

SENATE JOURNAL

EIGHTIETH LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

TWENTY-SIXTH DAY

(Wednesday, March 14, 2007)

The Senate met at 11:10 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.

The Reverend Randy Weaver, Lone Star Cowboy Church, Montgomery, offered the invocation as follows:

Thank You for Your loving us, thank You, Lord, for the honor of living in this great State of Texas. Today may we understand what King Solomon understood, that the greatest gift afforded to man is godly wisdom. As legislation is passed or rejected, we realize only Your wisdom and truth will bring continued success to this state. Help us to trust in You with all of our hearts, to not lean on our own understanding but to acknowledge You in all of our ways so that You, and only You, will direct our paths. We understand that our ways are weak, at best, without Your wisdom. May these great servants of our state who have committed to not only walk with the footman but to run with the horses, be people of integrity, people of character, and people of passion. In a land of cultural pressure, political correctness, and moral relativity, may the truth not be trumped by compromise and convenience. Help us not to marginalize Your truth with a flawed perspective as a result of unsolicited pressures. Help us to live our lives according to the things that matter most to You, that people are Your greatest treasure, if we honor You that You will honor us, that the church is the only hope for Texas, the only hope for America, for it is in the message of the redeemed that we find the answers that time cannot contain or erase. Lord, we understand that Texas is our state, but heaven is our home. You still rule in the kingdoms of men and for that we will be eternally grateful.

May Your rule and Your blessing continue to illuminate Your people, for it is still in God we trust. We pray in the name of Jesus Christ our Lord. 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 7

On motion of Senator Hinojosa, Senator Zaffirini will be shown as Co-author of **SB 7**.

CO-AUTHOR OF SENATE BILL 123

On motion of Senator Deuell, Senator Van de Putte will be shown as Co-author of **SB 123**.

CO-AUTHOR OF SENATE BILL 210

On motion of Senator Ellis, Senator Zaffirini will be shown as Co-author of **SB 210**.

CO-AUTHOR OF SENATE BILL 248

On motion of Senator Ellis, Senator Van de Putte will be shown as Co-author of **SB 248**.

CO-AUTHOR OF SENATE BILL 299

On motion of Senator Van de Putte, Senator Zaffirini will be shown as Co-author of **SB 299**.

CO-AUTHOR OF SENATE BILL 448

On motion of Senator Uresti, Senator Nelson will be shown as Co-author of **SB 448**.

CO-AUTHOR OF SENATE BILL 457

On motion of Senator Watson, Senator Zaffirini will be shown as Co-author of **SB 457**.

CO-AUTHOR OF SENATE BILL 482

On motion of Senator Fraser, Senator West will be shown as Co-author of **SB 482**.

CO-AUTHOR OF SENATE BILL 483

On motion of Senator Fraser, Senator West will be shown as Co-author of **SB 483**.

CO-AUTHOR OF SENATE BILL 673

On motion of Senator Zaffirini, Senator Lucio will be shown as Co-author of **SB 673**.

CO-AUTHOR OF SENATE BILL 782

On motion of Senator Deuell, Senator Van de Putte will be shown as Co-author of **SB 782**.

CO-AUTHOR OF SENATE BILL 834

On motion of Senator Zaffirini, Senator Van de Putte will be shown as Co-author of **SB 834**.

CO-AUTHOR OF SENATE BILL 851

On motion of Senator Wentworth, Senator Uresti will be shown as Co-author of **SB 851**.

CO-AUTHOR OF SENATE BILL 896

On motion of Senator Fraser, Senator West will be shown as Co-author of **SB 896**.

CO-AUTHORS OF SENATE BILL 1921

On motion of Senator Harris, Senators Estes and West will be shown as Co-authors of **SB 1921**.

PHYSICIAN OF THE DAY

Senator Hegar was recognized and presented Dr. David Watson of Yoakum as the Physician of the Day.

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

SENATE RESOLUTION 478

Senator Shapleigh offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to recognize the Mission Valley area of El Paso on the occasion of Valley Days at the State Capitol on March 14, 2007; and

WHEREAS, The oldest section of El Paso, Mission Valley was settled in the late 17th century by Spaniards and members of the Ysleta Pueblo tribe; three Spanish missions were built there during the 17th and 18th centuries; and

WHEREAS, These historic missions remain standing and still function as churches today; La Misión de Nuestra Señora de Corpus Christi Our Lady of Mount Carmel was built in Ysleta in 1682; Misión de Nuestra Señora de la Purisima Concepción del Socorro was built in Socorro in 1759, and Misión de San Elcear was built in San Elizario in 1789; and

WHEREAS, The Ysleta del Sur Tigua Pueblo Native American tribe is located in Mission Valley; the Tigua is one of three tribes in Texas to have its sovereignty recognized by the United States government; and

WHEREAS, Mission Valley is a historic district that has made many contributions to the rich cultural heritage of El Paso and to our state; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 80th Legislature, hereby extend a heartfelt welcome to the citizens of the Mission Valley area of El Paso on Valley Days at the State Capitol; and, be it further

RESOLVED, That a copy of this Resolution be prepared in honor of this special occasion.

