

# SENATE JOURNAL

EIGHTY-SIXTH LEGISLATURE — REGULAR SESSION

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AUSTIN, TEXAS

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PROCEEDINGS

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TWELFTH DAY

(Tuesday, February 12, 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 Frank Pomeroy, First Baptist Church, Sutherland Springs, was introduced by Senator Taylor and offered the invocation as follows:

Dear heavenly Father, omnipotent Lord who is able to be both God in this nation, in this great State of Texas, and in our individual lives simultaneously, it is in much humility that we come before You this morning and ask for You to please imbue every Senator that is here this morning with the wisdom, grace, and mercy that is both required and needed to be able to truly work together for the betterment of their constituents. I pray this day, Lord, that You will pour out Your heavenly anointing upon this place of power so that Your power and grace will shine forth from the decisions that these Senators will make and, thereby, allow the rest of this nation and the world to see the glow of an almighty God emanating from this great State of Texas. God, we ask You to bless this nation, bless this body of decision makers, and God bless Texas. 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.

## GUESTS PRESENTED

Senator Hughes was recognized and introduced to the Senate a Green Acres Baptist Church delegation, accompanied by Glenn Jones, Joyce Gouldie, Frances Keaton, Cathy Parks, Lynne Morris, Wesley Beene, Darlene Beene, and Ken Getsee.

The Senate welcomed its guests.

**SENATE RESOLUTION 89**

Senators Creighton offered the following resolution:

**SR 89**, Recognizing February 11 and 12, 2019, as Golden Triangle Days.

CREIGHTON  
NICHOLS

The resolution was read and was adopted without objection.

**GUESTS PRESENTED**

Senator Creighton, joined by Senator Nichols, was recognized and introduced to the Senate a Golden Triangle Days delegation including Jefferson County Judge Jeff Branick, Orange County Commissioner John Gothia, Beaumont Mayor Becky Ames, Orange Mayor Larry Spears, and Port Arthur Mayor Derrick Freeman.

The Senate welcomed its guests.

**GUESTS PRESENTED**

Senator Alvarado, joined by Senator Taylor, was recognized and introduced to the Senate a Madison Jobe Senior Center delegation including Steve Coycault, Lou Ann Nolan, Eric Muecke, Julie Lopez, and Jesus Sanchez.

The Senate welcomed its guests.

**PHYSICIAN OF THE DAY**

Senator Schwertner was recognized and presented Dr. Anuj Sharma of Round Rock, accompanied by Monique Au, as the Physician of the Day.

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

**GUESTS PRESENTED**

Senator Bettencourt was recognized and introduced to the Senate representatives of the Harris County Republican Party Training and Development Committee including Charlotte Lampe.

The Senate welcomed its guests.

**SENATE RESOLUTION 145**

Senator Miles offered the following resolution:

**SR 145**, Recognizing February 12, 2019, as University of Houston Day.

The resolution was read and was adopted without objection.

**GUESTS PRESENTED**

Senator Miles, joined by Senator West, was recognized and introduced to the Senate a delegation of students, faculty, and staff from the University of Houston including Chancellor Renu Khator; Regents Peter Taaffe, Gerald McElvy, and Jack Moore; and Student Regent Andrew Teoh.

The Senate welcomed its guests.

**MESSAGE FROM THE HOUSE**

HOUSE CHAMBER

Austin, Texas

Tuesday, February 12, 2019 - 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 46** Harris  
Recognizing February 9 to 16, 2019, as Texas Court Reporting and Captioning Week.

**HCR 63** Hefner  
Congratulating John Cortelyou on his retirement as Camp County constable.

**SCR 16** Whitmire Sponsor: Moody  
Granting the legislature permission to adjourn for more than three days during the period beginning on Wednesday, February 13, 2019, and ending on Tuesday, February 19, 2019.

