

SENATE JOURNAL

EIGHTY-SIXTH LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

TWENTY-FIRST DAY

(Wednesday, March 6, 2019)

The Senate met at 11:00 a.m. pursuant to adjournment and was called to order by President Pro Tempore Watson.

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 Pro Tempore announced that a quorum of the Senate was present.

Pastor David Halvorson, World Ministry Fellowship, Fort Worth, was introduced by Senators Nelson and Fallon and offered the invocation as follows:

Dear heavenly Father, God almighty, this is the day that You have made, we will rejoice and be glad in it. The heavens are full of Your glory, You are the creator of all things and all people. Today, we gather to exercise the freedoms You have provided for us and that You desire for all. As these Senators work to perform their assignments to serve the people of the State of Texas, let them be guided by Your wisdom and understanding and by Your uprightness and love. We pray Your loving-kindness upon our state and our people. May these deliberations and the votes taken today be in accordance with Your will and be a blessing to all who live here. Let this state be an example of Your goodness as we govern ourselves according to Your direction, for You are good. I pray this in the name of my savior, Jesus Christ. 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 Buckingham was recognized and introduced to the Senate Austin Tennis Academy students and staff.

The Senate welcomed its guests.

SENATE RESOLUTION 265

Senator Taylor offered the following resolution:

SR 265, Recognizing March 6, 2019, as Galveston County Day.

The resolution was read and was adopted without objection.

GUESTS PRESENTED

Senator Taylor was recognized and introduced to the Senate a Galveston County Day delegation.

The Senate welcomed its guests.

PHYSICIAN OF THE DAY

The President Pro Tempore presented Dr. Larry Kravitz of Austin, accompanied by Benjamin Saul, as the Physician of the Day.

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

GUESTS PRESENTED

Senator Campbell was recognized and introduced to the Senate Texas Online Preparatory School students, accompanied by Middle School Principal Elizabeth Nelson.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Birdwell was recognized and introduced to the Senate a Navarro County delegation including Mike Dowd, Sherry Dowd, Don Denbow, Susan Hale, Ruby Williams, Connie Standridge, Kevin Fegan, John Boswell, Leslie Leerskov, Laura Capehart, and Eric Meyers.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Zaffirini was recognized and introduced to the Senate a San Patricio County Day delegation.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Paxton was recognized and introduced to the Senate a delegation from the City of Richardson.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Kolkhorst was recognized and introduced to the Senate a Giddings ISD delegation, accompanied by Superintendent Roger Dees.

The Senate welcomed its guests.

(President in Chair)**SENATE RESOLUTION 197**

Senator Hughes offered the following resolution:

SR 197, Congratulating the Longview High School football team for winning a state championship.

The resolution was read and was adopted by a rising vote of the Senate.

GUESTS PRESENTED

Senator Hughes, joined by Senators West and Zaffirini, was recognized and introduced to the Senate the Longview High School football team including John King, Haynes King, Kamden Perry, Jessie Anderson, Principal James Brewer, and Superintendent James Wilcox, accompanied by Matthew McConaughey.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Flores was recognized and introduced to the Senate an Eagle Pass delegation including Mayor Ramsey English Cantu; Mayor Pro Tempore Yolanda Ramon; Fire Chief Manuel Mello; Police Chief Alberto Guajardo; Councilmembers Rudy Villalpando, Luis Sifuentes, and Billy Davis; and Acting City Manager Ivan Morua.

The Senate welcomed its guests.

(Senator Flores in Chair)**SENATE RESOLUTION 297**

Senator Nelson offered the following resolution:

SR 297, Recognizing March 6 and 7, 2019, as Tarrant County Days.

NELSON
BIRDWELL
HANCOCK
POWELL

The resolution was again read.

SR 297 was previously adopted on Monday, March 4, 2019.

GUESTS PRESENTED

Senator Nelson, joined by Senators Hancock, Birdwell, Powell, and West, was recognized and introduced to the Senate a Tarrant County delegation including Commissioners Gary Fickes and Devan Allen and District Attorney Sharen Wilson.

The Senate welcomed its guests.

SENATE RESOLUTION 305

Senator Hinojosa offered the following resolution:

SR 305, Recognizing March 6, 2019, as Texas A&M University–Corpus Christi Day.

The resolution was read and was adopted without objection.

GUESTS PRESENTED

Senator Hinojosa was recognized and introduced to the Senate a Texas A&M University–Corpus Christi Day delegation, accompanied by President Kelly Quintanilla.

The Senate welcomed its guests.

SENATE RESOLUTION 180

Senator Watson offered the following resolution:

SR 180, Recognizing Raymund A. Paredes for his 15-year tenure as Commissioner of Higher Education.

The resolution was again read.

