mean, you want to sit next to him and, and, and just hear, you always learn some obscure fact. And I could tell you a million stories of things that I've learned from the most interesting man in the world. He is a world traveler, a hunter, a businessman. He has great stories and anecdotes. The State of Texas has benefited from his leadership. We have benefited from his wisdom and his friendship. Mr. President, I am proud to nominate Senator Nichols as President Pro Tempore of our Senate. Thank you.

Senator Zaffirini: Mr. President and Members, it is my privilege and pleasure to rise to second the nomination of the most interesting man in the Texas Senate and Sean Connery look-alike, Senator Robert Nichols of Jacksonville, to serve as our President Pro Tempore Ad Interim. A lifelong problem solver, he agrees with Henry Kissinger that when there's a problem, there must be a solution. For example, while optimists see a glass as half full, and pessimists see the glass as half empty, Senator Nichols, a typical engineer, sees a container that is twice as big as it needs to be, then he determines how to use the other half efficiently and effectively. Indeed, he attributes his success in business, industry, and public service to his problem solving and engineering skills. In the Texas Senate we love him not only for his insight and wisdom but also for his old world manners and modern day selflessness, and that is why we are delighted to honor him today. An innovative international businessperson, Robert Nichols began his first business when he was 10, selling empty Coke bottles to buy feed for chickens that he would raise and sell to his mother. His little business failed, however, when he left the feed out in the rain and it

developed maggots. Undeterred, as a student he made a small fortune building a fireworks empire, and he worked his way through Lamar University ironing clothes for students. When he became an industrial engineer, he actually took a cut in pay and was dismayed when his first invention was rejected resoundingly. With the persistence for which he is known, he and his family spent weekends marketing, packaging, and distributing his disposable suction collection device from their home. Their world changed when the world-famous Dr. Michael DeBakey called and ordered one, spiraling Robert's business into a worldwide success, and today his first invention is in every surgery and emergency room, seen in countless movies, and even stars in *Gray's Anatomy*. As a giant of industry, Senator Nichols' passion is solving problems and trying to make things better, not basking in the glory of his solutions. He has developed and sold four highly successful and problem-solving manufacturing companies, recording 32 U.S. and 128 international patents. His retirement at the age of 39 lasted 90 days, and he soon returned to life as an inventor and innovator. His entry into public service was accidental. When he asked who the next City Council candidate from his district would be, the election administrator answered, Whatever idiot shows up at one minute to 5:00 p.m. and files. At the appointed time, he was the only one who showed up. His meteoric rise from Councilmember to Mayor to Transportation Commissioner, 1997 to 2005, to State Senator, 2006 to present, reflects his understanding that all local problems—transportation, water, health, education, et cetera—are addressed by state government. TxDOT staff nicknamed him El Niño because of the whirlwind of activity, excitement, and change he generated visiting all 25 of our transportation districts, pausing only long enough to enjoy big game hunting throughout the world. You can see some of his amazing trophies in his office, including a full-bodied lion and a full-bodied leopard. What I like most is Senator Nichols' love story. He and Donna started dating when he was 16 and she was 14, and he loves to say, She was the best I could do with the car, Model A Ford, I had at the time, and I still have the car and still have the girl. A true romantic, the young husband started the tradition of celebrating their anniversary by designing a piece of jewelry for her that had as many diamonds as the number of years they were married. More than 40 years later, Donna describes him as a big old teddy bear and gentle soul who leaves the discipline to her and as a selfless spirit who donated acreage for the Nichols Intermediate School and for Nichols Green Park in his beloved hometown. Interestingly, Senator Nichols' favorite movie is *Giant*, a title that befits his stature in business, industry, and public service. Equally interesting, he shares another title with his on screen look-alike, Sean Connery, aka James Bond or 007, though admittedly, in different contexts: Problem Eliminator. The secret agent and the State Senator both personify the words of Henry Kissinger, Each success only buys an admission ticket to a more difficult problem. Truer words were never spoken for this amazing man. Mr. President and Members, it truly is a pleasure and privilege to second the nomination of the Senate's most interesting man, 007 look-alike, and master problem solver, Senator Robert Nichols, to serve as our President Pro Tempore Ad Interim.

(Note: Prepared text)

Senator Birdwell: Thank you, Mr. President and Members. I, I don't know that I'll be as articulate as Senator Zaffirini, but I'll do my best. It is my distinct honor to rise in support of nominating the most dangerous man in the State Senate, Senator Robert Nichols, to be our President Pro Tempore during the interim of the 85th Legislature of Texas. I first met Senator Nichols soon after I'd won a special election and began serving in office, and in one of those moments where I got to first meet him, we immediately began visiting about general interests and the like and each other's backgrounds. And I was particularly interested in his exploits as a big game hunter. Walking into his office and seeing the various trophies that are mounted, he described some of the various continents and exotic animals which he had hunted. What I found most intriguing was that he had been in some countries where he'd had to hire former Soviet Spetsnaz officers and soldiers, and that's the akin or the near equivalent of our Green Berets in the United States Army. I can't imagine that a man who uses a Weatherby 458 Magnum needs a security detail, but he had one. I rarely disagree with Senator Nichols, mainly because I don't want to find myself stuffed and displayed as a trophy in his office. But let there be no, no mistake, Members, that while I've made light of his hunting passion, his passion for service is greater. In the interim of 2011 and 2012, I had the honor of serving with him as, when he was Co-chair of the Sunset committee. And I learned a great deal from how he was detail oriented, and that was what you would expect of somebody that is trained as an engineer. His analytical granularity is second to none, and as a legislator, the United States Army would call him technically and tactically proficient. Members, his legislative session newsletter to his constituents is called "My Five Cents," where he picks five subjects and updates his constituents on the happenings and those issues during the session. In this Chamber, his reputation for rigor and attention to detail make his five cents worth gold here in the Texas Senate. Lastly, I would be remiss if I did not remind you, Members, that he is a graduate of a great southeast Texas university. Senator Nichols and I both graduated from Lamar, in different decades, down in Beaumont, which played early and key roles in our respective careers. This Lamar Cardinal, fellow shooting enthusiast, junior Senator, is privileged to second the nomination of my friend, Senator Robert Nichols, to be our President Pro Tem for the interim of the 81st Legislature, or 85th Legislature of Texas. Thank you, Mr. President and Members.

Senator Seliger: Thank you, Mr. President. It's a great honor to stand here and second the nomination of Robert Nichols as President Pro Tem of the Senate. And as we hark back to the way he worked his way through college doing ironing and things like that, and given his life of service to his community and state, I think it would be altogether appropriate if everyone in this room took their ironing by his office today. It won't take long to say what could essentially be said in two words, dedication and example. When you look at, at, at Robert Nichols' life, it's one of dedication to the principles that he grew up with, at working his way through college to get a degree, dedicating himself to the industry that he started and to the people who invested their lives in that industry, dedicated to a community that, that wasn't big then, it's not big now, but it was beautifully served. It was a better community when Robert Nichols left office than when he came. He served with the same sort of dedication as a member of the, the, the, of TxDOT, here in Austin. And then when he ran for the Senate, clearly we know he has been dedicated to certain principles that are important

to all Texans: a transportation system that is efficient and economical, a budget that is also economical and serves the needs of the people of the State of Texas, which is the obligation, not just at that budget process, but all of the people who serve in this body. He has been dedicated to a process on this floor that is one marked by very great integrity and cooperation. An example, do we know a better one? Do we know anyone else? Has there been anyone else serve on this floor that has 30 domestic patents? Probably not. Has there ever been anybody who served on this floor who's been to, I don't know, five or six continents to hunt? He has been extraordinary in a lot of ways, and that example is something that not only serves, when someone is a real example it not only serves them but it serves other people. And, and as we go through here and look at his dedication to detail and what it has meant to transportation and health care, a Robert Nichols analysis is one that's very, very carefully dissected and expressed, no bloviating, no pontificating, simple straightforward explanations of what he believes is right, correct, and best. Nobody on this floor has ever been told anything by Robert Nichols that wasn't exactly what he thought, and when he has told somebody on this floor something, that is exactly what has happened. There probably is no better example. And that's why it's an honor to second the nomination of Robert Nichols as President Pro Tempore of the Texas Senate.

Senator Watson: Thank you very much, Mr. President. Members, I'm very excited to have the opportunity to second the nomination of my friend Senator Robert Nichols. Senator Nichols and I first got to know each other about 20 years ago, when he was a commissioner at TxDOT and I was the Mayor of Austin. A Jacksonville, Texas, engineer and an Austin, Texas, mayor. By resume, you wouldn't think we had anything in common. But we liked each other almost immediately and found a bunch of ways to work together on transportation issues. I immediately liked and was attracted to his lack of BS and his approach to just get things done. A few years later, we ended up coming to the Senate at the same time. By luck of the draw, literally, by luck of the draw, I was dead last in seniority. He got to choose his desk before I did, he got to pick his office before I did, and now he got to be President Pro Tem before I did. Over the years, as we move, and, and the Senators know this, but not everybody may know, as people retire from the Senate, based upon seniority we get to pick again where our desks are and where our, where our offices, which offices we're going to have. And so, over the years, he would take the bigger office, and I'd get the next biggest. And somehow, in the, over time, over there in the exte— in the extension of this, he and the, he and I ended up opposite each other in our offices with the atrium in the middle. For those that don't know, the way this is set up is that there are windows that lead to the atrium and you can see right into the other people's offices. And you've already heard reference to the fact that he's a big game hunter. If you've never been to Senator Nichols' office, you owe it to yourself to do that because you might not know that it is liberally, and I use that in the right way, liberally decorated with dead animals. This man's taxidermy bill rivals what I'm paying to try to send my kid through college. Senator Nichols is justifiably proud of his collection. And while, over time, I move to ever larger offices to provide more space for my staff and my interns, Senator Nichols was working to accommodate more dead animals. They just kept coming. Perhaps they were away, put away in storage someplace, or perhaps his

