

# SENATE JOURNAL

EIGHTY-EIGHTH LEGISLATURE — REGULAR SESSION

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AUSTIN, TEXAS

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PROCEEDINGS

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## THIRD DAY

(Wednesday, January 18, 2023)

The Senate met at 10:00 a.m. pursuant to adjournment and was called to order by President Pro Tempore Hancock.

The roll was called and the following Senators were present: Alvarado, Bettencourt, Birdwell, Blanco, Campbell, Creighton, Eckhardt, Flores, Gutierrez, Hall, Hancock, Hinojosa, Huffman, Hughes, Johnson, King, Kolkhorst, LaMantia, Menéndez, Middleton, Miles, Nichols, Parker, Paxton, Perry, Schwertner, Springer, West, Whitmire, Zaffirini.

Absent-excused: Sparks.

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

Pastor Wes Wilkinson, First Baptist Church, Pflugerville, offered the invocation as follows:

Lord Jesus, thank You so much for the men and women gathered in this room. Thank You for their willingness to serve those in our state and thank You for the sacrifices they make to do so. The challenges facing us today are great. They are more than any one of us is capable of fully solving. So, my prayer is simple. Lord, please grant Your wisdom and discernment to those in this room as they discuss, as they debate, and as they make decisions. May they know Your sufficiency of Your grace and the depths of Your mercy that they may fulfill their service with compassion and love for their neighbor. I look to You, Lord. 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.

## LEAVE OF ABSENCE

On motion of Senator Whitmire, Senator Sparks was granted leave of absence for today on account of important business.

**MESSAGE FROM THE HOUSE**

HOUSE CHAMBER

Austin, Texas

Wednesday, January 18, 2023 - 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 24** Goldman

Granting the legislature permission to adjourn for more than three days during the period beginning on Wednesday, January 18, 2023, and ending on Tuesday, January 24, 2023.

Respectfully,

/s/Stephen Brown,

Chief Clerk

House of Representatives

**MESSAGE FROM THE SUPREME COURT OF TEXAS**

The following Message from the Supreme Court of Texas was read and was referred to the Committee on Nominations:

THE SUPREME COURT OF TEXAS

January 12, 2023

The Honorable Dan Patrick

Lieutenant Governor of Texas

Texas Capitol Station

Austin, Texas

Dear Lieutenant Governor Patrick:

Since adjournment of the 87th Legislature, the Supreme Court of Texas or the Chief Justice of the Court have made the following appointments that require the advice and consent of the Senate:

To the Board of Directors of the State Bar of Texas

Gregory M. Fuller, M.D. of North Richland Hills, Texas on May 24, 2022, for the remainder of an unexpired term through June 30, 2023 (fulfilling the unexpired term of Dr. Maria Hernandez Ferrier).

To the Board of Trustees of the Employee Retirement System of Texas

Ira Craig Hester of Austin, Texas on August 12, 2022, for a term of six years to expire on August 31, 2028.

To the State Commission on Judicial Conduct

Hon. Wayne Money of Greenville, Texas, on November 28, 2022, for a term of six years to expire November 19, 2027 (succeeding Hon. David Patronella).

Hon. Carey F. Walker of Fort Worth, Texas, on December 27, 2022, to fulfill an unexpired term to expire November 19, 2027 (fulfilling the unexpired term of Hon. David Hall).

Hon. Tano E. Tijerina of Laredo, Texas, on December 27, 2022, to fulfill an unexpired term to expire November 19, 2023 (fulfilling the unexpired term of Hon. Lucy Hebron).

Hon. Ken Wise of Houston, Texas, on December 27, 2022, to fulfill an unexpired term to expire November 19, 2025 (fulfilling the unexpired term of Hon. David J. Schenck).

The Supreme Court of Texas respectfully requests the consent and confirmation of the Senate for each of these interim appointments.

