

SENATE JOURNAL

EIGHTIETH LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

EIGHTH DAY

(Wednesday, January 31, 2007)

The Senate met at 11:00 a.m. pursuant to adjournment and was called to order by Dean Whitmire.

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 Presiding Officer announced that a quorum of the Senate was present.

Brother H. Eldon Sturgeon, International Mission Board, Southern Baptist Convention, offered the invocation as follows:

Our Father, we thank You for Your loving care which You have manifested in countless ways in our country, in our state, and in our personal lives. You have blessed us in so many ways, and we pause to praise You for it and to give You thanks. God, we pray Your special blessings today upon each Senator, give clarity of vision and purpose, help each one to always act with integrity and love, give strength to resist the many pressures and temptations that would result in unwise decisions, give courage to do what is right even though it may not be popular, grant each one the physical, emotional, and spiritual strength needed to fulfill his or her responsibility. All these things we ask in the name of our Lord and Savior, Jesus Christ. Amen.

Senator Wentworth 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 Wentworth, Senator Gallegos was granted leave of absence for today on account of illness.

CO-AUTHOR OF SENATE BILL 47

On motion of Senator Nelson, Senator Williams will be shown as Co-author of **SB 47**.

CO-AUTHOR OF SENATE BILL 59

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

CO-AUTHOR OF SENATE BILL 124

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

CO-AUTHOR OF SENATE BILL 127

On motion of Senator Shapleigh, Senator Seliger will be shown as Co-author of **SB 127**.

CO-AUTHORS OF SENATE BILL 156

On motion of Senator Shapiro, Senators Carona, Hegar, Hinojosa, Nelson, Seliger, West, and Williams will be shown as Co-authors of **SB 156**.

CO-AUTHOR OF SENATE BILL 180

On motion of Senator Carona, Senator Seliger will be shown as Co-author of **SB 180**.

CO-AUTHOR OF SENATE BILL 183

On motion of Senator Estes, Senator Van de Putte will be shown as Co-author of **SB 183**.

CO-AUTHORS OF SENATE BILL 247

On motion of Senator Ellis, Senators Estes, Lucio, Seliger, Shapiro, Shapleigh, and Uresti will be shown as Co-authors of **SB 247**.

CO-AUTHOR OF SENATE BILL 270

On motion of Senator Wentworth, Senator Van de Putte will be shown as Co-author of **SB 270**.

CO-AUTHORS OF SENATE RESOLUTION 141

On motion of Senator Patrick, Senators Fraser and Williams will be shown as Co-authors of **SR 141**.

PHYSICIAN OF THE DAY

Senator Watson was recognized and presented Dr. Love Paul of Austin as the Physician of the Day.

The Senate welcomed Dr. Paul and thanked him for his 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 31, 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:

HCR 42, Recognizing the Lubbock ISD Partners in Education program and local winners of the Texas Association of Partners in Education awards.

HCR 52, Honoring Thomas and Louise Hagood of Paris on their 65th wedding anniversary.

Respectfully,

/s/Robert Haney, Chief Clerk

House of Representatives

SENATE RESOLUTION 137

Senator Uresti offered the following resolution:

WHEREAS, Residents of Eagle Pass and Maverick County are gathering at the State Capitol on January 31, 2007, to celebrate the contributions of their region to the Lone Star State; and

WHEREAS, Maverick County was named for Samuel Augustus Maverick in 1856, and its county seat, Eagle Pass, is located on the border between Mexico and Texas; originally named El Paso del Aguila because of the frequent flights of Mexican eagles over the area, the county seat was settled during the middle of the 19th century and has a unique history as a gateway to Texas from Mexico; and

WHEREAS, A favorite of tourists from across the state, Eagle Pass and Maverick County are home to several historically significant sites, including Fort Duncan Park and San Juan Plaza; outdoor recreational activities abound at Maverick County Lake, and nearby Piedras Negras offers residents and tourists alike the opportunity to experience the charm of Mexico firsthand; and

WHEREAS, As a center for industry, commerce, tourism, and recreation, Maverick County and Eagle Pass occupy an enviable position in South Texas; both city and county governments are committed to the expansion and development of the region's many resources, including local infrastructure improvements, construction of an international trade and convention center, and preservation of historic sites; and

WHEREAS, Led by Maverick County Judge Jose A. Aranda, Jr., and Eagle Pass Mayor Chad Foster, members of the community visiting on this day have much to be proud of as they continue to work toward building a bright and prosperous future for the area; now, therefore, be it

RESOLVED, That the Senate of the 80th Texas Legislature hereby recognize January 31, 2007, as Eagle Pass and Maverick County Day at the State Capitol and extend to the group here today a warm welcome to Austin.

SR 137 was read and was adopted without objection.

