

SENATE JOURNAL

EIGHTY-SIXTH LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

SIXTEENTH DAY

(Monday, February 25, 2019)

The Senate met at 3:00 p.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 R. Robert Creech, First Baptist Church, Boerne, offered the invocation as follows:

Almighty God, You have instructed Your people to offer supplications, prayers, intercessions, and thanksgiving for everyone, for kings and all who are in high positions, so that we may lead a quiet and peaceable life in all godliness and dignity. Thank You for these men and women assembled here, serving the people of Texas at some cost to their own lives. We ask You to so guide and bless these Senators of our state that they may take such actions and enact such laws as shall please You and that shall provide for the welfare of this people. Grant them common purpose in a day of deep division, common concern for all the people of Texas in a day of deep need, and a common willingness to act with courage, wisdom, foresight, and compassion. May they glorify You in their deliberations and decisions this day. We humbly ask Your blessings on the people of Texas as well as upon the lands and waters of this beautiful state. 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.

PHYSICIAN OF THE DAY

Senator Johnson was recognized and presented Dr. Joe Ventimiglia of Dallas as the Physician of the Day.

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

SENATE RESOLUTION 239

Senator Hall offered the following resolution:

SR 239, Recognizing February 25, 2019, as Rockwall County Day.

The resolution was read and was adopted without objection.

GUESTS PRESENTED

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

The Senate welcomed its guests.

SENATE RESOLUTION 92

Senator Watson offered the following resolution:

SR 92, Recognizing February 25, 2019, as Association of Texas Professional Educators Day.

The resolution was again read.

The resolution was previously adopted on Wednesday, January 30, 2019.

GUESTS PRESENTED

Senator Watson, joined by Senator Hughes, was recognized and introduced to the Senate an Association of Texas Professional Educators delegation including state officers: President Byron Hildebrand, Vice-president Tonja Gray, Secretary Jimmy Lee, Past President Karen Hames, and Immediate Past President Carl Garner.

The Senate welcomed its guests.

SENATE RESOLUTION 248

Senator Hughes offered the following resolution:

SR 248, Congratulating The University of Texas at Tyler baseball team for winning a national championship.

The resolution was read and was adopted without objection.

GUESTS PRESENTED

Senator Hughes was recognized and introduced to the Senate The University of Texas at Tyler champion baseball team including Athletic Director Howard Patterson, Head Coach Brent Porche, and players Alex Bishop and Ben Romines.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Fallon was recognized and introduced to the Senate a Parker County delegation including Springtown Mayor Greg Hood and City Administrator David

Miller, Weatherford Councilmembers Kevin Cleveland and Curtis Tucker, Weatherford City Manager Sharon Hayes, Amy Walker, Tammy Gazzola, and Peggy Hutton.

The Senate welcomed its guests.

SENATE RESOLUTION 229

Senator Perry offered the following resolution:

SR 229, In memory of Ryan Keith Wallace.

The resolution was read.

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

On motion of Senator Perry, **SR 229** was adopted by a rising vote of the Senate.

In honor of the memory of Ryan Keith Wallace, the text of the resolution is printed at the end of today's *Senate Journal*.

Senator Perry was recognized and introduced to the Senate family and friends of Ryan Wallace.

The Senate welcomed its guests and extended its sympathy.

SENATE RESOLUTION 227

Senator Birdwell offered the following resolution:

SR 227, In memory of Garrett Willis Hull.

BIRDWELL
HANCOCK
NELSON
POWELL

The resolution was read.

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

On motion of Senator Birdwell, **SR 227** was adopted by a rising vote of the Senate.

In honor of the memory of Garrett Willis Hull, the text of the resolution is printed at the end of today's *Senate Journal*.

Senator Birdwell, joined by Senators Powell, Hancock, and Nelson, was recognized and introduced to the Senate family members of Garrett Willis Hull: Sabrina D. Hull, wife; Jordan Haenszel Hull and Tristen Gillespie Hull, daughters; James W. Hull, father; and Dalynne Hull, mother.

The Senate welcomed its guests and extended its sympathy.