Respectfully,

/s/Robert Haney, Chief Clerk  
House of Representatives

**RESOLUTIONS SIGNED**

The President announced the signing of the following enrolled resolutions in the presence of the Senate: **HCR 44, HCR 45, HCR 52.**

**(Senator West in Chair)****GUESTS PRESENTED**

Senator Buckingham was recognized and introduced to the Senate representatives of the Real Estate Council of Austin.

The Senate welcomed its guests.

**(President in Chair)****GUESTS PRESENTED**

Senator Nichols was recognized and introduced to the Senate a Leadership Jacksonville delegation.

The Senate welcomed its guests.

**GUESTS PRESENTED**

Senator Nelson, joined by Senators Paxton and Fallon, was recognized and introduced to the Senate a City of Frisco delegation.

The Senate welcomed its guests.

### **GUESTS PRESENTED**

Senator Schwertner was recognized and introduced to the Senate a Walker County delegation.

The Senate welcomed its guests.

### **SENATE RESOLUTION 144**

Senator Miles offered the following resolution:

WHEREAS, Dr. James P. Allison, chair of the department of immunology at The University of Texas MD Anderson Cancer Center in Houston, was awarded the 2018 Nobel Prize in Physiology or Medicine; and

WHEREAS, A world-renowned scientist and pioneer in cancer immunotherapy, Dr. Allison received the award jointly with Japanese immunologist Tasuku Honjo for their independent discovery of cancer therapies that stimulate the immune system to attack tumor cells; during Dr. Allison's research of T cells, white blood cells that regulate a wide range of immune responses, he found that deactivating the protein CTLA-4 can unleash the body's power to fight back against malignant tumors; and

WHEREAS, Dr. Allison earned his doctoral degree at The University of Texas at Austin; the executive director of the Immunotherapy Platform at MD Anderson Cancer Center, he is also the center's Vivian L. Smith Distinguished Chair in Immunology and the director of the Parker Institute for Cancer Immunotherapy; among his myriad honors, he is a member of the National Academies of Science and Medicine, and he was recognized with the Lasker-DeBakey Clinical Medical Research Award in 2015; and

WHEREAS, The groundbreaking contributions of Dr. James Allison have placed him at the forefront of a promising new field of cancer research, and his efforts are inspiring other scientists in the Lone Star State and beyond; now, therefore, be it

RESOLVED, That the Senate of the 86th Texas Legislature hereby congratulate Dr. James P. Allison on his receipt of the 2018 Nobel Prize in Physiology or Medicine and extend to him sincere best wishes for continued success with his important work; and, be it further

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

**SR 144** was read and was adopted without objection.

### **GUESTS PRESENTED**

Senator Miles, joined by Senators Nelson, Huffman, Lucio, Bettencourt, and Hinojosa, was recognized and introduced to the Senate 2018 Nobel Prize Winner James P. Allison, accompanied by Padmanee Sharma, Peter WT Pisters, and James Milliken.

The Senate welcomed its guests.

### **GUESTS PRESENTED**

Senator Watson was recognized and introduced to the Senate a Justices of the Peace and Constables Association of Texas delegation.

The Senate welcomed its guests.

### **GUESTS PRESENTED**

Senator Schwertner was recognized and introduced to the Senate representatives of the Bryan-College Station Chamber of Commerce including College Station Mayor Karl Mooney.

The Senate welcomed its guests.

### **SENATE RESOLUTION 37**

Senator Birdwell offered the following resolution:

**SR 37**, Recognizing February 12, 2019, as Baylor Day.

BIRDWELL	PAXTON
HANCOCK	TAYLOR
HUGHES	WATSON

The resolution was read and was adopted without objection.

### **GUESTS PRESENTED**

Senator Birdwell was recognized and introduced to the Senate a delegation of students, professors, and representatives of Baylor University including President Linda Livingstone, Board of Regents Chair Joel Allison, Regent Jerry Clements, Robyn Driskell, and General Counsel Chris Holmes.

The Senate welcomed its guests.