Sincerely,  
/s/Nathan L. Hecht  
Chief Justice

### **HOUSE CONCURRENT RESOLUTION 24**

The President Pro Tempore 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 88th 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, January 18, 2023, and ending on Tuesday, January 24, 2023.

WHITMIRE

**HCR 24** 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: Sparks.

### **GUESTS PRESENTED**

Senator King, joined by Senator Campbell, was recognized and introduced to the Senate a delegation of police chiefs from the Texas Police Chiefs Association.

The Senate welcomed its guests.

### **SENATE RESOLUTION 30**

Senator West offered the following resolution:

**SR 30**, Recognizing Dallas Police Chief Edgardo "Eddie" Garcia for his service.

WEST  
JOHNSON

The resolution was read.

Senator West moved to postpone further consideration of the resolution.

The motion prevailed.

### **GUESTS PRESENTED**

Senator West, joined by Senators Johnson, Zaffirini, Whitmire, and Blanco, was recognized and introduced to the Senate members of the Texas Police Chiefs Association.

The Senate welcomed its guests.

### **MOMENT OF SILENCE OBSERVED**

At the request of Senator Blanco, the Senate observed a moment of silence in honor of Greg Allen, Police Chief of El Paso.

### **PHYSICIAN OF THE DAY**

Senator Johnson was recognized and presented Dr. Manojkumar A. Dobariya of Coppell as the Physician of the Day.

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

### **AT EASE**

The President Pro Tempore at 10:37 a.m. announced the Senate would stand At Ease subject to the call of the Chair.

### **IN LEGISLATIVE SESSION**

President Pro Tempore Hancock at 10:57 a.m. called the Senate to order as In Legislative Session.

### **SENATE RESOLUTION 10**

Senator Alvarado offered the following resolution:

**SR 10**, Congratulating the Houston Astros on winning the 2022 World Series.

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 Alvarado, the resolution was adopted without objection.

### **GUESTS PRESENTED**

Senator Alvarado, joined by Senators Whitmire, Bettencourt, and Gutierrez, was recognized and introduced to the Senate Jim Crane, Owner and Chairman of the Houston Astros; Anita Sehgal, Senior Vice-president; Giles Kibbe, Senior Vice-president; players Jason Castro and Ryan Pressly; and a delegation from the Houston Astros.

The Senate welcomed its guests.

**RESOLUTIONS SIGNED**

The President Pro Tempore announced the signing of the following enrolled resolutions in the presence of the Senate after the captions had been read:

**SCR 5, SCR 6.**

**SENATE RESOLUTION 30**

The President Pro Tempore again laid before the Senate **SR 30**:

**SR 30**, Recognizing Dallas Police Chief Edgardo "Eddie" Garcia for his service.

WEST  
JOHNSON

The resolution had been read and temporarily postponed.

The resolution was adopted without objection.

**CO-AUTHOR OF SENATE BILL 287**

On motion of Senator Huffman, Senator Hinojosa will be shown as Co-author of **SB 287**.

**RESOLUTIONS OF RECOGNITION**

The following resolutions were adopted by the Senate:

**Memorial Resolutions**

**SR 13** by Hughes, In memory of LaVonn Jeanette Vickers Higgs of Lindale.

**SR 14** by Hughes, In memory of Mollie Jeanette Upton of Longview.

**SR 15** by Hughes, In memory of Curtis Williams Mewbourne of Tyler.

**SR 16** by Hughes, In memory of Vivion Eugene Mitcham of Gladewater.

**SR 18** by Hughes, In memory of Catherine Jean Morlen of Longview.

**SR 19** by Hughes, In memory of Gloria Anne Gilson Kolb of Tyler.

**SR 20** by Hughes, In memory of Billy Wayne Hicks of Tyler.

**SR 42** by Hughes, In memory of Officer Larry Solomon Jr. of the Longview Police Department.

**Congratulatory Resolutions**

**SR 11** by Alvarado, Congratulating Dusty Baker on helping the Houston Astros win the 2022 World Series.

**SR 17** by Hughes, Recognizing James and Earlene Daily on the occasion of their 70th wedding anniversary.

**SR 21** by Hinojosa and LaMantia, Recognizing Robert Rocha on the occasion of his retirement.

**SR 22** by Gutierrez and Menéndez, Recognizing Dr. Cynthia Teniente-Matson for her service as president of Texas A&M University-San Antonio.

