

SENATE JOURNAL

EIGHTIETH LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

FIFTH DAY

(Wednesday, January 24, 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, Watson, Wentworth, West, Whitmire, Williams, Zaffirini.

Absent-excused: Gallegos, Van de Putte.

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

The Reverend Dr. Travis L. Summerlin, Tenth Street United Methodist Church, Taylor, offered the invocation as follows:

Almighty God, grant to the Members of our Legislature a sacred moment of quiet before they take up the duties of the day. Turn their thoughts to You and open their hearts to Your spirit that they may have wisdom in their decisions, understanding in their thinking, love in their attitudes, and mercy in their judgments. We pray that You will bless these men and women chosen by the people of our state as they lead us further into this new year filled with so many opportunities and challenges. Give them strength and speak to them to give them wisdom greater than their own. May they hear Your voice and seek Your guidance. We pray for our Governor and Lieutenant Governor and their cabinet of advisors, for our nation, the President and our other leaders, for our men and women in uniform who serve in harm's way around the world, doing what they do so we may have the freedom to do what we do today. May Your spirit be at work to bring a just and lasting peace to our world. We know that without Your guidance we can do nothing, but with You we can do all things. Let us not be frightened by the challenges that confront us, but rather give You thanks that You have matched us with this hour. May we resolve, God helping us, to be part of the answer and not part of the problem. Through Your holy name. 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.

LEAVES OF ABSENCE

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

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

CO-AUTHORS OF SENATE BILL 50

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

CO-AUTHORS OF SENATE BILL 54

On motion of Senator Zaffirini, Senators Averitt and Shapleigh will be shown as Co-authors of **SB 54**.

CO-AUTHOR OF SENATE BILL 59

On motion of Senator Zaffirini, Senator Carona will be shown as Co-author of **SB 59**.

CO-AUTHOR OF SENATE BILL 97

On motion of Senator Ellis, Senator Eltife will be shown as Co-author of **SB 97**.

PHYSICIAN OF THE DAY

Senator Wentworth was recognized and presented Dr. Todd Thames of San Antonio as the Physician of the Day.

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

SENATE RESOLUTION 18

Senator Zaffirini offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to honor the citizens of Laredo and to recognize Wednesday, January 24, 2007, as Laredo Legislative Day at the Capitol; and

WHEREAS, Laredo was established in 1755 by Don Tomas Sanchez, and its history offers a compelling tale, as the town was forged in the heat of battles incited by Spaniards, Indians, Mexicans, Texans, and Americans; its location as a crossroads between nations has made Laredo a unique city and the site of an interesting mix of cultures; and

WHEREAS, Situated on the banks of the Rio Grande, Laredo is the largest inland port on the southern United States border; it is one of the top four ports-of-commerce in the nation, and in 2004, the city handled 41 percent of all overland trade between the United States and Mexico; and

WHEREAS, Education plays a vital role in the life of Laredo; Texas A&M International University in North Laredo and the new University of Texas Health Science Center at San Antonio Laredo Extension Campus thrive with students, and Laredo Community College now has two campuses; and

WHEREAS, Laredo is home to the 2004 Central Hockey League Champions, the Laredo Bucks, and to an important tool in the global war on terror, the Laredo International Fire and Law Enforcement Training Center; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 80th Legislature, hereby extend best wishes for a celebratory Laredo Legislative Day at the Capitol; and, be it further

RESOLVED, That a copy of this Resolution be prepared for the citizens of Laredo as a memento of this occasion.

SR 18 was read and was adopted without objection.

GUESTS PRESENTED

Senator Zaffirini was recognized and introduced to the Senate representatives from the City of Laredo: Councilmembers Hector J. Garcia, Gene Belmares, and Johnny Rendon; Acting City Manager Cindy Collazo; and Assistant City Manager Rafael Garcia.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Nelson was recognized and introduced to the Senate a group of nurse anesthetists.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Uresti was recognized and introduced to the Senate Charles L. Cotrell, President of Saint Mary's University, San Antonio; Major General Alfred Valenzuela, Secretary, Saint Mary's University Board of Trustees; and Ambassador Eugene Scassa, Saint Mary's University Scholar in Residence, representing Saint Mary's University Legislative Day.

The Senate welcomed its guests.

SENATE CONCURRENT RESOLUTION 8

The President laid before the Senate the following resolution:

WHEREAS, The Texas DeMolay Association is widely respected for its success in developing leadership and in nurturing good citizenship and patriotism in young men; and

WHEREAS, The Texas DeMolay Association is sponsoring a legislative seminar to educate its members in the process of democratic government, both in theory and in practice; and

WHEREAS, This comprehensive educational program will attract participants from throughout the state and provide an exceptional opportunity for them to learn legislative procedures; and

WHEREAS, The DeMolay legislative seminar is to be held in Austin on February 17 and 18, 2007; and

WHEREAS, The Texas Legislature endorses the goals of the Texas DeMolay Association legislative seminar and strongly supports this worthy endeavor; now, therefore, be it

RESOLVED, That the 80th Legislature of the State of Texas, in accordance with senate and house rules of procedure and policies of the Senate Administration Committee and the House Administration Committee, hereby grant the Texas DeMolay Association permission to use the chambers of the senate and house of representatives in the State Capitol on February 17 and 18, 2007, for its legislative seminar, unless the Texas Senate and Texas House of Representatives are in session on those dates.

WHITMIRE

SCR 8 was read.

On motion of Senator Whitmire and by unanimous consent, the resolution was considered immediately and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of the resolution except as follows:

Absent-excused: Gallegos, Van de Putte.

SENATE CONCURRENT RESOLUTION 12

The President laid before the Senate the following resolution:

BE IT RESOLVED by the 80th Legislature, Regular Session, That the Senate and House of Representatives of the State of Texas meet in Joint Session in the Hall of the House of Representatives on Tuesday, February 6, 2007, at 10:30 a.m.; and, be it further

RESOLVED, That the Honorable Rick Perry, Governor of the State of Texas, be, and is hereby, invited to address the Regular Session of the 80th Legislature in Joint Session at that time.

SELIGER

SCR 12 was read.

On motion of Senator Seliger and by unanimous consent, the resolution was considered immediately and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of the resolution except as follows:

Absent-excused: Gallegos, Van de Putte.

SENATE CONCURRENT RESOLUTION 11

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 80th 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 24, 2007, and ending on Monday, January 29, 2007.

WHITMIRE

SCR 11 was read.

On motion of Senator Whitmire and by unanimous consent, the resolution was considered immediately and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of the resolution except as follows:

Absent-excused: Gallegos, Van de Putte.

HOUSE CONCURRENT RESOLUTION 38

The President laid before the Senate the following resolution:

HCR 38, Granting permission to the YMCA Youth and Government Program to use the legislative chambers and other Capitol Complex facilities.

WENTWORTH

HCR 38 was read.

On motion of Senator Wentworth and by unanimous consent, the resolution was considered immediately and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of the resolution except as follows:

Absent-excused: Gallegos, Van de Putte.

RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

Memorial Resolution

SR 51 by Duncan, In memory of James David and Pauline Beverly Gossett of Rankin.

Congratulatory Resolution

SR 30 by Averitt, Commending Hood County for its dedication to rural rail transportation.

Official Designation Resolution

SR 28 by Nelson, Recognizing January 22 through January 26, 2007, as Texas Nurse Anesthetists Week.

ADJOURNMENT

On motion of Senator Whitmire, the Senate at 11:25 a.m. adjourned until 1:30 p.m. Monday, January 29, 2007.

APPENDIX

SENT TO SECRETARY OF STATE

January 24, 2007

SCR 10