### **GUESTS PRESENTED**

Senator Birdwell, joined by Senators Watson, Campbell on behalf of Zaffirini, Nelson, and Taylor, was recognized and introduced to the Senate Bob Bullock Scholars Catherine Haseman, Kaitlin Kassal, Amelia Tidwell, Jackie Wittry, Tanner Wright, and Sara Beth Toben, accompanied by James Curry, Director of the Bob Bullock Scholars Program of Baylor University.

The Senate welcomed its guests.

### **SENATE RESOLUTION 142**

Senator Perry offered the following resolution:

**SR 142**, Recognizing February 12, 2019, as Texas Juvenile Justice Professional Day.

The resolution was read and was adopted without objection.

### **GUESTS PRESENTED**

Senator Perry was recognized and introduced to the Senate a Texas Juvenile Justice System delegation.

The Senate welcomed its guests.

### **GUESTS PRESENTED**

Senator Kolkhorst was recognized and introduced to the Senate a Wharton County delegation.

The Senate welcomed its guests.

**GUESTS PRESENTED**

Senator Lucio was recognized and introduced to the Senate a Texas Bleeding Disorders Coalition delegation.

The Senate welcomed its guests.

**GUESTS PRESENTED**

Senator Flores was recognized and introduced to the Senate a Maverick County delegation including David R. Saucedo, Gerardo Morales, Rosy Cantu, Roberto Ruiz, Tom Schmerber, Leopoldo Vielma, Rito Valdez, Mario Hernandez, Linda Schmerber, Sandra Cantu, Marlett Rivera, Robert de Leon, Marisol Arroyo, Ignacio Saucedo, and Mario Rodriguez.

The Senate welcomed its guests.

**GUESTS PRESENTED**

Senator Alvarado was recognized and introduced to the Senate an East End Chamber of Commerce delegation including President Frances Castañeda Dyess, Michael Walter, Joy Horak-Brown, Michael Bankston, Gilda Ramirez, and Diana Trevino.

The Senate welcomed its guests.

**SENATE RESOLUTION 183**

Senator Lucio, on behalf of Senator Menéndez, offered the following resolution:

**SR 183**, Recognizing February 12, 2019, as Rita L. Littlefield Kidney Day.

The resolution was read and was adopted without objection.

**GUESTS PRESENTED**

Senator Lucio, on behalf of Senator Menéndez, was recognized and introduced to the Senate a Texas Renal Coalition and Kidney Alliance of Texas delegation, accompanied by Rita L. Littlefield, representing Rita L. Littlefield Kidney Day.

The Senate welcomed its guests.

**GUESTS PRESENTED**

Senator Flores was recognized and introduced to the Senate a Dimmit County delegation including Valerie Rubalcaba, Estanislado Martinez, and Carlos Pereda.

The Senate welcomed its guests.

**GUEST PRESENTED**

Senator Hughes was recognized and introduced to the Senate Burl Richards, President of the Auto Body Association of Texas.

The Senate welcomed its guest.

**MESSAGE FROM THE GOVERNOR**

The following Message from the Governor was read and was referred to the Committee on Nominations:

February 12, 2019  
Austin, Texas

TO THE SENATE OF THE EIGHTY-SIXTH LEGISLATURE, REGULAR SESSION:

I ask the advice, consent and confirmation of the Senate with respect to the following appointment:

To be a member of the State Preservation Board for a term to expire February 1, 2021:

Alethea Swann Bugg  
San Antonio, Texas  
*(Ms. Bugg is being reappointed)*

Respectfully submitted,  
/s/Greg Abbott  
Governor

**CO-AUTHORS OF SENATE BILL 3**

On motion of Senator Nelson, Senators Campbell, Huffman, Kolkhorst, Miles, Paxton, and Whitmire will be shown as Co-authors of **SB 3**.

**CO-AUTHOR OF SENATE BILL 31**

On motion of Senator Zaffirini, Senator Kolkhorst will be shown as Co-author of **SB 31**.

