

SENATE JOURNAL

EIGHTY-SIXTH LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

TWENTY-SECOND DAY

(Monday, March 11, 2019)

The Senate met at 3:00 p.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, Whitmire, Zaffirini.

Absent-excused: West.

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

The Reverend Frederick D. Haynes III, Friendship-West Baptist Church, Dallas, was introduced by the President Pro Tempore, on behalf of Senator West, and offered the invocation as follows:

Gracious God, our liberating and loving creator, we pray for what Dr. Martin Luther King Jr. called a revolution of values that will create a Texas where justice shapes laws and policies are passed that are governed by principles and morals and not the money of predators. May our lawmakers lead with a love for all people while conscious of Your prioritized passion for the least of these. Grant to these Your public servants the bifocals of faith that see the predicament of the impoverished, the racism that represses communities of color, and the sexism that violates women, while crafting policies that pave new paths of possibility. As You've entrusted us with an amazing planet, may we preserve and protect it while fighting environmental injustice where life expectancy is determined by ZIP Code as opposed to one's genetic code. May this body do justice, love mercy, and walk humbly with Thee. 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.

LEAVE OF ABSENCE

On motion of Senator Whitmire, Senator West was granted leave of absence for today on account of a death in the family.

PHYSICIAN OF THE DAY

The President Pro Tempore presented Dr. Julie Kappler of Austin as the Physician of the Day.

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

MESSAGES FROM THE GOVERNOR

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

March 11, 2019

Austin, Texas

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

On January 17, 2019, I submitted the name of William R. "Bill" Hood for appointment to the Upper Colorado River Authority for a term to expire February 1, 2019.

Because he resigned, I hereby withdraw his nomination and request that the Senate return the appointment to me.

Respectfully submitted,

/s/Greg Abbott
Governor

March 6, 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 appointments:

To be members of Texas Tech University System Board of Regents for terms to expire January 31, 2025:

Ginger Kerrick

Webster, Texas

(replacing Juan D. "John" Esparza of Austin whose term expired)

Marcus R. "Mark" Griffin

Lubbock, Texas

(replacing Ivan "Tim" Lancaster of Lubbock whose term expired)

Dustin R. "Dusty" Womble

Lubbock, Texas

(replacing Lawrence F. "Rick" Francis of El Paso whose term expired)

Respectfully submitted,

/s/Greg Abbott
Governor

March 7, 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 appointments:

To be members of the University of Texas System Board of Regents for terms to expire as indicated:

To Expire February 1, 2021:

Nolan E. Perez, M.D.

Harlingen, Texas

(replacing Sara Martinez Tucker of Dallas who resigned)

To Expire February 1, 2025:

Christina Melton Crain

Dallas, Texas

(replacing Paul L. Foster of El Paso whose term expired)

Jodie Lee Jiles

Houston, Texas

(replacing Ernest "Ernie" Aliseda of McAllen whose term expired)

Kelcy L. Warren

Dallas, Texas

(replacing Jeffery D. "Jeff" Hildebrand of Houston whose term expired)

Respectfully submitted,

/s/Greg Abbott
Governor

March 8, 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 appointments:

To be members of the Texas A&M University System Board of Regents for terms to expire February 1, 2025:

Jay C. Graham

Houston, Texas

(replacing Anthony G. "Tony" Buzbee of Friendswood whose term expired)

Michael A. "Mike" Hernandez, III

Fort Worth, Texas

(replacing Charles W. Schwartz of Houston whose term expired)

Michael J. Plank
Houston, Texas

(replacing Morris Edwin Foster of Austin whose term expired)

Respectfully submitted,

/s/Greg Abbott
Governor

March 11, 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 appointments:

To be Judge of the 18th Judicial District Court, Johnson and Somervell Counties, for a term until December 31, 2020 or until her successor shall be duly elected and qualified:

Sydney B. Hewlett
Cleburne, Texas

(replacing Justice John E. Neill of Burleson who was appointed to the Tenth Court of Appeals)

To be District Attorney of the 355th Judicial District, Hood County, for a term until December 31, 2020 or until his successor shall be duly elected and qualified:

Timothy R. "Ryan" Sinclair
Granbury, Texas

(replacing Robert T. Christian of Granbury who resigned)

Respectfully submitted,

/s/Greg Abbott
Governor

SENATE BILLS ON FIRST READING

The following bills, filed on or before Friday, March 8, 2019, were introduced, read first time, and referred to the committees indicated:

SB 4 by Taylor

Relating to public school finance and public education.

To Committee on Education.

SB 5 by Bettencourt, Creighton, Flores, Hall, Hancock, Hinojosa, Menéndez, West

Relating to an increase in the amount of the exemption of residence homesteads from ad valorem taxation by a school district, a reduction in the amount of the limitation on school district ad valorem taxes imposed on the residence homesteads of the elderly or disabled to reflect the increased exemption amount, and the protection of school districts against the resulting loss in local revenue.

