

SENATE JOURNAL

EIGHTY-SIXTH LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

TWENTY-THIRD DAY

(Tuesday, March 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, Whitmire, Zaffirini.

Absent-excused: West.

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

The Reverend Stanley Hilliard, St. Luke Missionary Baptist Church, Houston, offered the invocation as follows:

O Lord, bless those who serve in all positions of leadership in this great body. We ask humbly for wisdom and strength to work and serve the people of this great state. Bless both life and labor as we endeavor to lead our people to serve each other as we serve You. Guide our meetings, inspire us to seek Your will and honor Your name. Thank You, Lord, for the opportunity to serve. In Your 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.

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.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Tuesday, March 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 8 Moody

Granting the legislature permission to adjourn for more than three days during the period beginning on Wednesday, March 13, 2019, and ending on Monday, March 18, 2019.

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

MESSAGES FROM THE GOVERNOR

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

March 12, 2019
Austin, Texas

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

On January 17, 2019, I submitted the name of Christina Melton Crain for appointment to the Trinity River Authority Board of Directors for a term to expire March 15, 2023.

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

Respectfully submitted,

/s/Greg Abbott
Governor

March 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 appointments:

To be a member of the State Soil and Water Conservation Board for a term to expire February 1, 2021:

Carl Ray Polk, Jr.
Lufkin, Texas

(Mr. Polk is being reappointed)

To be members of the Texas Real Estate Commission for terms to expire January 31, 2025:

Jason E. Hartgraves

Frisco, Texas

(replacing Chart H. Westcott of Dallas whose term expired)

Russel S. "Scott" Kesner

El Paso, Texas

(replacing Avis Geer Wukasch of Georgetown whose term expired)

Barbara A. Russell

Denton, Texas

(replacing Adrian A. Arriaga, Sr. of McAllen whose term expired)

Respectfully submitted,

/s/Greg Abbott

Governor

SENATE RESOLUTION 335

Senator Hancock offered the following resolution:

SR 335, Recognizing Special Olympics Texas.

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 Hancock, **SR 335** was adopted without objection.

GUESTS PRESENTED

Senator Hancock, joined by Senator Campbell, was recognized and introduced to the Senate a Special Olympics Texas delegation.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Campbell was recognized and introduced to the Senate representatives of the Texas Military Department.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Perry was recognized and introduced to the Senate a colon cancer prevention delegation.

The Senate welcomed its guests.

PHYSICIAN OF THE DAY

Senator Kolkhorst was recognized and presented Dr. Michael McLeod of Victoria as the Physician of the Day.

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

ACKNOWLEDGMENT

The President acknowledged the presence of the Honorable Greg Abbott, Governor of the State of Texas.

The Senate welcomed its guest.

RESOLUTIONS SIGNED

The President announced the signing of the following enrolled resolutions in the presence of the Senate:

SCR 6, SCR 8, SCR 11, SCR 14, HCR 7, HCR 50, HCR 54, HCR 87.

SENATE RESOLUTION 228

Senator Menéndez offered the following resolution:

SR 228, Recognizing Community Development Financial Institutions.

The resolution was read and was adopted without objection.

GUESTS PRESENTED

Senator Menéndez was recognized and introduced to the Senate a delegation representing Community Development Financial Institutions in Texas including LiftFund, Incorporated, President Janie Barrera.

The Senate welcomed its guests.

SENATE RESOLUTION 345

Senator Lucio offered the following resolution:

SR 345, Recognizing Steven H. Tallant on the occasion of his retirement.

The resolution was read.

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

On motion of Senator Lucio, **SR 345** was adopted without objection.

GUESTS PRESENTED

Senator Lucio, joined by Senators Hinojosa and Kolkhorst, was recognized and introduced to the Senate former Texas A&M University–Kingsville President Steven H. Tallant and Assistant Vice Chancellor Luis E. Gonzalez.

The Senate welcomed its guests.

