

SENATE JOURNAL

EIGHTY-SIXTH LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

THIRD DAY

(Wednesday, January 16, 2019)

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: Alvarado, Bettencourt, Birdwell, Buckingham, Campbell, Creighton, Fallon, Flores, Hall, Hancock, Hinojosa, Huffman, Hughes, Johnson, Kolkhorst, Lucio, Menéndez, Miles, Nelson, Nichols, Paxton, Perry, Powell, Rodríguez, Schwertner, Seliger, Taylor, Watson, West, Whitmire, Zaffirini.

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

Pastor Randy Weaver, Lone Star Cowboy Church, Montgomery, accompanied by his wife, Darla, was introduced by the President and offered the invocation as follows:

Heavenly Father, once again we are privileged to stand before You, to serve You first, and to serve the people of this great State of Texas. Help us to embrace Your truth over tolerance by realizing that historically self-defined tolerance galvanizes. Only Your truth consistently sets us free. We realize that freedom only comes from You, Your word, and our obedience to the moral standard of Your word. Help us to stand fast in the liberty wherein You have made us free. Please help us to understand in this legislative circle that politics is not about getting our own way. When You, Father God, get Your way, we as a state and as a nation are truly blessed because we have honored You. As You said in Your word, the nation that forgets God will surely die. May we, as leaders in this great state, not only acknowledge You, but submit and follow You with kindness, discipline, and love for the people You have entrusted to us. May each legislator follow Your example of faithfulness and sacrifice. May Your vision for Texas and these United States of America be fulfilled in their personal lives as well as their public lives. For as they serve, every move they make is noted. Therefore, may each one serve with patience, wisdom, and favor from Your throne room. Help each of us to seek first Your eternal kingdom, not our own temporal kingdom, to seek first Your righteousness and not our own self-defined righteousness. Then let all of these other things be added unto us so we may be doers of Your word and not hearers only. Please bless all of the families that are represented here as we lead our homes, our

marriages, and our children well. Father, our ultimate goal is to live our lives in a way that when our life becomes a period instead of a comma, we will stand before You to give an account for what we have done. As we follow You, may we each hear Your words, well done good and faithful servant, enter thou into the joys of the Lord. In Jesus' name I pray. Amen.

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

The motion prevailed without objection.

RESOLUTIONS SIGNED

The President announced the signing of the following enrolled resolutions in the presence of the Senate: **HCR 26, SCR 3, SCR 4.**

PHYSICIAN OF THE DAY

Senator Hinojosa was recognized and presented Dr. Jose Hinojosa of Corpus Christi as the Physician of the Day.

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

SENATE RESOLUTION 17

Senator Bettencourt offered the following resolution:

SR 17, Welcoming Mayor James Collins and a delegation from Limerick, Ireland.

The resolution was read and was adopted without objection.

GUESTS PRESENTED

Senator Bettencourt was recognized and introduced to the Senate the Honorable James Collins, Mayor of the City and County Council of Limerick; Adrian Farrell, Consul General of Ireland in Austin; Conn Murray, Chief Executive of Limerick County; and a delegation from Limerick City, Ireland.

The Senate welcomed its guests.

SENATE RESOLUTION 14

Senator West offered the following resolution:

SR 14, In memory of Herbert David Kelleher.

The resolution was read.

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

On motion of Senator West, **SR 14** was adopted by a rising vote of the Senate.

In honor of the memory of Herbert David Kelleher, the text of the resolution is printed at the end of today's *Senate Journal*.

SENATE BILL ON FIRST READING

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

SB 1 by Nelson
General Appropriations Bill.
To Committee on Finance.

HOUSE CONCURRENT RESOLUTION 6

The President laid before the Senate the following resolution:

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

RESOLVED by the 86th Legislature of the State of Texas, That each house grant the other permission to adjourn for more than three days during the period beginning on Wednesday, January 16, 2019, and ending on Tuesday, January 22, 2019.

WHITMIRE

HCR 6 was read.

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

CO-AUTHORS OF SENATE BILL 63

On motion of Senator Nelson, Senators Alvarado, Hancock, Johnson, Nichols, Powell, and West will be shown as Co-authors of **SB 63**.

CO-AUTHOR OF SENATE BILL 90

On motion of Senator Menéndez, Senator Johnson will be shown as Co-author of **SB 90**.

