

# SENATE JOURNAL

EIGHTIETH LEGISLATURE — REGULAR SESSION

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AUSTIN, TEXAS

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PROCEEDINGS

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**SEVENTH DAY**

(Tuesday, January 30, 2007)

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: Averitt, Brimer, Carona, Deuell, Duncan, Ellis, Eltife, Estes, Fraser, Harris, Hegar, Hinojosa, Jackson, Janek, Lucio, Nelson, Nichols, Ogden, Patrick, Seliger, Shapiro, Shapleigh, Uresti, Van de Putte, Watson, Wentworth, West, Whitmire, Williams, Zaffirini.

Absent-excused: Gallegos.

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

The Reverend Kathryn McNeely, Saint John's United Methodist Church, Austin, offered the invocation as follows:

God of love, compassion, and justice, as we gather here this morning, we are thankful for the abundance in our lives, we acknowledge the responsibility we share, and we understand that for those to whom much is given, much is also required. We, therefore, ask for Your blessing of presence with us today in our work. Keep us ever faithful in our caring for our children, our hungry, our sick, and our poor, that the needs of all for education, food, shelter, and health care might be met. Keep alive in us the vision of a state where all are compassionately served. Deliver us from all things that keep us from serving with compassion, honesty, and integrity, and give us the gifts of courage, creativity, and dialogue, that imaginative and visionary plans may be developed and resourceful solutions found. In Your hope-filled name we pray. Amen.

Senator Whitmire moved that the reading of the Journal of the proceedings of yesterday be dispensed with and the Journal be approved as printed.

The motion prevailed without objection.

## LEAVE OF ABSENCE

On motion of Senator Whitmire, Senator Gallegos was granted leave of absence for today on account of illness.

**CO-AUTHOR OF SENATE BILL 44**

On motion of Senator Nelson, Senator Shapleigh will be shown as Co-author of **SB 44**.

**CO-AUTHOR OF SENATE BILL 45**

On motion of Senator Nelson, Senator Shapleigh will be shown as Co-author of **SB 45**.

**CO-AUTHORS OF SENATE BILL 50**

On motion of Senator Zaffirini, Senators Carona and Seliger will be shown as Co-authors of **SB 50**.

**CO-AUTHOR OF SENATE BILL 102**

On motion of Senator Carona, Senator Wentworth will be shown as Co-author of **SB 102**.

**CO-AUTHOR OF SENATE BILL 108**

On motion of Senator Deuell, Senator Lucio will be shown as Co-author of **SB 108**.

**CO-AUTHOR OF SENATE BILL 112**

On motion of Senator Carona, Senator Nelson will be shown as Co-author of **SB 112**.

**CO-AUTHOR OF SENATE BILL 124**

On motion of Senator Ellis, Senator Zaffirini will be shown as Co-author of **SB 124**.

**CO-AUTHORS OF SENATE BILL 127**

On motion of Senator Shapleigh, Senators Uresti, Van de Putte, and Wentworth will be shown as Co-authors of **SB 127**.

**CO-AUTHOR OF SENATE BILL 142**

On motion of Senator Zaffirini, Senator Shapleigh will be shown as Co-author of **SB 142**.

**CO-AUTHOR OF SENATE BILL 156**

On motion of Senator Shapiro, Senator Deuell will be shown as Co-author of **SB 156**.

**CO-AUTHOR OF SENATE BILL 186**

On motion of Senator Patrick, Senator Estes will be shown as Co-author of **SB 186**.

**CO-AUTHOR OF SENATE JOINT RESOLUTION 7**

On motion of Senator Carona, Senator Wentworth will be shown as Co-author of **SJR 7**.

**PHYSICIAN OF THE DAY**

Senator Ogden was recognized and presented Dr. Mary Helen Morrow of College Station as the Physician of the Day.

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

**MESSAGE FROM THE HOUSE**

HOUSE CHAMBER

Austin, Texas

January 30, 2007

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:

**SCR 13**, Inviting the Chief Justice of the Supreme Court of Texas to address a Joint Session of the legislature on February 20, 2007.