wife wanted to get them out of the house, but wherever these dead animals were coming from, a couple of moves ago, he drove a U-Haul from Jacksonville to Austin with a lion in the back. Yeah. A stuffed, full size, male lion that was anatomically correct. He backed this lion into his office, where his staff and visitors, I assume, got to look at what was a glorious lion's head and mane. My staff and I got to look at, well yeah, the, the other end. It was quite the distraction to visitors to my office. So our staff had to agree to alternate days that the blinds were open so that we could get some natural light in the office. But Senator Nichols has never treated me as last in the class, except for the lion thing, and now giving me the tail end of all these speeches, so that all the good stuff has been covered. With Senator Nichols it is not about being an R or a D, but it's about getting good policy enacted. And we've achieved a lot of good policy working together. From TxDOT sunset, three times, to a major overhaul of CCN oversight, and moving regulation of some water utilities from TCEQ to the PUC, to toll scofflaws, to two sessions of getting to serve on a Finance Committee workgroup that he has chaired, to serving with him on the Sunset Commission, to, in this session, also working to improve our state hospitals. And just yesterday, for those of y'all that don't remember, just yesterday, you heard Senator Nichols stand and proudly move that we correct the TxDOT sunset bill so that it would say, a toll entity instead of the toll entity. I helped on that, too. You might not know it but it's been suggested in part of the discussions that Senator Nichols basically grew up in the toy factory his parents owned. Some of his contemporaries among children of toy inventors were some whose parents named their toys after them, Ken and Barbie. While those dolls were picked up by a major toy manufacturer, Senator Nichols' parents decided to manufacture their cap guns themselves, and many of you remember, probably, playing with Nichols cap guns. Senator Nichols and his buddies were product testers, giving feedback on new prototypes and, no doubt, having a great time testing those things. Under his leadership, as you've heard, the family business grew and, ultimately, entered the plastics industry. You've already heard it spoken of, of the number of patents that he holds, and we all have heard him remark and point at something and say, I used to make that, pointing at a variety of plastic items that are found in everyday life. He also manufactured Styrofoam products, and he will provide you an economics lesson. He'll provide it to anyone that's willing or even maybe unwilling, to listen about the lower cost, the higher value of using Styrofoam over other materials. And I, I know of a situation where apparently a cafeteria worker was an unwitting recipient of such a lecture when the cafeteria switched from Styrofoam to corrugated paper cups for a while. Unable to do anything about it, she learned not only about the materials but also the greater volume of said cups. Senator Nichols fits the engineering stereotype to a T. He's methodical, systematic, and an expert at finding efficiencies in system, systems, be it at TxDOT, in his Senate office, or, thankfully for all of us, throughout state government. I've never heard Robert Nichols say anything bad about another person. I've never seen him try to not help a Member that needed help. I've never known him to take on something that he didn't work as hard as he could to get a good result and to be sure there was a result. And as our trusted, respected Chair of Transportation, I've never seen him give me a hearing on my bill to allow lane splitting so that my biker friends and I can ride our motorcycles

between cars. But there's always next session. Right, Mr. Chairman? Mr. President, it is my deep honor to second the nomination of my friend, of the friend to all of us, Senator Robert Nichols, as President Pro Tem of the Texas Senate.

President: Senator Nichols, let me just add that we came in together. I learned a lot from you. You made me a better Senator, you make me a better Lieutenant Governor. When I became Lieutenant Governor, we appointed you to be Chair of Transportation because I knew I could trust that issue with you, that you would not look at it with a biased eye or any particular advantage for any one part of the state or any particular ideology or thought process in designing the infrastructure and the roads of Texas. You would do what would be the best for every citizen in the State of Texas and all 254 counties, and, you know, I turned over the keys to you and I haven't looked back. You've done an incredible job. You are everything that everyone said. I won't say you're the smartest guy in the room because I don't want to offend the other 30 who think they are, and ladies. But you're an incredible person, you're the nicest guy. Senator Watson is right. I've never heard you say a bad word about anyone. You are the model for a public servant. You truly are a model. And I will tell you one of the benefits of being President Pro Tem. When the Governor and I are both out of town, you get a pay increase from \$20 a day to \$420 a day. So, you'll be just fine, although I think you're fine anyway. So, it will be a great privilege to have you serve. And the last thing I would say, Members, if you have not been to his home, I'll let him tell you this story, but I've never been in anyone's home, I've never been in any man's bathroom who had a grizzly bear in the shower. I'll just leave it at that, and it's still there.

ADDRESS BY PRESIDENT PRO TEMPORE AD INTERIM

President Pro Tempore Ad Interim Nichols addressed the Senate as follows:

How 'bout that. That, that was some great speeches. I really had a lot of fun listening to that. First of all, I want to say how truly honored I am that this body, the Senate, would elect me to this position. And as he said a while ago, as I understand it, that when the Governor and the Lieutenant Governor are both out of town at the same time that I get a real paycheck. And I am looking forward to that. I'm also honored to be sworn in by a man that I came into the Senate with who was a member of my freshman class, our freshman class. I guess you might say he graduated, and, Lieutenant Governor Patrick, we're real honored with the leadership you've shown the Senate and the Legislature. And I, you might say that he has graduated from our freshman class. And quoting Dean Whitmire, If I had known that you were going to be Lieutenant Governor over these years, I'd have been a whole lot nicer to you. Another graduate of our freshman class of '05 is Comptroller Glenn Hegar, who I also want to give a shout-out to, as well. We are very proud of him, also, and Senator Hegar, if you're, Comptroller Hegar, if you're listening out there, please do not change your cell phone number. The remaining three of us, Kirk Watson, Carlos Uresti, and myself, guys, it's beginning to look like we won't ever graduate. We're going to be doing this for a long time, I hope. When it comes to talking about all the things that I might try to put together and organize in my head today, I was,

I felt like somewhat like a mosquito in a nudist colony. I knew what to do, I just wasn't sure where to get started. So, I'm going to start by just saying that each of us in the Senate represents 850,000 people, but they are different people and they live in different places and often with different issues. In my district, as Senator Nelson pointed out, and I've got 19 counties, 110 cities, 101 school districts, and it's bigger than nine states. I love it. People of my district often ask me what are the real big issues at the Legislature? And one of the things I try to do is to try to put it in perspective a little bit, as I refer to a person who introduced a distant relative of Sam Rayburn, Mr. Sam. And Mr. Sam was the actual Speaker in the House here at the Texas Capitol, in this very building, 1911, a little over 100 years ago. So, he was going to research to find out what were they fighting about in the building over 100 years ago. And I was really kind of surprised when I found out what the answer was, and you may not be surprised, but it was education, transportation, and water. Three issues that we continue to work on, to struggle with. So, you might say, and I add one more to it, and that's health care, Senator Schwertner. And so, those are the big issues we constantly deal with and so, the hard things that are really tough linger for a long time. The easy things to fix we knock out pretty quick. When you combine the fact that, the two facts, that Texas is a growing state, very rapid rate, and, and they will double in a few decades. And the second fact, that we only meet every two years, well, maybe this year we're going to be more than two years, more than just two years, we're going to be more, meet more than that. It becomes difficult really, comprehend how to fix it. I've heard different people try to put it some type of perspective, but I try to put it a perspective I can explain back home. And so, if you do the math, the growth is actually about 850,000 people every two years. That's the number of people each one of us represents. And this means that for education, when I add up all those school buildings and classrooms that Senator Nelson was talking about, the campuses, the junior colleges, the community colleges, the universities in my district, every two years we're going to have to build that many more for the state. That many more every two years. We're also going to have to educate, graduate, and certify that many more teachers for those classrooms. We also have to resolve a sustainable fair way to fund it. So, Senator Larry Taylor, Senator Seliger, we've got a lot of work to do. On health care, I look at all the hospitals, clinics, nursing homes in my 110 cities, and I know that every two years we're going to have to build that many more for the whole state, every two years that we're here in session. But empty buildings do nothing, by themselves they do nothing whatsoever. So, every two years we have to educate, train, and certify that many more doctors, nurses, health care professionals for these new facilities. We also have the issues of childcare, foster care, Child Protective Services, and many more things. Senator Schwertner, we've got a lot of work to do. For water, every two years we have to provide enough fresh water for 850,000 people. We took a big step in 2013 when we did the SWIFT funds, all of us together in reorganizing the Texas Water

Development Board. I think we've made a lot of progress, but, Senator Perry, got a lot of work to do. For transportation, every two years, we provide enough new transportation capacity for 850,000 people. The demographics of our state show that 90 percent, 90 percent plus, of those new people go to urban areas. This causes some of the most complex and expensive solutions with some of the most expensive right-of-ways in the nation. We have to solve these problems, as well as the connectivity throughout the state. My passion for transportation might surprise you, actually came from my grandfather and from my father. My grandfather, who I knew quite well, was born at a time when there were no cars and he rode a mule to school. When cars did come along, he just absolutely loved them. He always wanted a new car, and he was very proud of his car. He was a Methodist minister in East Texas and worked the East Texas circuit. He told me that in the early 1920s, to take that car from Beaumont to Texarkana would take three days because there weren't very many bridges. If it rained very heavily during that period of time, you couldn't make it there at all. You just postponed the trip for a week or two. My dad was also fascinated with transportation. He liked cars, boats, and planes. I still have his 1948 Texas highway map, and that's the one he used. You can tell by the way it's crumpled and it's folded that that's the one he actually used, 1948. When I opened it up, it looked real strange. And I kept looking at it and said this looks strange. Shape of Texas was the same. Houston was where Houston is, and Dallas was where Dallas is, and Amarillo was where Amarillo is. I kept looking at that map and I'm going, what's wrong with this? And then I realized there were no interstate systems on that map. None, Senator Hall, none. There were no Farm to Market systems, 42,000 miles of them, they were not on the 1948 map. What could we have done without all those new roads and transportation? We live in a time of amazing scientific discoveries and technology. We can put people in space, all the way to the moon, and we can get them back. That's pretty old hat now, been done over and over. We carry devices in our hands that communicate all over the world. We can tap into the Library of Congress from our palm or any other source of information that's out there. Our industries can replicate millions of products within a 1,000th of an inch, day after day after day. We will in our lifetime, Senator Hancock, drive, have driverless cars that are going to pick us up, deliver us to where we want to go, and then go park themselves. We're going to actually see that in our lifetime. What we cannot do is replicate time. Time lost is time lost forever. It can never be found again. We have got to solve the congestion problems in our state that is stealing time from our people, over and over again, particularly in those urban areas. And those are the economic engines of the state. In 2013 and 2015, this legislative body took great steps forward in finding solutions to that problem. The public overwhelmingly supported those solutions. We all came together. Every Member of this body voted for it. Members of the Transportation Committee, and you know who you are, we've got a lot of work to do. When I look back 20 years ago, when I was

confirmed by this body to work on transportation, there were colorful characters that were larger than life. There was Lieutenant Governor Bob Bullock, who dominated this Chamber with an iron fist. There was Senator Teel Bivins from Amarillo, who told then-sitting Governor George Bush that the law says that the next transportation appointee must be from a rural area. It was in the statute. The Governor's staff told Senator Bivins that there was no definition for rural in that particular statute. But Bivins, as well as the other rural Members of the Senate, said that there may be no definition for rural in the books, Governor, but by under anybody's definition, Houston was not it, Senator Bettencourt. Then there was Governor George, then-Governor George W. Bush himself. And if I had known at the time that he would someday going to be the President, I would have a lot more photographs taken with him. I had the honor, honor of interviewing all 31 Members of Texas Senate at that time. Of the 31 I interviewed with, there are only six left in this Chamber, and they are all lined up right over there in the back corner against the brass rail, all six of them. Senator Lucio, Senator Lucio loves every person in his district. And, Senator, they love you back. And I remember when I visited with you, you told me that people do not care how much you know, they just want to know that you care. That's what you told me. Senator West, you actually spent more time with me than any Sen- Senator in this whole body. You took that time. I've never forgotten it. We talked about the importance of education, family, what motivates people. Senator Whitmire, the Dean, I can't actually tell you what he said. But he shared, he always shared wisdom about what this body could and should do, and you always tried, he always tried to put a face on those actions we take because they do impact everybody in the state. Senator Zaffirini, you quickly invited me to come to Laredo 20 years ago, and I did. You have always been, in my opinion, the most organized, prepared, and articulate Member that I have known. Senator Hinojosa, you always took the time to mentor me and to help me and to help other Members, as well, for the common good. And it's greatly appreciated. Senator Nelson, you are amazing. Where else but here in this Chamber could a high school champion twirler and school teacher become the Chairman of Finance for the 10th largest economy on the planet? Twenty years ago, when you mentioned it in your seconding speech, you did invite me to a reception in your district at 5:30 during peak traffic. I almost couldn't even get there because the congestion. You said that was the point. When I look out over this body and I think about the diverse backgrounds, we have engineers in this body, lawyers, doctors, business people, four former military men, all of which brings a wide range of skills and experiences together. When you have the will and the mind, you can solve most any problem this state will ever face. You collectively can make the State of Texas shine and continue to be the greatest state in the nation. When I look out at all the staff and the eager young minds working in your offices and the agencies and the various committees we deal with, I know they all work to make you successful, and I know that the state has a great

future. I want to give a shout-out to my crew, Team Nichols, I think a lot of them are over there. Y'all work very hard to make me look good. I could not do without you. A shout-out, as well, to my former Team Nichols members who have moved into other places where I know they are making a difference. And, Members, that is about all I have to say and probably all you have the patience to listen to. I just want you to know I love working in the Senate, and I love working with each and one, every one of you, and I thank you for this honor. Thank you very much.