MOTION IN WRITING

Senator Buckingham offered the following Motion In Writing:

Mr. President:

I move that the nomination of William R. "Bill" Hood to the Upper Colorado River Authority 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.

REPORT OF COMMITTEE ON NOMINATIONS

Senator Buckingham submitted the following report from the Committee on Nominations:

We, your Committee on Nominations, to which were referred the following appointments, have had same under consideration and report them back to the Senate with a recommendation that they be confirmed:

Member, Board for Lease of Texas Department of Criminal Justice Lands: Erin Elizabeth Lunceford, Harris County.

Member, Board for Lease of Texas Parks and Wildlife Department Lands: Clifton Earl Bickerstaff, Potter County.

Members, Board of Pardons and Paroles: Allen D. Jernigan, Val Verde County; Carmella T. Jones, Matagorda County; James Wayne LaFavers, Randall County; Brian Andrew Long, Gregg County.

Members, Commission on State Emergency Communications: Debbie Sue Hays, Ector County; Catherine Ann Skurow, San Patricio County; Von Cheyenne Washington, El Paso County.

Justice, Court of Appeals, Second Court of Appeals District: Dana Michelle Womack, Tarrant County.

Member, Board of Directors, Evergreen Underground Water Conservation District: Jason Byron Peeler, Wilson County.

Member, Executive Council of Physical Therapy and Occupational Therapy Examiners: Arthur Matson, Williamson County.

Member, Gulf States Marine Fisheries Commission: Troy Bello Williamson, San Patricio County.

Member, Judicial Districts Board: Thomas Royal Phillips, Travis County.

Members, Board of Directors, Lower Colorado River Authority: Raymond Alexander Gill, Llano County; Thomas Loran Kelley, Colorado County.

Member, Board of Directors, North Texas Tollway Authority: Frankie Gravley, Grayson County.

Member, School Land Board: Gilbert Burciaga, Travis County.

Member, Board of Directors, State Bar of Texas: Jeffrey William Allison, Harris County.

Members, State Board for Educator Certification: John Patrick Kelly, Brazoria County; Courtney Boswell MacDonald, Kerr County; Jose Manuel Rodriguez, Williamson County.

Members, State Commission on Judicial Conduct: Ronald E. Bunch, Ellis County; Sujeeth Draksharam, Fort Bend County; Lee Gabriel, Tarrant County; Darrick Lamar McGill, Williamson County; Ruben Gonzales Reyes, Lubbock County; Tramer J. Woytek, Lavaca County.

Member, State Preservation Board: Alethea Swann Bugg, Bexar County.

Member, State Soil and Water Conservation Board: Christine Russ Yturria Buford, Cameron County.

Member, Board of Regents, Stephen F. Austin State University: Brigettee Carnes Henderson, Angelina County.

Members, Texas Board of Occupational Therapy Examiners: Blanca Estella Cardenas, Hidalgo County; Karen McPhail Gardner, Washington County; DeLana Kaye Honaker, Randall County; Stephanie Durocher Johnston, Montgomery County; Sally Harris King, Harris County; Pamela Dee Robinson Nelson, Tarrant County.

Members, Texas Board of Professional Engineers: Ademola Adejokun, Tarrant County; Rolando Romeo Rubiano, Cameron County; Kiran Shah, Fort Bend County.

Members, Texas Farm and Ranch Lands Conservation Council: Gilbert Riojas, Jim Hogg County; George David Scott, Fort Bend County.

Members, Texas Low-Level Radioactive Waste Disposal Compact Commission: Lisa Maxine Edwards, Hood County; John Matthew Salsman, Hays County.

Members, Texas Medical Board: Robert Gracia, Fort Bend County; Roberto David Martinez, Hidalgo County.

Member, Board of Regents, Texas State University System: Garry David Crain, Travis County.

Member, Texas Water Development Board: Brooke Teresa Paup, Travis County.

NOTICE OF CONSIDERATION OF NOMINATIONS

Senator Buckingham gave notice that she would tomorrow submit to the Senate for consideration nominations to agencies, boards, and commissions of the state.