**CO-AUTHOR OF SENATE BILL 66**

On motion of Senator Nelson, Senator Hall will be shown as Co-author of **SB 66**.

**CO-AUTHOR OF SENATE BILL 70**

On motion of Senator Nelson, Senator Lucio will be shown as Co-author of **SB 70**.

**CO-AUTHOR OF SENATE BILL 97**

On motion of Senator Menéndez, Senator Hall will be shown as Co-author of **SB 97**.

**CO-AUTHOR OF SENATE BILL 128**

On motion of Senator Hinojosa, Senator Hall will be shown as Co-author of **SB 128**.

**CO-AUTHOR OF SENATE BILL 170**

On motion of Senator Perry, Senator Campbell will be shown as Co-author of **SB 170**.

**CO-AUTHOR OF SENATE BILL 190**

On motion of Senator Menéndez, Senator Hall will be shown as Co-author of **SB 190**.

**CO-AUTHOR OF SENATE BILL 201**

On motion of Senator Huffman, Senator Kolkhorst will be shown as Co-author of **SB 201**.

**CO-AUTHOR OF SENATE BILL 227**

On motion of Senator Bettencourt, Senator Kolkhorst will be shown as Co-author of **SB 227**.

**CO-AUTHOR OF SENATE BILL 338**

On motion of Senator Huffman, Senator Hinojosa will be shown as Co-author of **SB 338**.

**CO-AUTHOR OF SENATE BILL 339**

On motion of Senator Huffman, Senator Kolkhorst will be shown as Co-author of **SB 339**.

**CO-AUTHOR OF SENATE BILL 374**

On motion of Senator Hall, Senator Kolkhorst will be shown as Co-author of **SB 374**.

**CO-AUTHORS OF SENATE BILL 393**

On motion of Senator Huffman, Senators Birdwell, Hughes, and Kolkhorst will be shown as Co-authors of **SB 393**.

**CO-AUTHOR OF SENATE BILL 500**

On motion of Senator Nelson, Senator Kolkhorst will be shown as Co-author of **SB 500**.

**CO-AUTHOR OF SENATE BILL 526**

On motion of Senator Kolkhorst, Senator Powell will be shown as Co-author of **SB 526**.

**CO-AUTHOR OF SENATE BILL 635**

On motion of Senator Flores, Senator Kolkhorst will be shown as Co-author of **SB 635**.

**CO-AUTHOR OF SENATE JOINT RESOLUTION 10**

On motion of Senator Buckingham, Senator Kolkhorst will be shown as Co-author of **SJR 10**.

**RESOLUTIONS OF RECOGNITION**

The following resolutions were adopted by the Senate:

**Congratulatory Resolutions**

**SR 184** by Rodríguez, Recognizing The University of Texas at El Paso for attaining the R1 designation.

**SR 188** by Schwertner, Recognizing the 2019 Texas Birthday Bash in Navasota.

**SR 189** by Schwertner, Congratulating Reb and Nancy Bacchus on the occasion of their 50th anniversary.

**HCR 63** (Hughes), Congratulating John Cortelyou on his retirement as Camp County constable.

**Official Designation Resolution**

**SR 187** by Watson, Proclaiming June of 2019 Kier's Hope Sickle Cell Awareness Month.

**ADJOURNMENT**

On motion of Senator Whitmire, the Senate at 12:40 p.m. adjourned until 11:00 a.m. tomorrow.

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**APPENDIX**

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**RESOLUTIONS ENROLLED**

February 11, 2019

**SR 132, SR 146, SR 147, SR 148, SR 149, SR 150, SR 151, SR 152, SR 153, SR 154, SR 155, SR 156, SR 157, SR 158, SR 159, SR 160, SR 161, SR 162, SR 163, SR 164, SR 165, SR 166, SR 167, SR 169, SR 170, SR 171, SR 172, SR 173, SR 174, SR 177, SR 178, SR 180, SR 181, SR 182**