HOUSE CONCURRENT RESOLUTION 159

The President laid before the Senate the following resolution:

WHEREAS, House Bill No. 4102 has been adopted by the house of representatives and the senate and is being prepared for enrollment; and

WHEREAS, The bill contains technical errors that should be corrected; now, therefore, be it

RESOLVED by the 85th Legislature of the State of Texas, That the enrolling clerk of the house be instructed to make the following corrections in the section of the bill added by Senate Floor Amendment No. 1 by West:

(1) On page 1, line 5 of the amendment, strike "502.414" and substitute "502.415".

(2) On page 1, line 6 of the amendment, strike "502.414" and substitute "502.415".

GARCIA

HCR 159 was read.

On motion of Senator Garcia, the resolution was considered immediately and was adopted by the following vote: Yeas 31, Nays 0.

SENATE CONCURRENT RESOLUTION 62

The President laid before the Senate the following resolution:

WHEREAS, House Bill No. 1500 has been adopted by the house of representatives and the senate and is being prepared for enrollment; and

WHEREAS, The bill contains technical errors that should be corrected; now, therefore, be it

RESOLVED by the 85th Legislature of the State of Texas, That the enrolling clerk of the house of representatives be instructed to correct the enrolled version of House Bill No. 1500 by striking Section 39.054(a-1), Education Code, as amended in both places by the bill (Senate Floor Amendment No. 3, pages 2 and 3) and substituting the following in the first place that subsection is amended by the bill:

(a-1) In [For purposes of] assigning [an overall] performance ratings [rating] under Subsection (a), the commissioner may adjust the overall performance rating of a district or campus if the performance of the district or campus under the indicators described by Section 39.053(c), based on information disaggregated by race, ethnicity, socioeconomic status, or other factors, does not meet standards established by the commissioner. The commissioner shall [attribute]:

(1) attribute 55 percent of the performance evaluation to the achievement indicators for the first, second, and third domains under Sections 39.053(c)(1)-(3), provided that the commissioner shall consider either the district's or campus's performance rating under the first domain or the second domain, whichever performance rating is higher, unless the district or campus received a performance rating of F in either domain, in which case the district or campus may not be assigned an overall performance rating higher than B;

(2) for middle and junior high school and elementary campuses and districts that include only those campuses, attribute 35 percent of the performance evaluation to the applicable achievement indicators for the fourth domain under Section 39.053(c)(4);

(3) for high school campuses and districts that include those campuses, attribute:

(A) 10 percent of the performance evaluation to the high school graduation rate achievement indicator described by Section 39.053(c)(4)(A)(ii); and

(B) 25 percent to the remaining applicable achievement indicators for the fourth domain under Section 39.053(c)(4); and

(4) attribute 10 percent of the performance evaluation to the locally selected and evaluated achievement indicators provided for under the fifth domain under Section 39.053(c)(5).

WEST

SCR 62 was read.

On motion of Senator West, the resolution was considered immediately and was adopted by the following vote: Yeas 31, Nays 0.

HOUSE CONCURRENT RESOLUTION 154

The President laid before the Senate the following resolution:

WHEREAS, House Bill No. 3574 has been adopted by the house of representatives and the senate and is being prepared for enrollment; and

WHEREAS, The bill contains technical errors that should be corrected; now, therefore, be it

RESOLVED by the 85th Legislature of the State of Texas, That the enrolling clerk of the house of representatives be instructed to make the following corrections to the enrolled version of House Bill No. 3574:

(1) In SECTION 1 of the bill, in the recital for amended Section 2306.6710(a), Government Code, strike "SECTION 1. SECTION 1." and substitute "SECTION 1. (a)".

(2) In SECTION 1 of the bill, immediately following amended Section 2306.6710(a), Government Code, insert the following:

(b) Effective September 1, 2019, Section 2306.6710(a), Government Code, is amended to read as follows:

(a) In evaluating an application, the department shall determine whether the application satisfies the threshold criteria required by the board in the qualified allocation plan. The department shall reject and return to the applicant any application that fails to satisfy the threshold criteria.

(3) In SECTION 2 of the bill, strike "The change in law made by this Act expires on August 31, 2019, and thereafter reverts to the law in effect prior to the enactment of these changes. This change" and substitute "The change in law made by this Act".

(4) In SECTION 4 of the bill, in the language regarding the effective date, strike "This Act" and substitute "Except as otherwise provided by this Act, this Act".

MENÉNDEZ

HCR 154 was read.

On motion of Senator Menéndez, the resolution was considered immediately and was adopted by the following vote: Yeas 31, Nays 0.

RECESS

On motion of Senator Whitmire, the Senate at 12:29 p.m. recessed until 1:30 p.m. today.

AFTER RECESS

The Senate met at 1:51 p.m. and was called to order by the President.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Monday, May 29, 2017 - 2

The Honorable President of the Senate
Senate Chamber
Austin, Texas

Mr. President:

I am directed by the house to inform the senate that the house has taken the following action:

THE HOUSE HAS PASSED THE FOLLOWING MEASURES:

HCR 142 Hunter
Requesting the creation of a joint interim committee to study state judicial salaries.

HCR 155 Clardy
Instructing the enrolling clerk of the house to make corrections in H.B. 3808.

HCR 165 Huberty
Instructing the enrolling clerk of the house to make corrections in H.B. No. 22.

SCR 57 Hinojosa
Requesting the creation of a joint interim committee to study state judicial salaries.

SCR 58 Nichols
Instructing the enrolling clerk of the senate to make corrections in S.B. No. 312.

SCR 59 Kolkhorst
Instructing the enrolling clerk of the senate to make corrections in S.B. No. 1566.

SCR 61

Taylor, Larry

Instructing the enrolling clerk of the senate to make corrections in S.B. No. 1450.

SCR 62

West

Instructing the enrolling clerk of the house to make corrections in H.B. No. 1500.

SCR 63

Hughes

Instructing the enrolling clerk of the senate to make corrections in S.B. No. 1839.

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives**BILLS AND RESOLUTIONS SIGNED**

The President announced the signing of the following enrolled bills and resolutions in the presence of the Senate after the captions had been read:

SB 801, SB 894, SB 968, SB 999, SB 1001, SB 1109, SB 1148, SB 1172, SB 1248, SB 1329, SB 1343, SB 1398, SB 1404, SB 1462, SB 1511, SB 1553, SB 1625, SB 1633, SB 1663, SB 1782, SB 1784, SB 1831, SB 1913, SB 1932, SB 1987, SB 2014, SB 2039, SB 2118, SB 2227, SB 2244, SB 2276, SCR 11, SCR 56, HB 13, HB 91, HB 104, HB 210, HB 214, HB 281, HB 284, HB 297, HB 298, HB 332, HB 338, HB 351, HB 357, HB 441, HB 478, HB 865, HB 1208, HB 1426, HB 1481, HB 1503, HB 1556, HB 1735, HB 1764, HB 2039, HB 2339, HB 2443, HB 2466, HB 2529, HB 2542, HB 2546, HB 2557, HB 2619, HB 2646, HB 2662, HB 2663, HB 2675, HB 2687, HB 2725, HB 2729, HB 2738, HB 2739, HB 2949, HB 2985, HB 2987, HB 3045, HB 3103, HB 3136, HB 3147, HB 3223, HB 3243, HB 3272, HB 3632, HB 4007, HB 4034, HB 4280, HB 4281, HB 4283, HB 4285, HB 4287, HB 4289, HB 4291, HB 4292, HB 4297, HB 4298, HB 4301, HB 4309, HB 4315, HB 4320, HB 4321, HB 4324, HCR 27, HCR 49, HCR 70, HCR 72, HCR 83, HCR 86, HCR 102, HB 2 (Signed subject to Sec. 49-a, Art. III, Texas Constitution), HB 4, HB 61, HB 240, HB 451, HB 462, HB 674, HB 822, HB 919, HB 1066, HB 1111, HB 1166, HB 1238, HB 1342, HB 1470, HB 1480, HB 1543, HB 1593, HB 1657, HB 1698, HB 1716, HB 1727, HB 1730, HB 1905, HB 1935, HB 1989, HB 1990, HB 2009, HB 2082, HB 2111, HB 2182, HB 2214, HB 2275, HB 2306, HB 2319, HB 2323, HB 2386, HB 2410, HB 2463, HB 2486, HB 2819, HB 2938, HB 3003, HB 3025, HB 3069, HB 3075, HB 3087, HB 3254, HB 3281, HB 3296, HB 3567, HB 3576, HB 3593, HB 3654, HB 3726, HB 3727, HB 3781, HB 3783, HB 3872, HB 3934, HB 3964, HB 3992, HB 4104, HB 4114, HB 4270, HB 4272, HB 4275, HB 4277, HB 4331, HCR 130, HCR 132, HCR 138, HCR 145.