Respectfully,

/s/Robert Haney, Chief Clerk  
House of Representatives

**SENATE RESOLUTION 54**

Senator Williams offered the following resolution:

**SR 54**, In memory of Lance Corporal Luke Carney Yepsen of Kingwood.

The resolution was read.

Senator Williams was recognized and introduced to the Senate family members of Luke Carney Yepsen: his parents, Gary and Sheila Yepsen, and his brother, Kyle Yepsen.

The Senate welcomed its guests and extended its sympathy.

On motion of Senator Williams, **SR 54** was adopted by a rising vote of the Senate.

In honor of the memory of Lance Corporal Luke Carney Yepsen, the text of the resolution is printed at the end of today's *Senate Journal*.

**RESOLUTIONS SIGNED**

The President announced the signing of the following enrolled resolutions in the presence of the Senate: **SCR 8, SCR 11, SCR 12, HCR 38**.

**GUEST PRESENTED**

Senator Ellis was recognized and introduced to the Senate Her Majesty's Consul-General Judith Slater, British Consulate-General in Houston.

The Senate welcomed its guest.

**SENATE RESOLUTION 138**

Senator Lucio offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to recognize Jo Rae Wagner, a mechanical contractor in Harlingen, who is serving as the 2006-2007 national president of the Plumbing, Heating and Cooling Contractors Association; and

WHEREAS, Jo Rae Wagner has been dedicated to her work in the construction industry for 34 years; she is currently president of CTO, Incorporated, in Harlingen, and her business includes managing an office staff of seven and approximately 60 field employees and overseeing contracts worth millions of dollars; and

WHEREAS, She has served as a member of both the state and national board of directors of the Plumbing, Heating and Cooling Contractors Association, and she is the second woman to serve as its national president since its inception in 1883; and

WHEREAS, Jo is a member of the Harlingen Construction Board of Adjustments and Appeals, serves as a member of the board of directors of the Rio Grande Valley Apprenticeship Program, and is on the City of Harlingen Utility Board; she has served as president of the American Subcontractor's Association—Rio Grande Valley Chapter and is currently its director; and

WHEREAS, Jo's goals as president of the national organization include bringing more women, minorities, and young people into the industry's associations, ensuring educational and certification programs are up-to-date, and focusing on legislative issues, such as tort reform; and

WHEREAS, Jo is a strong proponent of women serving in the construction industry and encourages women already on the fringes of construction businesses to become more involved in their profession; she is a fine example for other women to emulate; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 80th Legislature, hereby commend Jo Rae Wagner for her dedication to her profession and her many accomplishments and congratulate her on her selection as the national president of the Plumbing, Heating and Cooling Contractors Association; and, be it further

RESOLVED, That a copy of this Resolution be prepared for her as an expression of high regard from the Texas Senate.

**SR 138** was read and was adopted without objection.

**GUESTS PRESENTED**

Senator Lucio was recognized and introduced to the Senate Jo Rae Wagner, national President, Plumbing, Heating and Cooling Contractors Association, accompanied by a delegation of members.

The Senate welcomed its guests.

**INTRODUCTION OF  
BILLS AND RESOLUTIONS POSTPONED**

The President announced that the introduction of bills and resolutions on first reading would be postponed until the end of today's session.

There was no objection.

**GUESTS PRESENTED**

Senator Ogden was recognized and introduced to the Senate a delegation from the Round Rock Leadership Class.

The Senate welcomed its guests.

**GUESTS PRESENTED**

Senator Duncan was recognized and introduced to the Senate the Texas Partners in Education Award winners for the Lubbock Independent School District: Crystal Award winners, Brandon Mullins representing Texas Small Business Partnership, Eddie Owens representing Texas Large Business Partnership, Lawrence Schovanec representing Texas Collegiate Partnership, Twila Auffer representing Texas Media Partnership, Bob Tate representing Texas Liaison Partnership, and Gold Award winner Mike Moss representing Texas Medium Business Partnership.