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

The resolution was previously adopted on Monday, February 11, 2019.

GUESTS PRESENTED

Senator Watson, joined by Senators Seliger, West, Kolkhorst, Birdwell, Menéndez, Bettencourt, Rodríguez, and Hinojosa, was recognized and introduced to the Senate Commissioner of Higher Education Raymund A. Paredes, Linda Battles, David Gardner, William Frantz, and John Wyatt.

The Senate welcomed its guests.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Wednesday, March 6, 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 21 Craddick

Congratulating the Honorable Rodney W. Satterwhite on his retirement from the 441st Judicial District Court.

HCR 22 Craddick

Congratulating the Honorable Mike Bradford on his retirement as Midland County judge.

HCR 27 Craddick

Congratulating Glen Hackler on his retirement as Andrews city manager.

HCR 28

Craddick

Congratulating Dr. Michael Miller of Midland on his retirement from Permian Cardiology.

SCR 6

Hughes

Recognizing Bobby Lockhart on the occasion of his retirement.

SCR 8

Hughes

Recognizing James R. Cowart on the occasion of his retirement.

SCR 11

Hughes

Recognizing the Shoults family on the 75th anniversary of Bear Creek Smokehouse.

SCR 14

Hughes

Recognizing James Henry Russel for his service as president of Texarkana College.

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

GUESTS PRESENTED

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

The Senate welcomed its guests.

(President in Chair)

SENATE RESOLUTION 311

Senator Hancock offered the following resolution:

SR 311, Recognizing March 6, 2019, as The University of Texas at Arlington Day.

HANCOCK
NELSON
POWELL
WEST

The resolution was read and was adopted without objection.

GUESTS PRESENTED

Senator Hancock, joined by Senators Powell and West, was recognized and introduced to the Senate a delegation from The University of Texas at Arlington including President Vistasp Karbhari, Student Body President Yash Sing, and Shirlee Gandy.

The Senate welcomed its guests.

SENATE RESOLUTION 308

Senator Lucio offered the following resolution:

SR 308, Recognizing March 5 and 6, 2019, as Harlingen-San Benito Days.

The resolution was read and was adopted without objection.

GUESTS PRESENTED

Senator Lucio was recognized and introduced to the Senate delegations from the cities of Harlingen and San Benito.

The Senate welcomed its guests.

SENATE RESOLUTION 321

Senator Hinojosa offered the following resolution:

SR 321, Recognizing March 6, 2019, as Edinburg Day.

The resolution was read and was adopted without objection.

GUESTS PRESENTED

Senator Hinojosa was recognized and introduced to the Senate a delegation from the City of Edinburg.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Lucio was recognized and introduced to the Senate a Texas Association for Behavior Analysis delegation.

The Senate welcomed its guests.

SESSION TO CONSIDER EXECUTIVE APPOINTMENTS

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

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

The President asked if there were requests to sever nominees.

There were no requests offered.

NOMINEES CONFIRMED

The following nominees, as reported by the Committee on Nominations, were confirmed by the following vote: Yeas 31, Nays 0.

Judge, 405th Judicial District Court, Galveston County: Jared Seth Robinson, Galveston County.

Judge, 95th Judicial District Court, Dallas County: David Warren Evans, Dallas County.

Members, Advisory Committee to the Texas Board of Criminal Justice on Offenders with Medical or Mental Impairments: Allan Douglas Cain, Panola County; Robert John Chody, Williamson County.

Presiding Officer, Alamo Regional Mobility Authority: Michael J. Lynd, Bexar County.

Members, Council on Cardiovascular Disease and Stroke: Janet Suzanne Hall, Williamson County; Vanessa F. Hicks-Callaway, Victoria County; John Rutledge, Travis County; Harry Sheets, Taylor County; E'Loria Simon-Campbell, Harris County.

Commissioner, Division of Workers' Compensation, Texas Department of Insurance: Cassandra Jeanette Brown, Travis County.

Member, Governing Board, Texas Civil Commitment Office: Jose Luis Aliseda, Bee County.

Members, Governing Board, Texas School for the Blind and Visually Impaired: Ruben D. Brown, Travis County; Michael Patrick Hanley, Williamson County; Brenda Wood Lee, Brown County; Julie Renae Prause, Colorado County.

Commissioners, Board of Pilot Commissioners for Jefferson and Orange County: Charles Edward Holder, Orange County; William Gates Jenkins, Jefferson County; James Michael Scott, Jefferson County; Shawn Michael Sparrow, Jefferson County; Milton Bradley Taylor, Orange County.

Members, Board of Directors, Lower Colorado River Authority: Stephen Frank Cooper, Wharton County; Laura Denise Figueroa, Austin County.

Independent Ombudsman, Texas Juvenile Justice Department: Jeffery Don Robertson, Hays County.