SENATE RESOLUTION 955

Senator Kolkhorst offered the following resolution:

WHEREAS, It is with great pride that the Texas Senate honors one of its most respected employees by naming Hector Meza the 2017 administrative recipient of the Betty King Public Service Award; and

WHEREAS, During his long and productive tenure as a legislative employee, Hector Meza has exemplified the best in Senate service, and he has earned the enduring admiration and affection of his Capitol colleagues; and

WHEREAS, Hector joined the Senate on October 1, 1997, and he became a member of the Publications and Printing department in 2004; he is a highly talented graphic artist who designs all types of publications and deftly creates business cards, letterheads, invitations, newsletters, and virtually any type of booklet needed by the Senate; and

WHEREAS, He serves as the graphics supervisor in the department and is known for his high standards and attention to detail; he handles his many responsibilities with amazing composure, and he has a long-established reputation for carrying out his duties with enthusiasm, dedication, and proficiency; no matter the difficulty of the task before him, he is able to use his creative gifts to produce in excellent form whatever is befitting the project at hand; and

WHEREAS, Hector is also noted for his determination to please others through his work by offering a variety of design options when fulfilling a request and by patiently persevering with his undertakings in spite of long hours and demanding deadlines; and

WHEREAS, In addition to bringing to the department his professional strengths and organizational skills, Hector consistently maintains a spirit of conviviality and good-naturedness that endears him to others, and his sincere concern for everyone in the Senate family is evident in his personal conduct and manner and in the thoughtful notes of condolence or congratulations he is often the first to initiate; and

WHEREAS, Hector Meza is a cherished and greatly admired Senate staff member and a true asset to the Publications and Printing department, and he is most deserving of his selection for the prestigious Betty King Public Service Award; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 85th Legislature, hereby commend Hector Meza on his invaluable service to the Texas Senate and extend congratulations to him on earning a 2017 Betty King Public Service Award; and, be it further

RESOLVED, That a copy of this Resolution be prepared for him as a tribute to his excellent work.

SR 955 was read and was adopted without objection.

SENATE RESOLUTION 956

Senator Kolkhorst offered the following resolution:

WHEREAS, It is a pleasure for the Texas Senate to honor one of its most loyal and beloved longtime staff members by naming Susan Fontenette the 2017 legislative recipient of the Betty King Public Service Award; and

WHEREAS, For 25 years, Susan Fontenette has served the Senate with honor and distinction; over the course of her career, she has handled her responsibilities with dedication and skill, and she is held in highest regard by the legislators and the many Capitol staff members with whom she works; and

WHEREAS, For the last 20 years, Susan has served as a valued employee in Senator Whitmire's office, and throughout her tenure, she has been noted for her warmth, her graciousness, and her unfailing courtesy; Susan is also famous for her ability to keep proceedings in the Senator's office running smoothly, for serving as a much-cherished mentor and counselor to her co-workers, and for having a friendly face and a ready smile that can brighten the day for anyone visiting the office; and

WHEREAS, As a legislative aide, Susan is known for her expertise and sound judgment and for the manner in which she has handled a position that entails a wide range of responsibilities; she has played a major role in helping to meet the needs of constituents and in addressing their concerns, and her legislative experience and her thorough knowledge of the intricacies of Capitol proceedings have made her an irreplaceable asset to the senator's office; and

WHEREAS, A role model for anyone in public service, Susan has the ability to accomplish whatever mission is set before her, and her high standards, her poise in the face of challenging situations, and her commitment to excellence represent the finest qualities of this institution; and

WHEREAS, Susan Fontenette is a treasured legislative employee who is admired for her exemplary work ethic and for the kindness she shows to all she encounters, and upon her retirement, her presence in the Capitol will truly be missed; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 85th Legislature, hereby extend sincere appreciation to Susan Fontenette for her outstanding service to the Texas Senate and congratulations to her on earning a 2017 Betty King Public Service Award; and, be it further

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

SR 956 was read and was adopted without objection.

HOUSE CONCURRENT RESOLUTION 155

The President laid before the Senate the following resolution:

WHEREAS, House Bill No. 3808 has been adopted by the house of representatives and the senate and is being prepared for enrollment; and

WHEREAS, The bill contains a technical error that should be corrected; now, therefore, be it

RESOLVED by the 85th Legislature of the State of Texas, That the enrolling clerk of the house of representatives be instructed to correct House Bill No. 3808, as amended by senate floor amendment no. 2 by Senator Watson, by striking "SECTION 2. This Act takes effect September 1, 2017."

MENÉNDEZ

HCR 155 was read.

On motion of Senator Menéndez, the resolution was considered immediately and was adopted by the following vote: Yeas 31, Nays 0.

HOUSE CONCURRENT RESOLUTION 165

The President laid before the Senate the following resolution:

WHEREAS, House Bill No. 22 has been adopted by the house of representatives and the senate and is being prepared for enrollment; and

WHEREAS, The bill contains technical errors that should be corrected; now, therefore, be it

RESOLVED by the 85th Legislature of the State of Texas, That the enrolling clerk of the house of representatives be instructed to make the following corrections to the enrolled version of House Bill No. 22:

(1) In SECTION 6 of the bill, in added Section 39.001(a), Education Code (page 5, line 18), strike "may" and substitute "shall".

(2) In SECTION 8 of the bill, in amended Section 39.053(a), Education Code (page 7, line 7), strike "in".

(3) In SECTION 8 of the bill, in added Section 39.053(e), Education Code (page 14, line 26), between "means" and "student", insert "a".

(4) In SECTION 8 of the bill, in amended Section 39.053(g-1), Education Code (page 16, lines 19-20), strike "a high school graduation rate" and substitute "high school graduation rates".

(5) In SECTION 8 of the bill, in amended Section 39.053(g-2), Education Code (page 17, lines 16-17), strike "a high school graduation rate" and substitute "high school graduation rates".

(6) In SECTION 10 of the bill, in amended Section 39.054(a), Education Code (page 19, line 23), strike "reflect" and substitute "reflects".

(7) In SECTION 10 of the bill, in amended Section 39.054(a-2), Education Code (page 21, line 23), between "campus" and "under", insert "under this section or a campus".

(8) In SECTION 14 of the bill, in added Section 39.0544(a)(3)(A), Education Code (page 25, line 6), strike "contain" and substitute "contains".

(9) In SECTION 14 of the bill, in added Section 39.0544(a)(3)(B), Education Code (page 25, line 9), strike "provide" and substitute "provides".

(10) In SECTION 14 of the bill, in added Section 39.0544(a)(3)(C), Education Code (page 25, line 11), strike "meet" and substitute "meets".

(11) Renumber SECTIONS of the bill beginning with SECTION 21 (page 31, line 14).

TAYLOR OF GALVESTON

HCR 165 was read.

On motion of Senator Taylor of Galveston, the resolution was considered immediately and was adopted by the following vote: Yeas 31, Nays 0.

SENATE CONCURRENT RESOLUTION 64

The President laid before the Senate the following resolution:

WHEREAS, Senate Bill No. 1566 has been adopted by the senate and the house of representatives and is being prepared for enrollment; and

WHEREAS, The bill contains technical errors that should be corrected; now, therefore, be it

RESOLVED by the 85th Legislature of the State of Texas, That the enrolling clerk of the senate be instructed to correct the enrolled version of Senate Bill No. 1566 by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. To the extent of any conflict between this Act and S.B. No. 2065, Acts of the 85th Legislature, Regular Session, 2017, relating to abolishing county boards of education, boards of county school trustees, and the offices of county school superintendent in certain counties, the conflicting provision of this Act controls.

KOLKHORST

SCR 64 was read.

On motion of Senator Kolkhorst, the resolution was considered immediately and was adopted by the following vote: Yeas 31, Nays 0.

RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

Memorial Resolutions

SR 951 by Miles, In memory of Elouise Jacquelyn Clark McLemore.

SR 958 by Kolkhorst, In memory of Dwight Dale Conway.

SR 961 by Menéndez, In memory of David Solis.

Congratulatory Resolutions

SR 952 by Hughes, Recognizing *The Winnsboro News* for being presented with a Texas Treasure Business Award.

SR 953 by Hughes, Recognizing Gladewater National Bank on the occasion of its 35th anniversary.

SR 954 by Hughes, Recognizing J. Glen Dossett on the occasion of his retirement.

SR 959 by Hughes, Recognizing Hayden L. Wolf for being selected as the 2015 American Honey Princess.

SR 960 by Lucio, Recognizing Larry Jokl on the occasion of his retirement.

SR 962 by West, Recognizing Martha Blaine on the occasion of her retirement.

Official Designation Resolutions

SR 963 by Zaffirini, Recognizing June 30, 2018, as Vaquero Day.

SR 964 by Zaffirini, Recognizing June 30, 2017, as Vaquero Day.

MOTION TO ADJOURN SINE DIE

On motion of Senator Whitmire, the Senate of the 85th Legislature, Regular Session, at 2:27 p.m. agreed to adjourn sine die, in memory of Natalie Cowen Gonzalez and our fallen heroes, pending the completion of administrative duties.

BILLS AND RESOLUTIONS SIGNED

Notification was given of the signing by the President of the following enrolled bills and resolutions:

SB 5, SB 27, SB 30, SB 277, SB 301, SB 302, SB 303, SB 319, SB 416, SB 463, SB 491, SB 527, SB 533, SB 578, SB 634, SB 762, SB 11, SB 312, SB 622, SB 1450, SB 1566, SB 1731, SB 1839, SB 2065, SCR 53, SCR 57, SCR 58, SCR 59, SCR 61, SCR 62, SCR 63, SCR 68, HB 2765, HB 2776, HB 2790, HB 2792, HB 2803, HB 2804, HB 2812, HB 2818, HB 2837, HB 2856, HB 2880, HB 2881, HB 2886, HB 2888, HB 2904, HB 2931, HB 8, HB 34, HB 59, HB 162, HB 208, HB 245, HB 249, HB 322, HB 377, HB 435, HB 457, HB 492, HB 523, HB 553, HB 681, HB 683, HB 755, HB 776, HB 846, HB 913, HB 967, HB 995, HB 1081, HB 1162, HB 1234, HB 1247, HB 1254, HB 1256, HB 1266, HB 1317, HB 1372, HB 1510, HB 1521, HB 1569, HB 1600, HB 1629, HB 1642, HB 1794, HB 1808, HB 1816, HB 1861, HB 1920, HB 1956, HB 1959, HB 2025, HB 2053, HB 2059, HB 2062, HB 2079, HB 2174, HB 2279, HB 2358, HB 2492, HB 2523, HB 2561, HB 2566, HB 2588, HB 2590, HB 2612, HB 2703, HB 2771, HB 2817, HB 2994, HB 2995, HB 3042, HB 3047, HB 3052, HB 3107, HB 3152, HB 3158, HB 3165, HB 3173, HB 3178, HB 3185, HB 3215, HB 3295, HB 3321, HB 3338, HB 3356, HB 3359, HB 3376, HB 3402, HB 3470, HB 3492, HB 3504, HB 3535, HB 3564, HB 3649, HB 3675, HB 3705, HB 3706, HB 3810, HB 3845, HB 3849, HB 3879, HB 3987, HB 4029, HB 4035, HB 4094, HB 4187, HB 4276, HB 4290, HB 4303, HB 4325, HB 4333, HB 4334, HB 4335, HB 4340, HB 4341, HB 4347, HCR 61, HCR 106, HCR 113, HCR 137, HCR 139, HB 7, HB 9, HB 156, HB 337, HB 557, HB 810, HB 897, HB 929, HB 1036, HB 1204, HB 1290, HB 1424, HB 1508, HB 1823, HB 1886, HB 1974, HB 2101, HB 2112, HB 2263, HB 2875, HB 2891, HB 2912, HB 2937, HB 3029, HB 3050, HB 3131, HB 3292, HB 3342, HB 3349, HB 3453, HB 4268, HB 5, HB 22, HB 29, HB 150, HB 501, HB 555, HB 931, HB 1003, HB 1278, HB 1500, HB 1549, HB 1553, HB 1643, HB 1691, HB 2271, HB 2377, HB 2442, HB 2445, HB 2552, HB 2639, HB 2950, HB 3083, HB 3270, HB 3287, HB 3526, HB 3574, HB 3735, HB 3808, HB 4102, HB 4310, HB 4311, HB 4312, HB 4313, HB 4314, HB 4345, HCR 129, HCR 140, HCR 146, HCR 148, HCR 153, HCR 154, HCR 155, HCR 157, HCR 158, HCR 159, HCR 165.