SENATE RESOLUTION 211

Senator West offered the following resolution:

SR 211, Recognizing Parkland Memorial Hospital in Dallas on the occasion of its 125th anniversary.

The resolution was read and was adopted without objection.

GUESTS PRESENTED

Senator West, joined by Senator Johnson, was recognized and introduced to the Senate a Parkland Memorial Hospital delegation including Winfred Parnell, Chair, Board of Managers; Paula Dobbs-Wiggins, Vice-chair, Board of Managers; and Jennifer Rabaglia, Chief Quality and Safety Officer.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Kolkhorst, joined by Senators Miles, West, and Menéndez, was recognized and introduced to the Senate a Prairie View A&M University delegation, accompanied by President Ruth J. Simmons.

Senator Kolkhorst also introduced to the Senate a University of Houston-Victoria delegation, accompanied by President Robert K. Glenn.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Fallon was recognized and introduced to the Senate a Weatherford College delegation, accompanied by President Tod Farmer and Trustee Sue Coody.

The Senate welcomed its guests.

MESSAGES FROM THE GOVERNOR

The following Messages from the Governor were read and were referred to the Committee on Nominations:

February 21, 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 Justice of the Supreme Court of Texas, Place 8, for a term until December 31, 2020 or until his successor shall be duly elected and qualified:

Justin B. "Brett" Busby
Houston, Texas

(replacing Justice Philip W. "Phil" Johnson of Amarillo who resigned)

Respectfully submitted,

/s/Greg Abbott
Governor

February 22, 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 Texas Southern University Board of Regents for a term to expire February 1, 2023:

Ronald J. "Ron" Price

Mesquite, Texas

(replacing Oliver J. Bell of Cleveland who resigned)

Respectfully submitted,

/s/Greg Abbott

Governor

**NOMINATION RETURNED
(Motion In Writing)**

Senator Buckingham offered the following Motion In Writing:

Mr. President:

I move that the nomination of Kenny Koncaba, Jr. to the Texas Southern University Board of Regents be withdrawn from the Committee on Nominations, and I further move that the nomination be returned to the Governor pursuant to his request.

BUCKINGHAM

The Motion In Writing was read and prevailed without objection.

**SENATE BILL 15 REREFERRED
(Motion In Writing)**

Senator Creighton submitted a Motion In Writing requesting that **SB 15** be withdrawn from the Committee on Natural Resources and Economic Development and rereferred to the Committee on State Affairs.

The Motion In Writing was read and prevailed without objection.

AUTHOR WITHDRAWN

The following letter was received by the Secretary of the Senate:

THE SENATE OF THE STATE OF TEXAS

Senator José Menéndez

District 26

February 22, 2019

Mrs. Patsy Spaw

Secretary of the Senate

Room 2E.22, Texas State Capitol

Secretary Spaw,

Please accept this letter as a request to remove my name as author to S.B. 933 by Senator Paul Bettencourt. Should you have any questions, please do not hesitate to call me or my staff members, Tomás Larralde or Emily Calderón Galdeano.

Sincerely,

/s/José Menéndez

State Senator

CO-AUTHOR OF SENATE BILL 2

On motion of Senator Bettencourt, Senator Fallon will be shown as Co-author of **SB 2**.

CO-AUTHORS OF SENATE BILL 14

On motion of Senator Nichols, Senators Flores and Hinojosa will be shown as Co-authors of **SB 14**.

CO-AUTHOR OF SENATE BILL 113

On motion of Senator Menéndez, Senator Miles will be shown as Co-author of **SB 113**.

CO-AUTHOR OF SENATE BILL 140

On motion of Senator Rodríguez, Senator Miles will be shown as Co-author of **SB 140**.

CO-AUTHOR OF SENATE BILL 147

On motion of Senator Rodríguez, Senator Miles will be shown as Co-author of **SB 147**.

CO-AUTHOR OF SENATE BILL 149

On motion of Senator Rodríguez, Senator Miles will be shown as Co-author of **SB 149**.

CO-AUTHOR OF SENATE BILL 160

On motion of Senator Rodríguez, Senator Miles will be shown as Co-author of **SB 160**.