**SR 23** by West, Recognizing Geneva Rideaux for 50 years of service to Alpha Kappa Alpha Sorority, Incorporated.

**SR 24** by West, Recognizing Shirley Ison-Newsome for 50 years of service to Alpha Kappa Alpha Sorority, Incorporated.

**SR 25** by West, Recognizing Marguerite Williams for 65 years of service to Alpha Kappa Alpha Sorority, Incorporated.

**SR 26** by West, Recognizing Terrie Davoll Hudson for 50 years of service to Alpha Kappa Alpha Sorority, Incorporated.

**SR 27** by West, Recognizing Beverly Terry Bolden for 50 years of service to Alpha Kappa Alpha Sorority, Incorporated.

**SR 28** by West, Recognizing Margie Harrison Riley for 65 years of service to Alpha Kappa Alpha Sorority, Incorporated.

**SR 29** by West, Recognizing Charles Etta Williams for 65 years of service to Alpha Kappa Alpha Sorority, Incorporated.

**SR 31** by West, Recognizing Deborah J. Kilgore for 50 years of service to Alpha Kappa Alpha Sorority, Incorporated.

**SR 32** by West, Recognizing Linda Lawson-Kennedy for 50 years of service to Alpha Kappa Alpha Sorority, Incorporated.

**SR 33** by West, Recognizing Irene Redmond for 50 years of service to Alpha Kappa Alpha Sorority, Incorporated.

**SR 34** by West, Recognizing Remelle Sims for 50 years of service to Alpha Kappa Alpha Sorority, Incorporated.

**SR 35** by West, Recognizing Rosalyn Canada for 50 years of service to Alpha Kappa Alpha Sorority, Incorporated.

**SR 36** by West, Recognizing Carolyn Coulter Doyle for 50 years of service to Alpha Kappa Alpha Sorority, Incorporated.

**SR 37** by West, Recognizing Kathy D. Henderson for 50 years of service to Alpha Kappa Alpha Sorority, Incorporated.

**SR 38** by West, Recognizing Sandra Lee Jackson for 50 years of service to Alpha Kappa Alpha Sorority, Incorporated.

**SR 39** by West, Recognizing Eddie Bernice Johnson for 50 years of service to Alpha Kappa Alpha Sorority, Incorporated.

**SR 41** by Hughes, Recognizing Joe Willis on the occasion of his retirement as head football coach at Legacy High School in Tyler.

### **Legislative Policy Resolutions**

**SR 40** by Bettencourt, Granting permission for use of the chamber of the Texas Senate by the Texas Lyceum on January 26, 2023, from 3 p.m. to 5:45 p.m.

**SR 43** by Whitmire, Granting the Texas DeMolay Association permission to use the Senate Chamber in 2023 and 2024.

**ADJOURNMENT**

On motion of Senator Whitmire, the Senate at 11:22 a.m. adjourned until 11:00 a.m. Tuesday, January 24, 2023.

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**APPENDIX**

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**RESOLUTIONS ENROLLED**

January 18, 2023

**SR 10, SR 11, SR 13, SR 14, SR 15, SR 16, SR 17, SR 18, SR 19, SR 20, SR 21, SR 22, SR 23, SR 24, SR 25, SR 26, SR 27, SR 28, SR 29, SR 30, SR 31, SR 32, SR 33, SR 34, SR 35, SR 36, SR 37, SR 38, SR 39, SR 40, SR 41, SR 42, SR 43**