ADJOURNMENT SINE DIE

In accordance with a previously adopted motion, the Senate of the Eighty-fifth Legislature, Regular Session, at 1:56 p.m. May 30, 2017, adjourned sine die in memory of Natalie Cowen Gonzalez and our fallen heroes.

APPENDIX

BILLS AND RESOLUTIONS ENROLLED

May 28, 2017

SB 1, SB 5, SB 21, SB 27, SB 30, SB 277, SB 301, SB 302, SB 303, SB 319, SB 416, SB 491, SB 527, SB 533, SB 634, SB 813, SB 894, SB 999, SB 1109, SB 1172, SB 1248, SB 1289, SB 1329, SB 1343, SB 1398, SB 1404, SB 1462, SB 1782, SB 1913, SB 1932, SB 2039, SB 2276, SCR 11, SR 887, SR 898, SR 910, SR 911, SR 926, SR 927, SR 928, SR 929, SR 930, SR 931, SR 932, SR 934, SR 935, SR 936, SR 937, SR 938, SR 939, SR 940, SR 941, SR 942, SR 943, SR 944, SR 945, SR 946, SR 947, SR 948, SR 949, SR 950

May 29, 2017

SB 11, SB 312, SB 463, SB 578, SB 622, SB 762, SB 801, SB 968, SB 1001, SB 1148, SB 1450, SB 1511, SB 1553, SB 1566, SB 1625, SB 1633, SB 1663, SB 1731, SB 1784, SB 1831, SB 1839, SB 1987, SB 2014, SB 2065, SB 2118, SB 2227, SB 2244, SCR 53, SCR 56, SCR 57, SCR 58, SCR 59, SCR 61, SCR 62, SCR 63, SR 846, SR 885, SR 924, SR 951, SR 952, SR 953, SR 954, SR 955, SR 956, SR 957, SR 958, SR 959, SR 960, SR 961, SR 962, SR 963, SR 964

SENT TO COMPTROLLER

May 29, 2017

SB 1

SIGNED BY GOVERNOR

May 29, 2017

SB 46, SB 59, SB 78, SB 203, SB 261, SB 291, SB 297, SB 304, SB 313, SB 377, SB 499, SB 511, SB 524, SB 547, SB 613, SB 654, SB 705, SB 714, SB 726, SB 802, SB 826, SB 854, SB 867, SB 877, SB 977, SB 1021, SB 1096, SB 1290

FILED WITHOUT SIGNATURE OF GOVERNOR

May 29, 2017

SB 321, SB 440, SB 686, SB 799, SB 904, SB 1136, SB 1179, SB 1260

SENT TO SECRETARY OF STATE

May 30, 2017

SCR 11, SCR 57

SENT TO GOVERNOR

May 30, 2017

SB 5, SB 11, SB 27, SB 30, SB 277, SB 301, SB 302, SB 303, SB 312, SB 319, SB 416, SB 463, SB 491, SB 527, SB 533, SB 578, SB 622, SB 634, SB 762, SB 801, SB 894, SB 968, SB 999, SB 1001, SB 1109, SB 1148, SB 1172, SB 1248, SB 1329, SB 1343, SB 1398, SB 1404, SB 1450, SB 1462, SB 1511, SB 1553, SB 1566, SB 1625, SB 1633, SB 1663, SB 1731, SB 1782, SB 1784, SB 1831, SB 1839, SB 1913, SB 1932, SB 1987, SB 2014, SB 2039, SB 2065, SB 2118, SB 2227, SB 2244, SB 2276, SCR 53, SCR 56, SCR 58, SCR 59, SCR 61, SCR 62,

SCR 63**SIGNED BY GOVERNOR**May 31, 2017**SB 11, SB 2190****SENT TO GOVERNOR**June 1, 2017**SB 1****SIGNED BY GOVERNOR**June 1, 2017

SB 5, SB 102, SB 132, SB 227, SB 314, SB 584, SB 588, SB 679, SB 873, SB 919, SB 944, SB 948, SB 957, SB 998, SB 1016, SB 1023, SB 1045, SB 1051, SB 1062, SB 1063, SB 1085, SB 1102, SB 1131, SB 1138, SB 1177, SB 1187, SB 1193, SB 1199, SB 1220, SB 1221, SB 1237, SB 1242, SB 1291, SB 1318, SB 1353, SB 1384, SB 1395, SB 1403, SB 1430, SB 1446, SB 1479, SB 1480, SB 1492, SB 1519, SB 1523, SB 1548, SB 1559, SB 1565, SB 1667

FILED WITHOUT SIGNATURE OF GOVERNORJune 1, 2017**SB 1361, SB 1488****SIGNED BY GOVERNOR**June 6, 2017**SB 8, SB 21, SB 500**June 8, 2017**SB 277**June 9, 2017

SB 15, SB 27, SB 30, SB 39, SB 40, SB 43, SB 49, SB 73, SB 74, SB 79, SB 81, SB 179, SB 190, SB 195, SB 248, SB 255, SB 263, SB 292, SB 295, SB 301, SB 302, SB 303, SB 312, SB 315, SB 317, SB 319, SB 323, SB 331, SB 341, SB 343, SB 344, SB 364, SB 365, SB 371, SB 396, SB 402, SB 436, SB 441, SB 463, SB 490, SB 491, SB 497, SB 526, SB 527, SB 532, SB 533, SB 537, SB 544, SB 546, SB 564, SB 578, SB 591, SB 622, SB 625, SB 631, SB 634, SB 674, SB 719, SB 725, SB 731, SB 736, SB 738, SB 745, SB 748, SB 751, SB 762, SB 769, SB 801, SB 805, SB 807, SB 810, SB 825, SB 840, SB 848, SB 865, SB 869, SB 879, SB 920, SB 922, SB 924, SB 1004, SB 1014, SB 1015, SB 1070, SB 1109, SB 1196, SB 1289, SB 1330, SB 1401, SB 1465, SB 1557, SB 1649, SB 1693, SB 1727

FILED WITHOUT SIGNATURE OF GOVERNORJune 9, 2017

SB 320, SB 413, SB 468, SB 593, SB 749, SB 814, SB 905, SB 914, SB 942, SB 976, SB 1118, SB 1261, SB 1462, SB 1526

SIGNED BY GOVERNORJune 12, 2017

SB 1 (line item veto), SB 36, SB 262, SB 721, SB 928, SB 968, SB 969, SB 1001, SB 1005, SB 1024, SB 1037, SB 1047, SB 1066, SB 1076, SB 1089, SB 1091, SB 1095, SB 1098, SB 1099, SB 1105, SB 1123, SB 1153, SB 1172, SB 1205, SB 1214, SB 1232, SB 1233, SB 1248, SB 1249, SB 1250, SB 1286, SB 1298, SB 1304, SB 1314, SB 1326, SB 1381, SB 1383, SB 1398, SB 1450, SB 1679, SB 1680, SB 1731, SB 1837, SB 1839, SB 1864, SB 1901, SB 1911, SB 1987, SB 2039, SB 2068, SB 2080, SB 2087, SB 2118, SB 2141, SB 2242, SCR 33, SCR 37

FILED WITHOUT SIGNATURE OF GOVERNORJune 12, 2017

SB 1238, SB 1735, SB 1748, SB 1780, SB 2056, SB 2117, SB 2166, SB 2186, SB 2227, SB 2243, SB 2244, SB 2245, SB 2252, SB 2253, SB 2263, SB 2267, SB 2268, SB 2271, SB 2273, SB 2274, SB 2275, SB 2276, SB 2277, SB 2280, SB 2282, SB 2284, SB 2285, SB 2286, SB 2287, SB 2290, SB 2292, SB 2295, SB 2296, SB 2297, SB 2298, SB 2299

SIGNED BY GOVERNORJune 14, 2017**SB 239**June 15, 2017

SB 47, SB 55, SB 82, SB 213, SB 298, SB 554, SB 586, SB 589, SB 693, SB 754, SB 864, SB 894, SB 964, SB 975, SB 999, SB 1009, SB 1119, SB 1129, SB 1148, SB 1158, SB 1253, SB 1264, SB 1329, SB 1343, SB 1345, SB 1371, SB 1400, SB 1404, SB 1440, SB 1476, SB 1489, SB 1501, SB 1503, SB 1511, SB 1522, SB 1538, SB 1553, SB 1566, SB 1571, SB 1599, SB 1625, SB 1633, SB 1663, SB 1664, SB 1665, SB 1676, SB 1677, SB 1705, SB 1709, SB 1710, SB 1732, SB 1758, SB 1764, SB 1767, SB 1781, SB 1782, SB 1784, SB 1799, SB 1805, SB 1806, SB 1813, SB 1831, SB 1842, SB 1843, SB 1849, SB 1873, SB 1877, SB 1878, SB 1882, SB 1893, SB 1910, SB 1913, SB 1932, SB 1936, SB 1944, SB 1952, SB 1963, SB 1965, SB 1968, SB 1969, SB 2006, SB 2014, SB 2027, SB 2053, SB 2065, SB 2075, SB 2076, SB 2084, SB 2150, SB 2174, SB 2205, SB 2212, SB 2262, SB 2283, SCR 26, SCR 41, SCR 51, SCR 53, SCR 56, SCR 58, SCR 59, SCR 61, SCR 63

FILED WITHOUT SIGNATURE OF GOVERNORJune 15, 2017**SB 416, SB 1198, SCR 62****VETOED BY GOVERNOR**June 15, 2017**SB 196, SB 570, SB 667, SB 670, SB 744, SB 790, SB 813, SB 830, SB 1215, SB 1444, SB 1525, SB 1743, SB 1912, SB 1992****VETO PROCLAMATIONS**

The following Veto Proclamations by the Governor were filed in the Office of the Secretary of State:

PROCLAMATION
BY THE
GOVERNOR OF THE STATE OF TEXAS

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Senate Bill No. 1, the General Appropriations Act, having been duly certified by the Comptroller of Public Accounts pursuant to Article III, Section 49a of the Texas Constitution, has been presented to me for action.

I am once again signing a budget that addresses the most pressing challenges faced by our state. This budget funds a life-saving overhaul of Child Protective Services, ensuring children in Texas' foster care receive the protection they deserve.

Even in a tight budget climate, this budget prioritizes the safety and well-being of all Texans. It continues to fund our states role in securing the border, adding an additional 250 troopers to keep our communities safe. It funds the state's natural disaster response costs to provide state resources when disaster strikes. And it better protects our law enforcement officers across the state by funding grants for bulletproof vests.