CO-AUTHOR OF SENATE BILL 306

On motion of Senator Watson, Senator Miles will be shown as Co-author of **SB 306**.

CO-AUTHOR OF SENATE BILL 312

On motion of Senator Buckingham, Senator Fallon will be shown as Co-author of **SB 312**.

CO-AUTHOR OF SENATE BILL 327

On motion of Senator Alvarado, Senator Miles will be shown as Co-author of **SB 327**.

CO-AUTHORS OF SENATE BILL 387

On motion of Senator Huffman, Senators Hinojosa, Hughes, and Nelson will be shown as Co-authors of **SB 387**.

CO-AUTHORS OF SENATE BILL 404

On motion of Senator Birdwell, Senators Hall and Hughes will be shown as Co-authors of **SB 404**.

CO-AUTHORS OF SENATE BILL 408

On motion of Senator Birdwell, Senators Hall and Hughes will be shown as Co-authors of **SB 408**.

CO-AUTHOR OF SENATE BILL 476

On motion of Senator Hancock, Senator Perry will be shown as Co-author of **SB 476**.

CO-AUTHOR OF SENATE BILL 498

On motion of Senator Huffman, Senator Perry will be shown as Co-author of **SB 498**.

CO-AUTHOR OF SENATE BILL 523

On motion of Senator Hinojosa, Senator Miles will be shown as Co-author of **SB 523**.

CO-AUTHOR OF SENATE BILL 556

On motion of Senator Kolkhorst, Senator Miles will be shown as Co-author of **SB 556**.

CO-AUTHOR OF SENATE BILL 661

On motion of Senator Nichols, Senator Hughes will be shown as Co-author of **SB 661**.

CO-AUTHOR OF SENATE BILL 685

On motion of Senator Alvarado, Senator Hughes will be shown as Co-author of **SB 685**.

CO-AUTHOR OF SENATE BILL 686

On motion of Senator Alvarado, Senator Hughes will be shown as Co-author of **SB 686**.

CO-AUTHOR OF SENATE BILL 855

On motion of Senator Fallon, Senator Hall will be shown as Co-author of **SB 855**.

RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

Memorial Resolutions

SR 243 by Watson, In memory of John J. McKetta Jr.

SR 249 by Hughes, In memory of Betty Ann Cox.

SR 251 by Creighton, In memory of Ann Elizabeth Lee.

SR 264 by Watson, In memory of John E. McCarthy.

Congratulatory Resolutions

SR 253 by Taylor, Congratulating Abigail Rose Arias for being named an honorary Texas Ranger.

SR 254 by Nelson, Recognizing PediPlace health care on the occasion of its 25th anniversary.

SR 256 by Lucio, Recognizing the Texas Heritage and Independence Celebration Association, Incorporated.

SR 257 by Fallon, Recognizing Weatherford College on the occasion of its 150th anniversary.

SR 260 by Hinojosa, Recognizing Fidel Esteban Mendoza on the occasion of his retirement.

SR 261 by Buckingham, Recognizing the Star Fest Cookoff.

SR 263 by Whitmire, Recognizing Rest Lawn Cemetery for receiving the Historic Texas Cemetery designation.

Official Designation Resolutions

SR 137 by Buckingham, Recognizing February 25 to March 1, 2019, as National Engineers Week.

SR 241 by Nelson, Recognizing February 26, 2019, as American Cancer Society Cancer Action Network Day.

SR 242 by Kolkhorst, Recognizing February 25, 2019, as Prairie View A&M University Day.

SR 246 by Fallon, Hall, and Paxton, Recognizing February 27, 2019, as Wylie Day.

SR 247 by Kolkhorst, Recognizing February 26, 2019, as Victoria County Day.

SR 255 by Hall, Recognizing February 28, 2019, as Hopkins County Day.

SR 258 by Fallon, Recognizing February 19, 2019, as Tarleton State University Day.

SR 259 by Fallon, Recognizing February 25, 2019, as Parker County Day.

SR 266 by Hall, Recognizing February 28, 2019, as Rowlett Day.