The Senate welcomed its guests.

**SENATE RESOLUTION 141**

Senator Patrick offered the following resolution:

BE IT RESOLVED, By the Senate of the State of Texas, 80th Legislature, That the Senate Committee on Administration is hereby directed to convey to the State Preservation Board the request of the senate that not later than September 1, 2007, the preservation board permanently display, in lettering large enough to be read throughout the senate chamber, the motto "In God We Trust" on a sign or other appropriate device to be placed on the face of the white portion of the portico located over the presiding officer's podium and beneath the electronic message screen in the senate chamber; and, be it further

RESOLVED, That the Senate Committee on Administration shall provide any appropriate assistance to the State Preservation Board to carry out the senate's request in this matter; and, be it further

RESOLVED, That, until the motto is permanently displayed by the State Preservation Board in the manner described by this resolution, the Senate Committee on Administration shall cause the motto "In God We Trust" to be prominently displayed on the electronic message screen at the front of the senate chamber at all times when the chamber is open to the public and the senate is not in session or the electronic message screen is not required for another activity taking place in the chamber.

PATRICK  
AVERITT  
BRIMER  
DEUELL

JACKSON  
JANEK  
LUCIO  
NELSON

SHAPLEIGH  
URESTI  
VAN DE PUTTE  
WATSON

ELLIS	NICHOLS	WENTWORTH
ELTIFE	OGDEN	WEST
ESTES	SELIGER	WHITMIRE
HEGAR	SHAPIRO	ZAFFIRINI
HINOJOSA		

**SR 141** was read and was adopted without objection.

#### **GUESTS PRESENTED**

Senator Wentworth was recognized and introduced to the Senate a delegation from the League of Women Voters.

The Senate welcomed its guests.

#### **GUESTS PRESENTED**

Senator Zaffirini was recognized and introduced to the Senate Joseph Miller, Roy Dieckow, and Chandler Santos from John Glenn Elementary School in Saint Hedwig, serving today as Honorary Senate Pages.

The Senate welcomed its guests.

#### **MOTION TO ADJOURN**

On motion of Senator Whitmire and by unanimous consent, the Senate at 11:40 a.m. agreed to adjourn, in memory of Elsa Castillo of Laredo and Lance Corporal Luke Carney Yepsen of Kingwood, upon completion of the introduction of bills and resolutions on first reading, until 11:00 a.m. tomorrow.

#### **SENATE BILLS AND RESOLUTION ON FIRST READING**

The following bills and resolution were introduced, read first time, and referred to the committees indicated:

##### **SB 201** by Nelson

Relating to tuition exemptions at public institutions of higher education for certain professional nursing program preceptors and their children.

To Subcommittee on Higher Education.

##### **SB 202** by Nelson

Relating to incentives to recruit and retain allied health education program faculty.

To Subcommittee on Higher Education.

##### **SB 203** by Nelson

Relating to a study of the feasibility of providing immunizations to certain students enrolled in health professional degree programs.

To Committee on Health and Human Services.

##### **SB 204** by Nelson

Relating to certain electronic medical records systems.

To Committee on Health and Human Services.

##### **SB 205** by Nelson

Relating to the privacy of protected health information.

To Committee on Health and Human Services.

**SB 206** by Nelson, Shapiro

Relating to background and criminal history checks for certain providers of subsidized child care.

To Committee on Business and Commerce.

**SB 207** by Ellis

Relating to application of the minimum wage to certain governmental entities.

To Committee on Intergovernmental Relations.

**SB 208** by Ellis

Relating to hearings by the Board of Pardons and Paroles regarding clemency matters.

To Committee on Criminal Justice.

**SB 209** by Ellis

Relating to the system by which an application for a low income housing tax credit is scored.

To Committee on Intergovernmental Relations.

**SB 210** by Ellis

Relating to compensation to persons wrongfully imprisoned.

To Committee on State Affairs.

**SB 211** by Fraser

Relating to the student enrollment required for Texas A&M University–Central Texas to operate as a general academic teaching institution.