This budget ensures the workforce of today and tomorrow have the resources they need to keep Texas' economy growing and thriving. Under Senate Bill No. 1, all eligible prekindergarten students will receive a high-quality education by increasing standards statewide. And the state will remain competitive on the job creation front with funds to help Texas remain the best state in the nation for doing business.

This budget achieves all of these goals while restraining state-controlled spending below the growth in the state's estimated population and inflation. During the upcoming special session of the 85th Legislature, passage of legislation or a constitutional amendment to ensure the state continues to budget within responsible spending limitations will remain a top priority.

In order to further restrain the growth of government and reduce the expenditure of taxpayer funds, this veto proclamation includes approximately \$120 million in reductions. I hereby object to and veto the following items from Senate Bill No. 1 and include a statement of my objections to each of those items.

Article I - General Government
Secretary of State

	<u>2018</u>	<u>2019</u>
C. 1.2. Strategy: Colonias Initiatives	\$ 429,856	\$ 429,235

Services to help improve the lives of Texans living in colonias are funded across numerous other state agencies, including the Office of the Attorney General, the Department of State Health Services, the Health and Human Services Commission, the Department of Housing and Community Affairs, and the Department of Transportation. Each of these agencies provides direct client services to Texans living in colonias, while the Secretary of State primarily serves in a liaison and reporting role. I therefore object to and disapprove of this appropriation.

Article III – Education
Texas Education Agency

~~70. Collaborative Dual Credit Program Evaluation. Out of funds appropriated above in Strategy B.3.2, Agency Operations, \$72,131 in each fiscal year of the biennium in General Revenue shall be used to dedicate one Full Time Equivalent (FTE) to collaboratively, along with the Texas Higher Education Coordinating Board:~~

~~a. identify existing capabilities, limitations, and costs to comprehensively evaluate dual credit opportunities, including an assessment of the adequacy of information on dual credit costs and local funding structures and the ability to identify ineffective and inefficient dual credit programs;~~

~~b. develop a plan to create a cross-agency, statewide dual credit student outcome reporting and evaluation tool to measure acceleration, tuition saved, and efficient and effective practices for offering dual credit. The agencies shall consider the role both Preschool to Grade 16 (P-16) Councils and Education Research Centers could have in this evaluation strategy;~~

~~c. report their joint findings regarding the comprehensive evaluation of dual credit to the Governor, Legislative Budget Board, and Legislative committees responsible for oversight of public and higher education no later than August 31, 2018; and~~

~~d. issue guidance, using existing data on all dual credit programs, regarding the best and most effective practices for school districts and dual credit partners to continue or initiate dual credit offerings.~~

Neither participating state agency requested funding for this item in their 2018–19 Legislative Appropriations Request. This new rider is duplicative of an existing dual credit study currently being commissioned by the Texas Higher Education Coordinating Board. To keep Texas fiscally strong, we must limit unnecessary state spending. I therefore object to and disapprove of this appropriation.

Higher Education Coordinating Board

55. Collaborative Dual Credit Program Evaluation. ~~Out of funds appropriated above in Strategy B.1.1, Central Administration, \$72,131 in each fiscal year of the biennium in General Revenue shall be used to dedicate one Full Time Employee (FTE) to collaboratively, along with the Texas Education Agency:~~

- ~~a) identify existing capabilities, limitations, and costs to comprehensively evaluate dual credit opportunities, including an assessment of the adequacy of information on dual credit costs and local funding structures and the ability to identify ineffective and inefficient dual credit programs;~~
- ~~b) develop a plan to create a cross agency, statewide dual credit student outcome reporting and evaluation tool to measure acceleration, tuition saved, and efficient and effective practices for offering dual credit. The agencies shall consider the role both Preschool to Grade 16 (P-16) Councils and Education Research Centers could have in this evaluation strategy;~~
- ~~e) report their joint findings regarding the comprehensive evaluation of dual credit to the Governor, Legislative Budget Board, and Legislative committees responsible for oversight of public and higher education no later than August 31, 2018; and~~
- ~~d) issue guidance, using existing data on all dual credit programs, regarding the best and most effective practices for school districts and dual credit partners to continue or initiate dual credit offerings.~~

Neither participating state agency requested funding for this item in their 2018–19 Legislative Appropriations Request. This new rider is duplicative of an existing dual credit study currently being commissioned by the Texas Higher Education Coordinating Board. To keep Texas fiscally strong, we must limit unnecessary state spending. I therefore object to and disapprove of this appropriation.

UT Austin

~~5. Legislative Law Clinic. Out of the funds appropriated above, up to \$75,000 in each year of the biennium shall be used for the continuation of the Legislative Lawyering Clinic in the School of Law. These funds shall be used to pay for clinic academic and administrative personnel, research, surveys, and other expenses associated with the clinic~~

The University of Texas at Austin did not request funding for this item in its 2018–19 Legislative Appropriation Request. If the Legislative Law Clinic is a priority, the University may continue to use other resources to maintain this program. I therefore object to and disapprove of this appropriation.

Article IV – The Judiciary

Office of Court Administration, Texas Judicial Council

~~15. Guardianship Compliance Project. Amounts appropriated above from the General Revenue Fund include \$2,407,967 in each fiscal year in Strategy A.1.1, Court Administration, and \$140,650 in fiscal year 2018 and~~

~~\$60,150 in fiscal year 2019 in Strategy A.1.2, Information Technology, as well as 31.0 FTEs each fiscal year, for the Guardianship Compliance Project.~~

This rider creates a new state level compliance structure for guardians. This would result in a permanent increase both in government spending and employment. While I signed multiple bills to reform the guardianship process, a new state compliance and reporting structure for guardians is unnecessary bureaucracy and unnecessary spending. That is why I will veto Senate Bill 667. I therefore object to and disapprove of this appropriation.

Article V – Public Safety and Criminal Justice

Department of Public Safety

	<u>2018</u>	<u>2019</u>
F. 1.2. Strategy: Safety Education	\$ 4,741,451	\$ 4,741,451

This appropriation exceeds the amount requested by the Department of Public Safety to fund this new strategy. If it is determined by the Department of Public Safety that improving the safety on our roads is contingent on an increased appropriation of tax funds for this campaign effort, then the Department of Public Safety can identify those needs and present them to the legislature at that time. Until that time, I object to and disapprove of one year of this appropriation.

~~56. Public Safety Grant for the Greater Houston Area. Out of General Revenue Funds appropriated above in Strategy C.2.1, Public Safety Communications, the Department of Public Safety shall grant \$4,000,000 in fiscal year 2018 to a non-profit entity in Houston that is dedicated to preventing and solving crime in the Greater Houston Area through programs emphasizing crime information reporting, student and parent education, and community empowerment.~~

The Department of Public Safety's core mission is to serve and protect citizens of Texas as the state's primary law enforcement agency. Over recent years, efforts have been made to help the agency concentrate on its core mission and to transfer grant-making activities to other state agencies. This appropriation, for which the Department did not request funding in its 2018-19 Legislative Appropriation Request, would return the Department to being a grant-making entity. This veto will not prevent Houston Crime Stoppers from being able to receive grant funding from the Office of the Governor's Criminal Justice Division—or encumber Houston Crime Stoppers' ability to provide awards to appropriate recipients. I therefore object to and disapprove of this appropriation.

Article VI – Natural Resources

Texas Commission on Environmental Quality

~~7. Air Quality Planning. Amounts appropriated above include \$6,000,500 for the biennium out of the Clean Air Account No. 151 in Strategy A.1.1, Air Quality Assessment and Planning, for air quality planning activities to reduce ozone in areas not designated as nonattainment areas during the 2016-17 biennium and as approved by the Texas Commission on~~

~~Environmental Quality (TCEQ). These areas may include Waco, El Paso, Beaumont, Austin, Corpus Christi, Granbury, Killeen Temple, Longview Tyler Marshall, San Antonio, and Victoria. These activities may be carried out through interlocal agreements and may include: identifying, inventorying, and monitoring of pollution levels; modeling pollution levels; and the identification, quantification, implementation of appropriate locally enforceable pollution reduction controls; and the submission of work plans to be submitted to the TCEQ. The TCEQ shall allocate \$350,000 to each area and the remaining funds to each area based on population in excess of 350,000. The grant recipients shall channel the funds to those projects most useful for the State Implementation Plan (SIP).~~

This program funds, among other items, bicycle use programs, carpooling awareness, environmental awareness campaigns, and locally enforceable pollution reduction programs in near non-attainment areas, which can be funded at the local government level. Resources in the Clean Air Account should be prioritized to directly address problems in our non-attainment areas of the state so that we are better positioned to combat the business-stifling regulations imposed on these areas by the Environmental Protection Agency. I therefore object to and disapprove of this appropriation.

~~24. Low-Income Vehicle Repair Assistance, Retrofit, and Accelerated Vehicle Retirement Program (LIRAP). Amounts appropriated above out of the Clean Air Account No. 151 in Strategy A.1.1, Air Quality Assessment and Planning, include \$43,468,055 in each fiscal year of the 2018 19 biennium in estimated fee revenues from vehicle inspection and maintenance fees generated pursuant to Health and Safety Code, §§382.202 and 382.302, to fund the Low income Vehicle Repair Assistance, Retrofit, and Accelerated Vehicle Retirement Program (LIRAP). Out of these amounts, not more than \$253,893 in each fiscal year shall be used by the Texas Commission on Environmental Quality (TCEQ) for costs associated with administering the LIRAP as authorized in Health and Safety Code, §382.202, and all remaining funds shall be used as LIRAP grants to local governments.~~

~~Amounts appropriated above in Strategy A.1.1, Air Quality Assessment and Planning, also include \$4,829,673 in each fiscal year of the 2018 19 biennium out of the Clean Air Account No. 151 to be used only for purposes authorized in Chapter 382 of the Health and Safety Code for county implemented local initiatives projects to reduce air emissions.~~

~~Amounts appropriated above for LIRAP grants and local initiative projects also include an estimated \$1,196,172 each fiscal year in estimated fee revenue generated from Travis County and \$483,736 each fiscal year in estimated LIRAP fee revenue generated from Williamson County. The TCEQ shall allocate, at a minimum, the estimated revenue amounts collected in each of the counties during the 2018 19 biennium to provide LIRAP grants and local initiatives projects in those counties.~~

~~In addition to the amounts appropriated above, any additional revenues from vehicle inspection and maintenance fees generated from additional counties participating in the LIRAP beginning on or after September 1, 2017 are appropriated to the TCEQ for the biennium. Such funds shall be used to provide grants to local governments and to cover administrative costs of the TCEQ in administering the LIRAP.~~

The Low-Income Vehicle Repair Assistance Program (LIRAP) has done little to provide measureable improvements to air quality in our states non-attainment areas. Additionally, previously approved appropriations for this program have yet to be fully spent by the local entities who administer this program. The LIRAP program is similar to the ill-conceived and dubious Cash for Clunkers program and should be abolished. A veto of this appropriation will not only allow local entities to spend previously approved allocations, but will also allow counties an opportunity to reassess if they should continue to charge an optional local fee for this program. I therefore object to and disapprove of this appropriation.