HOUSE CONCURRENT RESOLUTION 8

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, March 13, 2019, and ending on Monday, March 18, 2019.

WHITMIRE

HCR 8 was read.

On motion of Senator Whitmire and by unanimous consent, the resolution was considered immediately and was adopted by the following vote: Yeas 30, Nays 0.

Absent-excused: West.

CO-AUTHORS OF SENATE BILL 5

On motion of Senator Bettencourt, Senators Hughes and Watson will be shown as Co-authors of **SB 5**.

CO-AUTHOR OF SENATE BILL 21

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

CO-AUTHOR OF SENATE BILL 23

On motion of Senator Kolkhorst, Senator Perry will be shown as Co-author of **SB 23**.

CO-AUTHORS OF SENATE BILL 30

On motion of Senator Birdwell, Senators Buckingham and Flores will be shown as Co-authors of **SB 30**.

CO-AUTHOR OF SENATE BILL 37

On motion of Senator Zaffirini, Senator Campbell will be shown as Co-author of **SB 37**.

CO-AUTHOR OF SENATE BILL 71

On motion of Senator Nelson, Senator Huffman will be shown as Co-author of **SB 71**.

CO-AUTHOR OF SENATE BILL 72

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

CO-AUTHOR OF SENATE BILL 152

On motion of Senator Rodríguez, Senator Johnson will be shown as Co-author of **SB 152**.

CO-AUTHOR OF SENATE BILL 157

On motion of Senator Rodríguez, Senator Johnson will be shown as Co-author of **SB 157**.

CO-AUTHOR OF SENATE BILL 497

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

CO-AUTHOR OF SENATE BILL 550

On motion of Senator West, Senator Johnson will be shown as Co-author of **SB 550**.

CO-AUTHOR OF SENATE BILL 580

On motion of Senator Campbell, Senator Buckingham will be shown as Co-author of **SB 580**.

CO-AUTHORS OF SENATE BILL 653

On motion of Senator Hall, Senators Bettencourt, Flores, and Perry will be shown as Co-authors of **SB 653**.

CO-AUTHOR OF SENATE BILL 661

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

CO-AUTHOR OF SENATE BILL 701

On motion of Senator Nichols, Senator Hughes will be shown as Co-author of **SB 701**.

CO-AUTHOR OF SENATE BILL 810

On motion of Senator Perry, Senator Johnson will be shown as Co-author of **SB 810**.

CO-AUTHOR OF SENATE BILL 849

On motion of Senator Fallon, Senator Campbell will be shown as Co-author of **SB 849**.

CO-AUTHOR OF SENATE BILL 891

On motion of Senator Huffman, Senator Perry will be shown as Co-author of **SB 891**.

CO-AUTHOR OF SENATE BILL 998

On motion of Senator Hinojosa, Senator Buckingham will be shown as Co-author of **SB 998**.

CO-AUTHORS OF SENATE BILL 1033

On motion of Senator Hancock, Senators Fallon and Flores will be shown as Co-authors of **SB 1033**.

CO-AUTHOR OF SENATE BILL 1282

On motion of Senator Campbell, Senator Buckingham will be shown as Co-author of **SB 1282**.

CO-AUTHOR OF SENATE BILL 1364

On motion of Senator Nichols, Senator Hughes will be shown as Co-author of **SB 1364**.

CO-AUTHOR OF SENATE BILL 1445

On motion of Senator Perry, Senator Johnson will be shown as Co-author of **SB 1445**.

CO-AUTHOR OF SENATE BILL 1508

On motion of Senator Schwertner, Senator Buckingham will be shown as Co-author of **SB 1508**.

CO-AUTHOR OF SENATE BILL 1599

On motion of Senator Hall, Senator Buckingham will be shown as Co-author of **SB 1599**.

CO-AUTHOR OF SENATE BILL 1622

On motion of Senator Kolkhorst, Senator Perry will be shown as Co-author of **SB 1622**.