To Subcommittee on Higher Education.

**SB 212** by Fraser

Relating to the issuance of revenue bonds to fund facilities at Texas A&M University–Central Texas.

To Committee on Finance.

**SB 213** by Fraser

Relating to the authority of certain counties to impose a county hotel occupancy tax and to the rate of the tax.

To Committee on Intergovernmental Relations.

**SB 214** by Fraser

Relating to authorizing the transfer for consideration of certain fractional mineral interests held by the state to certain landowners.

To Committee on Natural Resources.

**SB 215** by Fraser

Relating to the operation of the Texas Residential Construction Commission.

To Committee on State Affairs.

**SB 216** by Fraser

Relating to the securitization of the nonbypassable delivery rates of transmission and distribution utilities.

To Committee on Business and Commerce.

**SB 217** by Shapiro

Relating to the penalty for a parent who fails to require a child to attend school.  
To Committee on Education.

**SB 218** by Carona

Relating to license requirements for preschool and after-school programs operated by public or private schools.  
To Committee on Health and Human Services.

**SB 219** by Deuell

Relating to the advertising, promoting, and conducting of certain live musical performances; providing a civil penalty.  
To Committee on Business and Commerce.

**SB 220** by Lucio

Relating to the use of electronic communication by a conservator of a child to facilitate communication with the child.  
To Committee on Jurisprudence.

**SB 221** by Lucio

Relating to birth records of adopted children.  
To Committee on Jurisprudence.

**SB 222** by Ellis

Relating to a security freeze on a consumer file maintained by a consumer reporting agency.  
To Committee on Business and Commerce.

**SB 223** by Ellis

Relating to a loss of computerized data or breach of computer security involving sensitive personal information.  
To Committee on Business and Commerce.

**SB 224** by Ellis

Relating to a consumer's option to prevent the sale of the consumer's financial information by a financial institution; providing a civil penalty.  
To Committee on Business and Commerce.

**SB 225** by Ellis

Relating to privacy of wireless telecommunications customer information; providing a civil penalty.  
To Committee on Business and Commerce.

**SB 226** by Harris

Relating to a computerized map system containing the locations of residences of registered sex offenders and premises where children commonly gather.  
To Committee on Criminal Justice.

**SB 227** by Harris

Relating to the perfection of a child support lien on a motor vehicle.  
To Committee on Jurisprudence.

**SB 228** by Harris

Relating to suits affecting the parent-child relationship, including proceedings for the establishment, modification, and enforcement of child support; providing a civil penalty.

To Committee on Jurisprudence.

**SB 229** by Harris

Relating to the seal of a district court used on process issued by the court.

To Committee on Jurisprudence.

**SB 230** by Harris

Relating to the notification required when public school students who engage in certain criminal conduct transfer to a new school.

To Committee on Criminal Justice.

**SB 231** by Harris

Relating to child support enforcement.

To Committee on Jurisprudence.

**SB 232** by Harris

Relating to the rendition and issuance of a qualified domestic relations order, including an administrative qualified domestic relations order by the Title IV-D agency, to enforce child support obligations and to the designation of a child support obligee as an alternate payee under a qualified domestic relations order.

To Committee on Jurisprudence.

**SB 233** by Harris

Relating to the authority of certain law enforcement agencies to establish a checkpoint to determine whether persons are boating while intoxicated.

To Committee on Transportation and Homeland Security.

**SB 234** by Harris

Relating to the reporting of income-producing contracts entered into by school districts.

To Committee on Education.

**SB 235** by Harris

Relating to the composition of a county bail bond board.

To Committee on Jurisprudence.

**SB 236** by Zaffirini

Relating to the resumption of employment by a retiree within the Texas Municipal Retirement System.

To Committee on State Affairs.

**SB 237** by Shapiro

Relating to the supreme court's adoption of rules on the electronic filing of documents in civil cases in justice of the peace courts.

To Committee on Jurisprudence.