CO-AUTHOR OF SENATE BILL 116

On motion of Senator Menéndez, Senator Flores will be shown as Co-author of **SB 116**.

CO-AUTHOR OF SENATE BILL 118

On motion of Senator West, Senator Johnson will be shown as Co-author of **SB 118**.

CO-AUTHOR OF SENATE BILL 156

On motion of Senator Rodríguez, Senator Johnson will be shown as Co-author of **SB 156**.

RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

Memorial Resolutions

SR 8 by Hughes, In memory of Mary Undeen Cooper Thompson.

SR 9 by Hughes, In memory of Lawton Edward Bennett.

SR 11 by Hughes, In memory of Joseph Merrel Crawford.

SR 15 by Hinojosa, In memory of Barbara Passmore Cline.

Congratulatory Resolutions

SR 7 by Hinojosa, Recognizing the H. Boyd Hall Branch of the NAACP on the occasion of its 100th anniversary.

SR 10 by Creighton, Recognizing the Global Studies Academy on the occasion of its Global Issues Summit.

SR 12 by Hughes, Recognizing Carol Greer for her contributions to the Hallsville community.

SR 16 by Hughes, Commemorating the closing of Gonzalo's Mexican Restaurant in Longview.

Official Designation Resolution

SR 13 by Hughes, Recognizing January 15, 2019, as Expanded Learning Opportunities (ELO) Day.

ADJOURNMENT

On motion of Senator Whitmire, the Senate at 12:03 p.m. adjourned, in memory of Herbert David Kelleher, until 11:00 a.m. Tuesday, January 22, 2019.

APPENDIX

RESOLUTIONS ENROLLED

January 15, 2019

SCR 3, SCR 4

SENT TO SECRETARY OF STATE

January 16, 2019

SCR 3, SCR 4

In Memory
of
Herbert David Kelleher
Senate Resolution 14

WHEREAS, The Senate of the State of Texas honors and commemorates the life of Herbert David Kelleher, who died January 3, 2019, at the age of 87; and

WHEREAS, Herb Kelleher was a treasured Texas citizen with a larger-than-life personality; he was also a savvy entrepreneur whose foresight, shrewd business sense, and flair for unique and engaging marketing strategies helped launch an airline that revolutionized air travel in the United States; and

WHEREAS, Herb Kelleher was born on March 12, 1931, in Camden, New Jersey; he graduated from Haddon Heights High School in Audubon and earned a degree from Wesleyan University, where he was an Olin Scholar; he earned his law degree from New York University, and he practiced law on the East Coast for a time before moving to Texas to establish his own law firm; and

WHEREAS, In 1967, Mr. Kelleher and his client, Rollin King, created Air Southwest, Incorporated, with the idea of instituting low-fare airline service within Texas; after a name change and numerous legal battles, Southwest Airlines began service on June 18, 1971; Herb served as the company's legal counsel, and later, as its president, chief executive officer, and chairman; and

WHEREAS, Due to Herb's vision and leadership, Southwest Airlines grew from a carrier with only three airplanes to become one of the largest airlines in the country; by 2008, the airline operated with a fleet of more than 500 airplanes that completed more than 3,400 flights each day; between 1972 and 2002, the company produced the highest return to shareholders of any company listed in the Standard and Poor's 500 during that period; and

WHEREAS, Herb Kelleher became the public face of the airline through his colorful appearances at events and on a variety of television commercials; he played a major role in cultivating the company's stimulating and friendly work environment and was beloved by the airline's employees, and in 1998, *Fortune* magazine named Southwest Airlines the Best Place to Work in America; it remains the only airline named to the magazine's top 10 list of the World's Most Admired Companies; and

WHEREAS, Herb received countless awards over the course of his career and was inducted into the United States Chamber Business Leadership Hall of Fame and the National Aviation Hall of Fame; he stepped down as the airline's president and chief executive officer in 2001, and he retired as chairman in 2008; and

WHEREAS, He was a devoted husband to his wife of 64 years, Joan Negley Kelleher, a loving father to his four children, Michael Kelleher, Ruth Agather, David Kelleher, and the late Julie Stacey, and a doting grandfather to his nine grandchildren, and he leaves behind memories that will be treasured forever by all who were privileged to share in his life; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 86th Legislature, hereby extend sincere condolences to the bereaved family of Herbert David Kelleher; and, be it further

RESOLVED, That a copy of this Resolution be prepared for his 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 Herb Kelleher.

WEST