CO-AUTHOR OF SENATE BILL 1658

On motion of Senator Nelson, Senator Johnson will be shown as Co-author of **SB 1658**.

RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

Memorial Resolutions

SR 347 by West, In memory of Willis West Jr.

SR 353 by Lucio, In memory of Magdalena Cordoba Hernandez Bennett.

SR 373 by Lucio, In memory of Isabel Euresti.

SR 374 by Lucio, In memory of Glendon Edward Roney.

SR 375 by Lucio, In memory of Felipa V. Garcia.

SR 376 by Lucio, In memory of Adelina Olympia Guerra Pulido.

SR 377 by Lucio, In memory of Adolph Ernest Crixell.

SR 378 by Lucio, In memory of Juan Garcia Lopez.

SR 379 by Lucio, In memory of Genovevo Rubalcaba.

SR 380 by Lucio, In memory of Sudie Todd Blackburn.

SR 381 by Lucio, In memory of Antonio Ortiz.

SR 382 by Lucio, In memory of Tomasa Ramirez Chavez.

SR 383 by Lucio, In memory of the life of Edward Melvin Trapp.

Congratulatory Resolutions

SR 318 by Perry, Recognizing all who are working to raise colorectal cancer awareness.

SR 349 by Nelson, Alvarado, Buckingham, Campbell, Huffman, Kolkhorst, Paxton, Powell, and Zaffirini, Recognizing the Governor's Commission for Women.

SR 350 by Campbell, Recognizing John F. Nichols on the occasion of his retirement.

SR 354 by Lucio, Recognizing Krystal Contreras for receiving a Milken Educator Award.

SR 355 by Lucio, Recognizing Helen Kleberg Groves for her contributions to the Lone Star State.

SR 356 by Lucio, Recognizing J. A. Garcia Jr. for his service to the people of South Texas.

SR 357 by Lucio, Recognizing Andy Veliz for his achievements as an educator and musician.

SR 358 by Lucio, Recognizing Jose F. Silva for earning national recognition for his community service.

SR 359 by Lucio, Recognizing Antonio A. Villarreal III for his induction into the Rio Grande Valley Sports Hall of Fame.

SR 360 by Lucio, Commending James Alexander Grace for achieving the rank of Eagle Scout.

SR 361 by Lucio, Recognizing Warriors United in Arms for its contributions to veterans in the Rio Grande Valley.

SR 362 by Lucio, Recognizing Bigo's Bar and Grill on the occasion of its 25th anniversary.

SR 363 by Lucio, Commending Victoria Hinojos for earning the Girl Scout Gold Award.

SR 364 by Lucio, Recognizing Southwest Early College High School for its 2019 Lunar New Year Festival.

SR 365 by Lucio, Recognizing the Kingsville Police Department on the occasion of its inaugural reunion.

SR 366 by Lucio, Recognizing Migdalia Lopez on the occasion of her retirement.

SR 367 by Lucio, Recognizing Sergio Alberto Tinoco for his commitment to public service.

SR 368 by Lucio, Commending Hannah J. Edelstein for earning the Girl Scout Gold Award.

SR 369 by Lucio, Recognizing Esperanza Zendejas for her service as superintendent of the Brownsville Independent School District.

SR 370 by Lucio, Recognizing the City of Weslaco on the occasion of its centennial.

SR 371 by Lucio, Recognizing Asim Zamir for earning a 2018 Patients' Choice Award and a Compassionate Doctor Recognition.

SR 372 by Lucio, Recognizing Elvira Salinas Cruz on the occasion of her 100th birthday.

SR 384 by Kolkhorst, Recognizing Norma Frances Tomanetz for her induction into the Barbecue Hall of Fame.

RECESS

On motion of Senator Whitmire, the Senate at 12:02 p.m. recessed until 11:00 a.m. tomorrow.

APPENDIX

COMMITTEE REPORT

The following committee report was received by the Secretary of the Senate:

March 12, 2019

AGRICULTURE — **SB 743**

RESOLUTIONS ENROLLED

March 11, 2019

SR 50, SR 346