**SB 238** by Shapiro

Relating to authorizing certain community colleges to offer a baccalaureate degree program in interior design.

To Subcommittee on Higher Education.

**SB 239** by Gallegos

Relating to interference with the duties of a public health professional; providing a criminal penalty.

To Committee on Criminal Justice.

**SB 240** by Gallegos

Relating to eligibility for an award through the Early High School Graduation Scholarship program.

To Subcommittee on Higher Education.

**SB 241** by Fraser

Relating to the creation of a library district.

To Committee on Intergovernmental Relations.

**SB 242** by Shapiro

Relating to contested cases involving the collection, administration, and enforcement of certain taxes and fees.

To Committee on Finance.

**SB 243** by Deuell

Relating to local control of firefighter and police officer employment matters in certain municipalities.

To Committee on Intergovernmental Relations.

**SB 244** by Williams

Relating to the temporary sealing of certain affidavits on which search warrants are based.

To Committee on Criminal Justice.

**SB 245** by Carona

Relating to the first option of a local toll project-building entity to finance, construct, or operate a new toll project.

To Committee on Transportation and Homeland Security.

**SB 246** by Brimer

Relating to the management and maintenance of certain land located south of the Sam Houston Building by the State Preservation Board.

To Committee on Administration.

**SB 247** by Ellis

Relating to prohibiting the investment of state funds in certain private business entities doing business in Sudan.

To Committee on Government Organization.

**SB 248** by Ellis

Relating to a motor vehicle passing a bicyclist; providing penalties.

To Committee on Transportation and Homeland Security.

**SB 249** by Ellis

Relating to the applicability of the death penalty to a capital offense committed by a person with mental retardation.

To Committee on Criminal Justice.

**SB 250** by Ellis

Relating to limits on political contributions and direct campaign expenditures by individuals; providing civil and criminal penalties.

To Committee on State Affairs.

**SB 251** by Harris

Relating to parking of a motor vehicle operated by or for the transportation of a veteran with a disability in certain parking spaces; providing a criminal penalty.

To Committee on Veteran Affairs and Military Installations.

**SB 252** by Estes

Relating to the allocation and use of the sporting goods sales tax revenue to fund state and local parks.

To Committee on Finance.

**SB 253** by Ellis

Relating to the advertising, promoting, and conducting of certain live musical performances; providing a civil penalty.

To Committee on Business and Commerce.

**SB 254** by Ellis

Relating to the sale of live animals on a public highway or road, the right-of-way of a public highway or road, or a parking lot.

To Committee on Intergovernmental Relations.

**SB 255** by Carona

Relating to reports and information provided by the Texas Department of Transportation.

To Committee on Transportation and Homeland Security.

**SB 256** by Carona

Relating to payments by bidders associated with a toll project contract.

To Committee on Transportation and Homeland Security.

**SB 257** by Carona

Relating to limitations on the combined rates of transit and other local sales and use taxes.

To Committee on Finance.

**SB 258** by Duncan

Relating to the system by which an application for a low income housing tax credit is scored.

To Committee on Intergovernmental Relations.

**SB 260** by Gallegos

Relating to authorizing the issuance of revenue bonds for the University of Houston Center for Mexican American Studies.

To Committee on Finance.

**SB 261** by Zaffirini

Relating to the detention and transportation of a person with a mental illness.

To Committee on Health and Human Services.

**SB 262** by Ellis

Relating to compensation for wrongful imprisonment.

To Committee on Criminal Justice.

**SB 263** by Ellis

Relating to the creation of a commission to investigate and prevent wrongful convictions.

To Committee on Criminal Justice.

**SB 264** by Ellis

Relating to the availability of free prekindergarten programs in public schools.

To Committee on Education.

**SB 265** by Shapiro, Nelson

Relating to background and criminal history checks for, reporting requirements for, and audits of certain providers of subsidized child care.

To Committee on Health and Human Services.

**SB 266** by Zaffirini

Relating to the period of continuous eligibility for the medical assistance program.

To Committee on Health and Human Services.