Inspector General, Health and Human Services Commission: Sylvia Hernandez Kauffman, Travis County.

Public Counsel, Office of Public Insurance Counsel: Melissa Ruth Hamilton, Travis County.

Member, School Land Board: Scott Rohrman, Dallas County.

Member, State Cemetery Committee: James Leavell Bayless, Travis County.

Commissioners, Texas Animal Health Commission: Barret Jay Klein, Kendall County; Wendee Christine Langdon, Lubbock County; Joseph Gerald Osterkamp, Bailey County; Keith Mitchell Staggs, Gonzales County; Leo Dean Vermedahl, Hartley County; Michael Louis Vickers, Brooks County.

Members, Texas Board of Professional Land Surveying: Jay Dean Canine, Fort Bend County; Coleen Marie Johnson, Williamson County; Michael David McCloskey, Williamson County.

Members, Texas Crime Stoppers Council: Lauren Hart Day, Travis County; Charles P. Gilmore, Potter County; Carl Garza Hernandez, Cameron County.

Members, Texas Medical Board: Sharon J. Barnes, Brazoria County; George L. De Loach, Polk County.

Members, Board of Directors, Texas Mutual Insurance Company: Kristina R. Koncaba, Galveston County; John Dayton Swanson, Denton County.

Members, Board of Directors, Texas State Affordable Housing Corporation: Valerie Vargas Cardenas, Hidalgo County; Lori Ann Cobos, Travis County.

Member, Board of Regents, Texas State Technical College System: John Kent Hatchel, McLennan County.

MOTION IN WRITING

Senator Buckingham offered the following Motion In Writing:

Mr. President:

I move that the nomination of Joseph F. "Joe" Berry to the One-Call Board of Texas 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.

MOTION IN WRITING

Senator Buckingham offered the following Motion In Writing:

Mr. President:

I move that the nomination of Dr. John G. Mills to the Correctional Managed Health Care Committee 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.

MOTION IN WRITING

Senator Hughes offered the following Motion In Writing:

Mr. President:

I move to suspend Senate Rule 11.13 so that committees may meet during the reading and referral of bills.

HUGHES

The Motion In Writing was read and prevailed without objection.

CO-AUTHOR OF SENATE BILL 14

On motion of Senator Nichols, Senator Hughes will be shown as Co-author of **SB 14**.

CO-AUTHOR OF SENATE BILL 21

On motion of Senator Huffman, Senator Miles will be shown as Co-author of **SB 21**.

CO-AUTHOR OF SENATE BILL 685

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

CO-AUTHOR OF SENATE BILL 929

On motion of Senator Hinojosa, Senator Lucio will be shown as Co-author of **SB 929**.

CO-AUTHOR OF SENATE BILL 1021

On motion of Senator Seliger, Senator Birdwell will be shown as Co-author of **SB 1021**.

CO-AUTHOR OF SENATE BILL 1033

On motion of Senator Hancock, Senator Bettencourt will be shown as Co-author of **SB 1033**.

CO-AUTHOR OF SENATE JOINT RESOLUTION 10

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

RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

Memorial Resolution

SR 323 by Powell, In memory of Kyrell McBride Johnson.

Congratulatory Resolution

HCR 50 (Perry), Congratulating Dr. Bill Dean on his retirement as president and CEO of the Texas Tech Alumni Association.

Official Designation Resolutions

SR 324 by Flores, Recognizing March 6 and 7, 2019, as Eagle Pass Legislative Days.

SR 325 by Zaffirini, Recognizing Bee County Day.

SR 326 by Kolkhorst, Recognizing March 6, 2019, as Jackson County Day.

RECESS AND MOTION TO ADJOURN

On motion of Senator Whitmire and by unanimous consent, the Senate at 12:55 p.m. agreed to recess until 2:00 p.m. tomorrow for the introduction of bills and resolutions on first reading.

The Senate further agreed to adjourn, upon completion of the introduction of bills and resolutions on first reading, until 3:00 p.m. Monday, March 11, 2019.

APPENDIX

COMMITTEE REPORTS

The following committee reports were received by the Secretary of the Senate in the order listed:

March 6, 2019

INTERGOVERNMENTAL RELATIONS — **SB 177, SB 235, SB 319, CSSB 354**

STATE AFFAIRS — **SB 416, SB 415, SB 341, SB 234, SB 230, SB 201, SB 192**

TRANSPORTATION — **SB 225, SB 228, SB 240, SB 282, SB 356, SB 497, SB 537**

BILL ENGROSSED

March 5, 2019

SB 10

RESOLUTIONS ENROLLED

March 5, 2019

SR 303, SR 307, SR 310, SR 312, SR 313, SR 316, SR 319, SR 320, SR 322