Soil and Water Conservation Board

7. Water Supply Enhancement. Included in amounts appropriated above in Strategy C.1.1, Water Conservation and Enhancement, is \$2,495,575 in fiscal year 2018 ~~and \$2,495,575 in fiscal year 2019~~ out of the General Revenue Fund for the water supply enhancement program. These funds shall be used for supporting existing and implementing new water supply enhancement projects designated by the Soil and Water Conservation Board. Any unobligated and unexpended balances from this appropriation as of August 31, 2018 are appropriated for the same purpose for the fiscal year beginning September 1, 2018.

This program primarily funds efforts to remove brush from private land. Texas landowners have a rich history of improving the value of their land through various self-funded measures. As a general concept, government should abstain as much as possible from inserting itself into private property matters unless a greater public need commands otherwise. For transition purposes, the first year of the program will be funded in the amount of \$2.495 million. Any amount of funding for this program can be carried forward as unexpended balances to the second year. Except for any potential unexpended balance, I therefore object to and disapprove of the second year of this appropriation.

Water Development Board

26. Appropriation: Study of Aquifers and Brackish Groundwater. ~~Amounts appropriated above in Strategy A.2.2, Water Resources Planning, include \$1,849,233 in fiscal year 2018 and \$150,767 in fiscal year 2019 out of the General Revenue Fund for contract costs for studies related to designating priority zones for the production of brackish groundwater in aquifers throughout the state as identified. The amounts of \$167,787 in fiscal year 2018 and \$150,767 in fiscal year 2019 shall be used for administrative costs in implementing the studies. The Board shall report to the Legislature on its progress relating to the studies not later than December 1 of each year.~~

The Texas Water Development Board has already completed several studies on brackish groundwater in various regions of the state. I therefore object to and disapprove of this appropriation.

Article VII – Business and Economic Development

Texas Lottery Commission

	<u>2018</u>	<u>2019</u>
A. 1. 11. Strategy: Retailer Bonus	\$ 4,200,000	\$ 4,200,000

Lottery retailers already receive a commission based on the volume of tickets sold at that location. This bonus, which is in addition to the commission, is intended to be an incentive for retailers to sell lottery tickets. The bonus was created in 1993 to help jumpstart the rollout of the lottery, but the lottery is now well established in the state. I therefore object to and disapprove of one year of this appropriation.

Article X – The Legislature

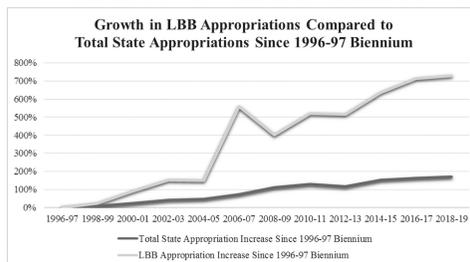
House of Representatives

5. Unexpended Balances: Legislative Budget Board.

~~a. Any unobligated and unexpended balances remaining as of August 31, 2017, from appropriations made to the Legislative Budget Board are appropriated to the Legislative Budget Board for the biennium beginning September 1, 2017.~~

b. Any unobligated and unexpended balances remaining as of August 31, 2018, from appropriations made to the Legislative Budget Board are appropriated for the same purposes for the fiscal year beginning September 1, 2018.

Since the 1996–1997 biennium, direct appropriations to the Legislative Budget Board (LBB) have skyrocketed by more than 700 percent compared to just 171 percent for the entire state. This growth has corresponded with greater government authority being delegated to unelected bureaucrats rather than being undertaken by elected officials directly accountable to the voters. To begin the process of restoring the LBB to its intended limited purpose, I therefore object to and disapprove of this appropriation.



I have signed Senate Bill No. 1 together with this proclamation stating my objections in accordance with Article IV, Section 14 of the Texas Constitution.

Since this Legislature by its adjournment of the Regular Session has prevented the return of this bill, I am filing this bill and these objections in the office of the Secretary of State and giving notice thereof by this public proclamation according to the aforementioned constitutional provision.

IN TESTIMONY WHEREOF, I have signed my name officially and caused the Seal of the State to be affixed hereto at Austin, this 12th day of June, 2017.

(Seal)

/s/Greg Abbott
Governor of Texas

ATTESTED BY:
/s/Rolando B. Pablos
Secretary of State

PROCLAMATION
BY THE
GOVERNOR OF THE STATE OF TEXAS

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Pursuant to Article IV, Section 14, of the Texas Constitution, I, Greg Abbott, Governor of Texas, do hereby disapprove of and veto Senate Bill No. 196 as passed by the Eighty-Fifth Texas Legislature, Regular Session, because of the following objections:

Our public schools should be focused on educating students in the classroom. Senate Bill 196 detracts from that focus and imposes a needless regulatory mandate on schools.

Since the Eighty-Fifth Texas Legislature, Regular Session, by its adjournment has prevented the return of this bill, I am filing these objections in the office of the Secretary of State and giving notice thereof by this public proclamation according to the aforementioned constitutional provision.

IN TESTIMONY WHEREOF, I have signed my name officially and caused the Seal of the State to be affixed hereto at Austin, this 15th day of June, 2017.

(Seal)

/s/Greg Abbott
Governor of Texas

ATTESTED BY:
/s/Rolando B. Pablos
Secretary of State

PROCLAMATION
BY THE
GOVERNOR OF THE STATE OF TEXAS

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Pursuant to Article IV, Section 14, of the Texas Constitution, I, Greg Abbott, Governor of Texas, do hereby disapprove of and veto Senate Bill No. 570 as passed by the Eighty-Fifth Texas Legislature, Regular Session, because of the following objections:

Senate Bill 570 criminalizes the violation of administrative rules governing the proper disposal of tires. In order to know whether their handling of used tires is a crime or not, Texans would have to consult the Texas Register and the actions of local governments on a regular basis to ensure the rules governing tire disposal have not changed. Surely there are better ways to address the problem of old tires than by creating a new and vaguely defined crime.

Since the Eighty-Fifth Texas Legislature, Regular Session, by its adjournment has prevented the return of this bill, I am filing these objections in the office of the Secretary of State and giving notice thereof by this public proclamation according to the aforementioned constitutional provision.

IN TESTIMONY WHEREOF, I have signed my name officially and caused the Seal of the State to be affixed hereto at Austin, this 15th day of June, 2017.

(Seal)

/s/Greg Abbott
Governor of Texas

ATTESTED BY:

/s/Rolando B. Pablos
Secretary of State

PROCLAMATION
BY THE
GOVERNOR OF THE STATE OF TEXAS

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Pursuant to Article IV, Section 14, of the Texas Constitution, I, Greg Abbott, Governor of Texas, do hereby disapprove of and veto Senate Bill No. 667 as passed by the Eighty-Fifth Texas Legislature, Regular Session, because of the following objections:

This session the Legislature passed, and I have signed, several bills that improve the guardianship system in Texas. This is an important endeavor, and I look forward to seeing the effect of these needed reforms during the interim. Senate Bill 667 would have created a large new staff of state employees to oversee local guardianship arrangements at a cost of over \$5 million a biennium. We should give the new statutory reforms a chance to work, and we should continue to look for cost-effective ways to address this challenge. The creation of a new state bureaucracy should be a last resort.

Since the Eighty-Fifth Texas Legislature, Regular Session, by its adjournment has prevented the return of this bill, I am filing these objections in the office of the Secretary of State and giving notice thereof by this public proclamation according to the aforementioned constitutional provision.

IN TESTIMONY WHEREOF, I have signed my name officially and caused the Seal of the State to be affixed hereto at Austin, this 15th day of June, 2017.

(Seal)

/s/Greg Abbott
Governor of Texas

ATTESTED BY:
/s/Rolando B. Pablos
Secretary of State

PROCLAMATION
BY THE
GOVERNOR OF THE STATE OF TEXAS

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Pursuant to Article IV, Section 14, of the Texas Constitution, I, Greg Abbott, Governor of Texas, do hereby disapprove of and veto Senate Bill No. 670 as passed by the Eighty-Fifth Texas Legislature, Regular Session, because of the following objections:

The commissioner of the Department of State Health Services is currently appointed by the executive commissioner of the Health and Human Services Commission, a gubernatorial appointee. This arrangement works well. Senate Bill 670 would have required direct gubernatorial appointment of the commissioner of DSHS. That is not needed.

Since the Eighty-Fifth Texas Legislature, Regular Session, by its adjournment has prevented the return of this bill, I am filing these objections in the office of the Secretary of State and giving notice thereof by this public proclamation according to the aforementioned constitutional provision.

IN TESTIMONY WHEREOF, I have signed my name officially and caused the Seal of the State to be affixed hereto at Austin, this 15th day of June, 2017.

(Seal)

/s/Greg Abbott
Governor of Texas

ATTESTED BY:
/s/Rolando B. Pablos
Secretary of State

PROCLAMATION
BY THE
GOVERNOR OF THE STATE OF TEXAS

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Pursuant to Article IV, Section 14, of the Texas Constitution, I, Greg Abbott, Governor of Texas, do hereby disapprove of and veto Senate Bill No. 744 as passed by the Eighty-Fifth Texas Legislature, Regular Session, because of the following objections:

Cities telling landowners what they can and cannot do with the trees in their own backyard is an assault on private property rights. Senate Bill 744 appears to be a compromise bill that imposes a very minor restriction on some municipal tree ordinances. But in doing so, it gives the imprimatur of state law to the municipal micromanagement of private property, which should be abolished altogether. This bill was well-intentioned, but by the end of the legislative process it actually ended up doing more to protect cities than it did to protect the rights of property owners. I applaud the bill authors for their efforts, but I believe we can do better for private property owners in the upcoming special session.

Since the Eighty-Fifth Texas Legislature, Regular Session, by its adjournment has prevented the return of this bill, I am filing these objections in the office of the Secretary of State and giving notice thereof by this public proclamation according to the aforementioned constitutional provision.

IN TESTIMONY WHEREOF, I have signed my name officially and caused the Seal of the State to be affixed hereto at Austin, this 15th day of June, 2017.

(Seal)

/s/Greg Abbott
Governor of Texas

ATTESTED BY:
/s/Rolando B. Pablos
Secretary of State

PROCLAMATION
BY THE
GOVERNOR OF THE STATE OF TEXAS

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Pursuant to Article IV, Section 14, of the Texas Constitution, I, Greg Abbott, Governor of Texas, do hereby disapprove of and veto Senate Bill No. 790 as passed by the Eighty-Fifth Texas Legislature, Regular Session, because of the following objections:

The Women's Health Advisory Committee was created last session "to provide recommendations to [the Health and Human Services Commission] on the consolidation of women's health programs." By law, the Committee is set to expire in September 2017. The Committee fulfilled its statutory charge after the women's health programs at HHSC were successfully consolidated under the Healthy Texas Women's Program, which launched in July of 2016. The Committee's purpose has been served, and it should be allowed to expire as was promised when it was created last session. In addition, the HHSC executive commissioner is already authorized by the

Government Code to maintain advisory committees "across all major areas of the health and human services system," so there is no need to continue a particular legislative mandate for a committee that, by law, has achieved its legislative mandate.