**SB 267** by Duncan

Relating to the grounds and procedures for removal of a member of the board of directors of the Lynn County Hospital District.

To Committee on Intergovernmental Relations.

**SB 268** by Patrick

Relating to the imposition of a fee for money transmissions sent to a destination outside the United States and to the use of the revenue for border security purposes.

To Committee on Finance.

**SB 269** by Shapiro

Relating to a program allowing for countywide voting locations in certain elections.

To Committee on State Affairs.

**SB 270** by Wentworth

Relating to mandatory sales price disclosure in real property sales; providing a civil penalty.

To Committee on Intergovernmental Relations.

**SB 271** by Wentworth

Relating to the qualifications to serve as an associate judge in certain family law proceedings.

To Committee on Jurisprudence.

**SB 272** by Estes

Relating to the appointment of bailiffs for the 97th Judicial District.

To Committee on Jurisprudence.

**SB 273** by Estes

Relating to a student fitness and recreational fee at Texas Woman's University.

To Subcommittee on Higher Education.

**SB 274** by Estes

Relating to the issuance of Silver Star Medal license plates.

To Committee on Transportation and Homeland Security.

**SB 275** by Carona

Relating to the length of certain agreements with private entities related to transportation projects.

To Committee on Transportation and Homeland Security.

**SB 276** by Wentworth

Relating to the selection process for student members of the board of regents of a university or university system.

To Subcommittee on Higher Education.

**SB 277** by Shapiro, Uresti

Relating to the use in an advertisement of a name or picture of a member of the United States Armed Forces; providing a criminal penalty.

To Committee on Business and Commerce.

**SB 278** by Gallegos

Relating to the creation of a state occupational health and safety plan; establishing a maintenance tax.

To Committee on State Affairs.

**SB 279** by Gallegos

Relating to the establishment and operation of a public building mapping information system by the Texas Building and Procurement Commission.

To Committee on Transportation and Homeland Security.

**SB 280** by Gallegos

Relating to the program for improvement of collection of court costs, fees, and fines imposed in criminal cases.

To Committee on Jurisprudence.

**SB 281** by Gallegos

Relating to excepting dates of birth of employees of governmental bodies from required disclosure under the public information law.

To Committee on State Affairs.

**SB 282** by Gallegos

Relating to notice regarding the availability of programs under which a student may earn college credit in public schools.

To Committee on Education.

**SB 283** by Gallegos

Relating to the authority of certain counties to enact noise regulations; providing a criminal penalty.

To Committee on Intergovernmental Relations.

**SB 284** by Gallegos

Relating to the issuance and renewal of certain licenses for junkyards and automotive wrecking and salvage yards.

To Committee on Transportation and Homeland Security.

**SB 285** by Shapiro

Relating to the imposition of certain fees on students enrolled at The University of Texas at Dallas.

To Subcommittee on Higher Education.

**SB 286** by Watson

Relating to the establishment of a home-delivered meal grant program in the Department of Agriculture.

To Subcommittee on Agriculture, Rural Affairs, and Coastal Resources.

**SB 287** by Lucio

Relating to the appointment of an attorney for a workers' compensation claimant in certain judicial review proceedings initiated by a workers' compensation insurance carrier.

To Committee on State Affairs.

**SB 288** by Nelson

Relating to health care-associated infection rates at certain health care facilities and the creation of an advisory panel.

To Committee on Health and Human Services.

**SB 289** by Nelson

Relating to the use of professional nursing shortage reduction program grants to encourage clinical nursing instruction by part-time faculty at public or private institutions of higher education.

To Subcommittee on Higher Education.

**SB 290** by Nelson

Relating to the provision of health care services by certain entities, including niche hospitals; providing a criminal penalty.

To Committee on Health and Human Services.

**SB 291** by Nelson

Relating to criminal history record information for certain guardianship services and to lists of certain public guardians.

To Committee on Jurisprudence.

**SB 292** by Williams

Relating to the financing of the system benefit fund and the purposes for which the fund may be used.