SR 267 by Paxton and Nelson, Recognizing February 27 and 28, 2019, as Plano Legislative Days.

HCR 60 (Seliger), Recognizing February 21, 2019, as Andrews County Day at the State Capitol.

ADJOURNMENT

On motion of Senator Whitmire, the Senate at 4:15 p.m. adjourned, in memory of Garrett Willis Hull and Ryan Keith Wallace, until 11:00 a.m. tomorrow.

APPENDIX

RESOLUTIONS ENROLLED

February 21, 2019

SR 191, SR 234, SR 237, SR 238, SR 240

In Memory
of
Ryan Keith Wallace
Senate Resolution 229

WHEREAS, The Senate of the State of Texas honors and commemorates the life of Ryan Keith Wallace, who died December 5, 2018, at the age of 27; and

WHEREAS, Ryan Wallace was born on October 24, 1991, in Lubbock, to Ronnie and Connie Wallace; he grew up in Seminole with his brother, Kevin, and graduated from Seminole High School; he and his beloved wife, Kyrie Cameron Wallace, were married on August 18, 2018; and

WHEREAS, Ryan earned a degree from The University of Texas at Austin, where he was a member of Sigma Chi Fraternity and the Silver Spurs; passionate about politics, he was active in student government and served as director of the State Relations agency; he also worked in the office of State Senator Charles Perry during his time in Austin; and

WHEREAS, Mr. Wallace was a summa cum laude graduate of the South Texas College of Law, where he received various accolades for his work; he was inducted into the National Order of Scribes and the Order of Barristers, and he earned numerous honors for Best Brief at college and bar association competitions across the country; and

WHEREAS, Upon his graduation, he accepted a position as an associate with the firm of Hunton Andrews Kurth in the Capital Markets Section, and he practiced law in the areas of capital markets and securities, corporate mergers and acquisitions, and corporate governance and compliance; and

WHEREAS, He was a young man of courage, strength, and generosity who gave unselfishly to others, and his valued counsel and his enthusiasm for living each day to the fullest will not be forgotten; and

WHEREAS, He was a devoted husband, son, brother, and grandson, and he leaves behind memories that will be treasured forever by his family and many friends; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 86th Legislature, hereby extend sincere condolences to the bereaved family of Ryan Keith Wallace; 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 Ryan Wallace.

PERRY

In Memory
of
Garrett Willis Hull
Senate Resolution 227

WHEREAS, The Senate of the State of Texas honors and commemorates the life of Corporal Garrett Willis Hull of the Fort Worth Police Department, who died in the line of duty on September 14, 2018, at the age of 41; and

WHEREAS, Garrett Hull was an exemplary citizen and peace officer whose integrity, strength, and commitment to protecting others had a profound impact on the lives of all who were privileged to share in his life; and

WHEREAS, He was born into a family with a legacy of public service; his grandfather and uncle served in the Texas House of Representatives, and he served the people of Fort Worth with distinction for 17 years as a member of the Fort Worth Police Department; and

WHEREAS, Over the course of his career, Corporal Hull served in a variety of specialized tactical units, including the Special Response Team, the Narcotics Division, and the Tactical Intelligence Division; he also took part in joint efforts with the Drug Enforcement Administration and the Federal Bureau of Investigation; and

WHEREAS, He was known among his fellow officers for his courage, his quick thinking, and his willingness to be the first man in and the last man out; he was respected and admired throughout the department, and his commitment to public service was an inspiration to all those with whom he served; and

WHEREAS, Garrett was preceded in death by his brother, Tom Hull; left to mourn his loss are his beloved wife, Sabrina Hull; his daughters, Jordan and Tristen; his parents, Dalyne and James Hull; his sisters and brothers-in-law, Jami and Jason Kern and Natalie and Matthew Aten; and his nephews and niece, Zachary, Andrew, and Abigail; and

WHEREAS, He was a devoted husband and father, and he leaves behind memories that will be treasured forever by his family and countless friends; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 86th Legislature, hereby extend sincere condolences to the bereaved family of Garrett Willis Hull; 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 Garrett Hull.

BIRDWELL
HANCOCK

NELSON
POWELL