To Committee on Property Tax.

SB 13 by Creighton

Relating to the ethics of public officials, including restrictions relating to lobbying and the personal financial statements of public officials; creating a criminal offense.

To Committee on State Affairs.

SB 16 by Hancock

Relating to a student loan repayment assistance program for certain persons who agree to employment as full-time peace officers in this state.

To Committee on Higher Education.

SB 19 by Hughes

Relating to the carrying, storage, or possession of a firearm or firearm ammunition by certain persons on certain residential or commercial property.

To Committee on State Affairs.

SB 23 by Kolkhorst, Buckingham, Campbell, Huffman, Nelson, Paxton

Relating to enforcement of the rights of a living child born after an abortion; creating a civil cause of action; creating a criminal offense.

To Committee on Health and Human Services.

SB 24 by Lucio

Relating to the provision of informational materials and certain other information to a pregnant woman before an abortion.

To Committee on Health and Human Services.

SB 28 by Huffman

Relating to procurement of a contingent fee contract for legal services by a state agency or political subdivision.

To Committee on State Affairs.

SB 901 by Hughes

Relating to election integrity; increasing a criminal penalty.

To Committee on State Affairs.

SB 902 by Hughes

Relating to public availability of election records.

To Committee on State Affairs.

SB 903 by Hughes

Relating to the integrity of elections in this state; imposing a civil penalty; increasing a criminal penalty.

To Committee on State Affairs.

SB 904 by Hughes

Relating to the use of governmental communications systems to distribute political advertising; providing a civil penalty.

To Committee on State Affairs.

SB 905 by Hughes

Relating to the confidentiality of certain personal information of certain persons obtained for the purposes of voting.

To Committee on State Affairs.

GUESTS PRESENTED

Senator Lucio was recognized and introduced to the Senate an Amigos Del Valle delegation celebrating Senior Day at the Capitol.

The Senate welcomed its guests.

SENATE RESOLUTION 50

Senator Creighton offered the following resolution:

SR 50, Recognizing Senator José Menéndez on the occasion of his 50th birthday.

CREIGHTON	HUFFMAN	RODRÍGUEZ
ALVARADO	HUGHES	SCHWERTNER
BIRDWELL	JOHNSON	SELIGER
BUCKINGHAM	LUCIO	TAYLOR
CAMPBELL	MILES	WATSON
FALLON	NELSON	WEST
FLORES	NICHOLS	WHITMIRE
HALL	PERRY	ZAFFIRINI
HANCOCK	POWELL	

The resolution was read.

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

On motion of Senator Creighton, **SR 50** was adopted without objection.

ACKNOWLEDGMENT

Senator Creighton, joined by Senators Lucio, Flores, Kolkhorst, Bettencourt, Zaffirini, Alvarado, Fallon, Hall, Campbell, and Paxton, acknowledged Senator Menéndez on his 50th birthday.

MOTION IN WRITING

Senator Hughes offered the following Motion In Writing:

Mr. President:

I move suspension of Senate Rule 5.14, the Intent Calendar Rule, in order to move the Intent Calendar deadline to 5:30 p.m. today.

Thank you, Mr. President.

HUGHES

The Motion In Writing was read and prevailed without objection.

CO-AUTHOR OF SENATE BILL 14

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

CO-AUTHOR OF SENATE BILL 17

On motion of Senator Perry, Senator Birdwell will be shown as Co-author of **SB 17**.

CO-AUTHOR OF SENATE BILL 72

On motion of Senator Nelson, Senator Birdwell will be shown as Co-author of **SB 72**.

CO-AUTHORS OF SENATE BILL 357

On motion of Senator Nichols, Senators Buckingham and Schwertner will be shown as Co-authors of **SB 357**.

CO-AUTHOR OF SENATE BILL 497

On motion of Senator Zaffirini, Senator Rodriguez will be shown as Co-author of **SB 497**.

MOTION TO ADJOURN

On motion of Senator Whitmire and by unanimous consent, the Senate at 3:40 p.m. agreed to adjourn, in memory of William C. Powers, pending the receipt of Committee Reports, until 11:00 a.m. tomorrow.

RESOLUTION OF RECOGNITION

The following resolution was adopted by the Senate:

Congratulatory Resolution

SR 346 by Lucio, Recognizing Amigos Del Valle, Incorporated, for supporting senior citizens.

ADJOURNMENT

Pursuant to a previously adopted motion, the Senate at 5:00 p.m. adjourned, in memory of William C. Powers, until 11:00 a.m. tomorrow.

APPENDIX

COMMITTEE REPORTS

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

March 11, 2019

STATE AFFAIRS — **CSSB 40, CSSB 467, CSSB 489**

FINANCE — **CSSB 500**

RESOLUTIONS ENROLLED

March 7, 2019

SR 327, SR 328, SR 330, SR 331, SR 332, SR 333, SR 334, SR 337, SR 338, SR 339, SR 340, SR 341, SR 342, SR 343, SR 344