To Committee on Finance.

**SB 293** by Williams

Relating to the consideration of an electric utility's effective use of competitive procurement methods in determining the utility's rate of return.

To Committee on Business and Commerce.

**SB 294** by Williams

Relating to the discontinuation of the Telecommunications Infrastructure Fund.

To Committee on Finance.

**SB 295** by Williams

Relating to the administration of polygraph examinations to certain commissioned officers and noncommissioned employees of the Department of Public Safety.

To Committee on Transportation and Homeland Security.

**SB 297** by West

Relating to the composition of the committee appointed to review the uniform general conditions of state building construction contracts.

To Committee on State Affairs.

**SB 298** by West

Relating to the minimum eligibility standards adopted by this state for use in determining eligibility for indigent health care.

To Committee on Health and Human Services.

**SB 299** by Van de Putte

Relating to the continuation of a residence homestead exemption from ad valorem taxation while the owner is temporarily absent because of military service.

To Committee on Veteran Affairs and Military Installations.

**SB 300** by Ellis

Relating to the duration of judgment liens in favor of the state.

To Committee on State Affairs.

**SJR 10** by Janek

Proposing a constitutional amendment authorizing the governing body of a political subdivision to establish for purposes of ad valorem taxation by the political subdivision a limit on the maximum average annual percentage increase in the appraised value of residence homesteads in the political subdivision.

To Committee on Finance.

**RESOLUTIONS OF RECOGNITION**

The following resolutions were adopted by the Senate:

**Memorial Resolution**

**SR 132** by Hinojosa, In memory of James R. Bryce, Jr., of Corpus Christi.

**Congratulatory Resolutions**

**SR 134** by Nichols, Congratulating Baker Pattillo on his appointment as President of Stephen F. Austin State University.

**SR 139** by Zaffirini, Recognizing the Society of Martha Washington on the occasion of the organization's Colonial Pageant and Ball.

**Official Designation Resolution**

**SR 56** by Harris, Carona, Deuell, Shapiro, and West, Recognizing January 30, 2007, as Dallas County Day at the Capitol.

**ADJOURNMENT**

Pursuant to a previously adopted motion, the Senate at 11:58 a.m. adjourned, in memory of Elsa Castillo of Laredo and Lance Corporal Luke Carney Yepsen of Kingwood, until 11:00 a.m. tomorrow.

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**APPENDIX**

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**SENT TO SECRETARY OF STATE**

January 30, 2007

**SCR 8, SCR 11, SCR 12**

**In Memory**  
**of**  
**Luke Carney Yepsen**  
**Senate Resolution 54**

WHEREAS, The family and friends of U.S. Marine Lance Corporal Luke Carney Yepsen of Kingwood suffered an immeasurable loss with the death of this valiant young man on December 14, 2006, at the age of 20; and

WHEREAS, Lance Corporal Yepsen was killed while bravely serving his country during combat operations in Al Anbar Province, Iraq; and

WHEREAS, A loving son and brother, Lance Corporal Yepsen graduated from Kingwood High School in 2004 and attended Texas A&M University before joining the Marines; large in stature and in kindness, he enjoyed cars, tae kwon do, and traveling and was proud to say that he had visited 20 countries in his 20 years; and

WHEREAS, Through his unwavering dedication to duty, honor, and this country, Luke Yepsen embodied the highest ideals of the armed services, and the memory of his love and friendship will be forever treasured by those who were privileged to know him; now, therefore, be it

RESOLVED, That the Senate of the 80th Texas Legislature hereby pay tribute to the life of U.S. Marine Lance Corporal Luke Carney Yepsen and extend deepest sympathy to the members of his family: to his parents, Sheila and Gary Yepsen; to his brother, Kyle Yepsen; to his fiancé, Sandra Brumen; and to his other relatives and many friends; and, be it further

RESOLVED, That an official copy of this resolution be prepared for his family and that when the Texas Senate adjourns this day, it do so in memory of Luke Carney Yepsen.

WILLIAMS