GUESTS PRESENTED

Senator Uresti was recognized and introduced to the Senate Chad Foster, Mayor, City of Eagle Pass; Rudy Heredia, Maverick County Commissioner, Precinct 2; David Saucedo, Maverick County Commissioner, Precinct 3; Ramsey English Cantu, City of Eagle Pass Councilmember; and Asalia Casares, City of Eagle Pass Councilmember; accompanied by a delegation of citizens from the City of Eagle Pass and Maverick County.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Nelson was recognized and introduced to the Senate representatives of the American Heart Association.

The Senate welcomed its guests.

GUEST PRESENTED

Senator Shapleigh was recognized and introduced to the Senate El Paso County Commissioner Veronica Escobar.

The Senate welcomed its guest.

SENATE RESOLUTION 60

Senator Shapiro offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to recognize the 2007 Texas Capitol Schoolhouse event, which is being held in the Texas State Capitol January 31 through February 1; and

WHEREAS, The Texas Capitol Schoolhouse event gives students and teachers from across the state the opportunity to demonstrate how technology is used in their schools and how technology can enhance the learning process; and

WHEREAS, The 2007 Texas Capitol Schoolhouse event is being sponsored by the American Electronics Association, Alpha Smart, Advanced Micro Devices, Incorporated, Apple, Incorporated, Dell, Incorporated, Fivecoat and Associates, Fulbright and Jaworski LLP, NXventures, The Internet Schoolhouse, Pearson, Polycom, Incorporated, Promethean Corporation, Texas A&M University College of Education and Human Development, Time Warner Cable, the Wexford Institute, The Center for Distance Learning Research, and Fast ForWord; and

WHEREAS, The event will include demonstrations by students and interviews with state officials; it provides an excellent chance for legislators and the public to observe how our state has implemented technology in today's public schools and how it helps to prepare the young people of our state for the future; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 80th Legislature, hereby commend the sponsors of the 2007 Texas Capitol Schoolhouse event for providing students, educators, and our state's leaders this exceptional educational experience; and, be it further

RESOLVED, That a copy of this Resolution be prepared in honor of this event as an expression of esteem from the Texas Senate.

SR 60 was read and was adopted without objection.

GUESTS PRESENTED

Senator Shapiro was recognized and introduced to the Senate representatives of the Texas Capitol Schoolhouse event: Eric Ha, Port Arthur Independent School District; Evette Rodriguez, Post Independent School District; Lauren White, Midland High School; Stephen Matthew, Plano High School; and Daliana Richmond, Newton Independent School District.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Hinojosa was recognized and introduced to the Senate a delegation from Marvin Baker Middle School in Corpus Christi: Darla Reid, Principal; teachers, Sally Lewis, Diane Yost, and Wendy Strader; and students, Will Steen and Kaitlyn Upton.

The Senate welcomed its guests.

SENATE CONCURRENT RESOLUTION 14

The Presiding Officer 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 31, 2007, and ending on Monday, February 5, 2007.

WHITMIRE

SCR 14 was read.

On motion of Senator Wentworth, on behalf 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.

RESOLUTION SIGNED

The Presiding Officer, Senator Whitmire in Chair, announced the signing of the following enrolled resolution in the presence of the Senate: **SCR 13**.

RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

Memorial Resolution

SR 150 by Shapleigh, In memory of Rogelio Sanchez of El Paso.

Welcome and Congratulatory Resolutions

SR 142 by Watson, Congratulating Gary Farmer for being honored as the 2006 Austinite of the Year by the Greater Austin Chamber of Commerce.

SR 143 by Watson, Welcoming the teachers participating in the Fulbright American Studies Institute for Korean Secondary School Teachers of English to Texas.

SR 147 by Shapleigh, Congratulating the Ysleta Independent School District for receiving a Texas Educator Excellence Grant.

SR 148 by Shapleigh, Recognizing La Mujer Obrera on the occasion of its 25th anniversary.

SR 149 by Shapleigh, Commending Von Washington of Monument Technical Services, Incorporated, for his accomplishments.

SR 151 by Brimer, Welcoming delegates from our state's scouting troops to Austin on the occasion of the 100th anniversary of the World Scouting Movement.

SR 152 by Nelson, Recognizing Steve McFadden on the occasion of his retirement from the Lewisville Police Department.

HCR 52 (Eltife), Honoring Thomas and Louise Hagood of Paris on their 65th wedding anniversary.

Official Designation Resolutions

SR 57 by Brimer and Harris, Recognizing January 31, 2007, as Team Arlington Day at the State Capitol.

SR 136 by Nelson, Recognizing February 2, 2007, as Go Red for Women Day.

SR 146 by Shapleigh, Recognizing February 2007 as Financial Aid Awareness Month.

ADJOURNMENT

On motion of Senator Brimer, the Senate at 11:26 a.m. adjourned until 1:30 p.m. Monday, February 5, 2007.