Senate Bill 790 does nothing more than extend the expiration date of a governmental committee that has already successfully completed its mission. Rather than prolong government committees beyond their expiration date, the State should focus on programs that address more clearly identifiable needs, like my call for action to address the maternal mortality rate during the special session.

Since the Eighty-Fifth Texas Legislature, Regular Session, by its adjournment has prevented the return of this bill, I am filing these objections in the office of the Secretary of State and giving notice thereof by this public proclamation according to the aforementioned constitutional provision.

IN TESTIMONY WHEREOF, I have signed my name officially and caused the Seal of the State to be affixed hereto at Austin, this 15th day of June, 2017.

(Seal)

/s/Greg Abbott
Governor of Texas

ATTESTED BY:
/s/Rolando B. Pablos
Secretary of State

PROCLAMATION
BY THE
GOVERNOR OF THE STATE OF TEXAS

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Pursuant to Article IV, Section 14, of the Texas Constitution, I, Greg Abbott, Governor of Texas, do hereby disapprove of and veto Senate Bill No. 813 as passed by the Eighty-Fifth Texas Legislature, Regular Session, because of the following objections:

State agencies should be held accountable when they abuse their authority. There are many ways to accomplish that goal other than by enticing trial lawyers to sue the taxpayers for damages. Senate Bill 813 is well-intentioned, but it subjects the State to the possibility of extensive financial liability. Under the bill, taxpayer liability would be triggered any time a judge decides the State's action is "unreasonable," a vague and broad standard that varies with the eye of the beholder. This financial liability would be borne by the taxpayers, not by the bureaucrats who caused the problem. The bill was inspired by legitimate concerns about regulatory overreach, but exposing the State fisc to limitless jury verdicts is not the right solution.

Since the Eighty-Fifth Texas Legislature, Regular Session, by its adjournment has prevented the return of this bill, I am filing these objections in the office of the Secretary of State and giving notice thereof by this public proclamation according to the aforementioned constitutional provision.

IN TESTIMONY WHEREOF, I have signed my name officially and caused the Seal of the State to be affixed hereto at Austin, this 15th day of June, 2017.

(Seal)

/s/Greg Abbott
Governor of Texas

ATTESTED BY:
/s/Rolando B. Pablos
Secretary of State

PROCLAMATION
BY THE
GOVERNOR OF THE STATE OF TEXAS

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Pursuant to Article IV, Section 14, of the Texas Constitution, I, Greg Abbott, Governor of Texas, do hereby disapprove of and veto Senate Bill No. 830 as passed by the Eighty-Fifth Texas Legislature, Regular Session, because of the following objections:

Senate Bill 830 imposes burdensome new regulatory and paperwork requirements on those who offer seller-financed mortgages. This sort of regulation could increase the price and reduce the availability of these mortgages.

Since the Eighty-Fifth Texas Legislature, Regular Session, by its adjournment has prevented the return of this bill, I am filing these objections in the office of the Secretary of State and giving notice thereof by this public proclamation according to the aforementioned constitutional provision.

IN TESTIMONY WHEREOF, I have signed my name officially and caused the Seal of the State to be affixed hereto at Austin, this 15th day of June, 2017.

(Seal)

/s/Greg Abbott
Governor of Texas

ATTESTED BY:
/s/Rolando B. Pablos
Secretary of State

PROCLAMATION
BY THE
GOVERNOR OF THE STATE OF TEXAS

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Pursuant to Article IV, Section 14, of the Texas Constitution, I, Greg Abbott, Governor of Texas, do hereby disapprove of and veto Senate Bill No. 1215 as passed by the Eighty-Fifth Texas Legislature, Regular Session, because of the following objections:

Senate Bill 1215 creates a joint interim committee of the Legislature to study construction contracts. The House and Senate can, and do, study topics in the interim without passage of a law. Legislation mandating legislative studies and legislative interim committees is unnecessary. The Legislature is free to study construction contracts with or without this bill.

Since the Eighty-Fifth Texas Legislature, Regular Session, by its adjournment has prevented the return of this bill, I am filing these objections in the office of the Secretary of State and giving notice thereof by this public proclamation according to the aforementioned constitutional provision.

IN TESTIMONY WHEREOF, I have signed my name officially and caused the Seal of the State to be affixed hereto at Austin, this 15th day of June, 2017.

(Seal)

/s/Greg Abbott
Governor of Texas

ATTESTED BY:

/s/Rolando B. Pablos
Secretary of State

PROCLAMATION
BY THE
GOVERNOR OF THE STATE OF TEXAS

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Pursuant to Article IV, Section 14, of the Texas Constitution, I, Greg Abbott, Governor of Texas, do hereby disapprove of and veto Senate Bill No. 1444 as passed by the Eighty-Fifth Texas Legislature, Regular Session, because of the following objections:

Associate judges are employees of the court who do not exercise the judicial power of the State on their own. They act only pursuant to the delegated authority of an elected judge. Senate Bill 1444 makes certain judgments entered by associate judges unappealable to the elected judge overseeing the case. The bill would expand the power of unelected judges while contracting the legal options of parties who appear before them. Other aspects of Senate Bill 1444 had merit. The Legislature should reconsider them next session.

Since the Eighty-Fifth Texas Legislature, Regular Session, by its adjournment has prevented the return of this bill, I am filing these objections in the office of the Secretary of State and giving notice thereof by this public proclamation according to the aforementioned constitutional provision.

IN TESTIMONY WHEREOF, I have signed my name officially and caused the Seal of the State to be affixed hereto at Austin, this 15th day of June, 2017.

(Seal)

/s/Greg Abbott
Governor of Texas

ATTESTED BY:
/s/Rolando B. Pablos
Secretary of State

PROCLAMATION
BY THE
GOVERNOR OF THE STATE OF TEXAS

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Pursuant to Article IV, Section 14, of the Texas Constitution, I, Greg Abbott, Governor of Texas, do hereby disapprove of and veto Senate Bill No. 1525 as passed by the Eighty-Fifth Texas Legislature, Regular Session, because of the following objections:

The Texas Water Development Board can perform the study mandated by Senate Bill 1525 with or without this legislation.

Since the Eighty-Fifth Texas Legislature, Regular Session, by its adjournment has prevented the return of this bill, I am filing these objections in the office of the Secretary of State and giving notice thereof by this public proclamation according to the aforementioned constitutional provision.

IN TESTIMONY WHEREOF, I have signed my name officially and caused the Seal of the State to be affixed hereto at Austin, this 15th day of June, 2017.

(Seal)

/s/Greg Abbott
Governor of Texas

ATTESTED BY:
/s/Rolando B. Pablos
Secretary of State

PROCLAMATION
BY THE
GOVERNOR OF THE STATE OF TEXAS

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Pursuant to Article IV, Section 14, of the Texas Constitution, I, Greg Abbott, Governor of Texas, do hereby disapprove of and veto Senate Bill No. 1743 as passed by the Eighty-Fifth Texas Legislature, Regular Session, because of the following objections:

The duties prescribed by Senate Bill 1743 can be performed by the Health and Human Services Commission using existing resources. Executive branch functions need not be assigned to universities.

Since the Eighty-Fifth Texas Legislature, Regular Session, by its adjournment has prevented the return of this bill, I am filing these objections in the office of the Secretary of State and giving notice thereof by this public proclamation according to the aforementioned constitutional provision.

IN TESTIMONY WHEREOF, I have signed my name officially and caused the Seal of the State to be affixed hereto at Austin, this 15th day of June, 2017.

(Seal)

/s/Greg Abbott
Governor of Texas

ATTESTED BY:
/s/Rolando B. Pablos
Secretary of State

PROCLAMATION
BY THE
GOVERNOR OF THE STATE OF TEXAS

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Pursuant to Article IV, Section 14, of the Texas Constitution, I, Greg Abbott, Governor of Texas, do hereby disapprove of and veto Senate Bill No. 1912 as passed by the Eighty-Fifth Texas Legislature, Regular Session, because of the following objections:

Parts of Senate Bill 1912 are beneficial, but other parts go too far in expanding government. The law already mandates that courts appoint attorneys to represent defendants in cases where the government seeks court-ordered mental health services. Permanent new government offices dedicated to this function are unnecessary. Private attorneys are capable of handling these cases without the expense of a new county bureaucracy.

Since the Eighty-Fifth Texas Legislature, Regular Session, by its adjournment has prevented the return of this bill, I am filing these objections in the office of the Secretary of State and giving notice thereof by this public proclamation according to the aforementioned constitutional provision.

IN TESTIMONY WHEREOF, I have signed my name officially and caused the Seal of the State to be affixed hereto at Austin, this 15th day of June, 2017.

(Seal)

/s/Greg Abbott
Governor of Texas

ATTESTED BY:
/s/Rolando B. Pablos
Secretary of State

PROCLAMATION
BY THE
GOVERNOR OF THE STATE OF TEXAS

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Pursuant to Article IV, Section 14, of the Texas Constitution, I, Greg Abbott, Governor of Texas, do hereby disapprove of and veto Senate Bill No. 1992 as passed by the Eighty-Fifth Texas Legislature, Regular Session, because of the following objections:

Existing law governing the density of subsidized housing in large cities should remain in place, and Travis County should be subject to the same rules as Bexar, Dallas, Harris, and Tarrant counties.

Since the Eighty-Fifth Texas Legislature, Regular Session, by its adjournment has prevented the return of this bill, I am filing these objections in the office of the Secretary of State and giving notice thereof by this public proclamation according to the aforementioned constitutional provision.

IN TESTIMONY WHEREOF, I have signed my name officially and caused the Seal of the State to be affixed hereto at Austin, this 15th day of June, 2017.

(Seal)

/s/Greg Abbott
Governor of Texas

ATTESTED BY:
/s/Rolando B. Pablos
Secretary of State

In Memory
of
Natalie Cowen Gonzalez
Senate Resolution 885

WHEREAS, The Senate of the State of Texas honors and commemorates the life of Natalie Cowen Gonzalez, who died April 15, 2017, at the age of 43; and

WHEREAS, Natalie Gonzalez was born June 29, 1973, in Denton; she graduated from Pace High School in Brownsville in 1991 and from The University of Texas at Austin School of Journalism in 1997; and

WHEREAS, Her professional life included stints in advertising and marketing, public relations, and corporate talent recruiting; she received frequent recognition for her work, and she was honored to be elected chair of the Houston Chapter of the American Advertising Federation; and

WHEREAS, A devout Christian who practiced her faith in her daily life, she served as director of an Early Childhood ministry and worked as a Christian life coach; she was an avid traveler whose journeys included a mission trip to Uganda; and

WHEREAS, She and her beloved husband, Ignacio Gonzalez, were blessed with two daughters, Mia and Ava; she took great pride in her family's talents and artistic endeavors; and

WHEREAS, A woman of courage, grace, and compassion, she gave unselfishly to others, and her strong principles, her generous spirit, and her enthusiasm for living each day to the fullest will not be forgotten; and

WHEREAS, She was a devoted daughter, wife, and mother, and she leaves behind memories that will be cherished forever by her family and many friends; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 85th Legislature, hereby extend sincere condolences to the bereaved family of Natalie Cowen Gonzalez; and, be it further

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

LUCIO