SR 478 was read and was adopted without objection.

GUESTS PRESENTED

Senator Shapleigh was recognized and introduced to the Senate Trini Lopez, Mayor, City of Socorro; Mary Perez, Councilmember, City of Socorro; Raymond Morales, Mayor, Town of Horizon City; Ron Larson, Fire Chief, Town of Horizon City; Mario Aguilar, Interim General Manager, Lower Valley Water District; and Art Franco, Mayor, Town of Anthony.

The Senate welcomed its guests.

SENATE RESOLUTION 449

Senator Uresti offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to honor Austin's sister city Gwangmyeong and welcome the delegation from the Korean city to the State Capitol; and

WHEREAS, Gwangmyeong is a municipality located southwest of Seoul; it became the 10th sister city of Austin in 2000, during Senator Kirk Watson's tenure as mayor, and the friendship between the cities has continued to grow, nurtured by the hospitality of the citizens of each city; and

WHEREAS, Gwangmyeong is establishing itself as a center for the music industry in Korea; a huge portion of the city will be dedicated as Music Valley, where many record and production companies will be located and where there will be several performing venues and subsidized housing facilities for new artists; and

WHEREAS, Gwangmyeong started a music festival three years ago; the city's delegates in Austin will attend the South by Southwest Music Festival in which Korean rock bands are performing; and

WHEREAS, While at the Capitol, the Korean delegation from Gwangmyeong will visit the Korean War Memorial to pay tribute to fallen soldiers; and

WHEREAS, The City of Austin is fortunate to have Gwangmyeong as its sister city and to share such a special relationship; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 80th Legislature, hereby pay tribute to the City of Gwangmyeong and extend to its representatives best wishes for a memorable visit to Austin; and, be it further

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

URESTI
WATSON

SR 449 was read and was adopted without objection.

GUESTS PRESENTED

Senator Uresti, joined by Senator Watson, was recognized and introduced to the Senate visitors from Gwangmyeong, Republic of Korea: Hyo Sun Lee, Mayor; Mi Su So, City Councilwoman; Tae Kwan Kim, General Secretary of the Mayor's Office; Chang Guen Min, Manager of Cultural Affairs; and Moon Jong Kang, Sister City Committee Member.

The Senate welcomed its guests.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

March 14, 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:

HB 316, Relating to the ad valorem taxation of certain property that is part of certain public transportation facilities or part of certain rail facilities.

HB 334, Relating to district court jurisdiction over suits concerning trusts.

HB 335, Relating to the time for a court reporter to provide a transcript of the evidence in a case.

HB 336, Relating to the administration and operation of certain trusts.

HB 864, Relating to a garagekeeper's duty to report the abandonment of a motor vehicle.

HB 1311, Relating to requiring certain municipalities to disannex land owned by a navigation district.

HB 1312, Relating to the annexation by certain municipalities of land owned by a navigation district.

HCR 133, Commending Larry Carroll of Midland on his 30 years of service with Permian Basin Community Centers for Mental Health and Mental Retardation.

HCR 147, Congratulating Beverly Marie Pevehouse of Midland on her receipt of the Hope Award from the National Multiple Sclerosis Society.

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

SENATE RESOLUTION 447

Senator West offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to recognize the minority business leaders who are visiting the Capitol and to designate March 14, 2007, Minority Business Enterprise Public Policy Day at the Capitol; and

WHEREAS, The Minority Business Enterprise Institute for Public Policy and the Dallas-Fort Worth Minority Business Council are coordinating the Public Policy Day in Austin in collaboration with minority business councils and chambers from across the state; this biannual event provides a venue for minority business owners, leaders, and public sector and private sector advocates to effectively engage with legislators and regulators on relevant public policy issues; and

WHEREAS, Public policy significantly affects the welfare of businesses owned by people of color and their employees and communities; and

WHEREAS, Businesses owned by people of color represent 26 percent of all businesses in Texas and generate \$75 million in revenues; these businesses employ 561,000 workers in Texas with a payroll of \$12 million; and

WHEREAS, Representatives of the Minority Business Enterprise Institute for Public Policy, ethnic chambers of commerce, minority councils, and contractors' associations have traveled to the Capitol to meet with legislators and to share knowledge about the process of public policy formulation; and

WHEREAS, Minority Business Enterprise Institute for Public Policy is a nonprofit, nonpartisan organization whose mission is to promote, increase, and sustain the inclusion of minority business enterprises in the public policy process; and

WHEREAS, Minority Business Enterprise Public Policy Day at the Capitol is an educational event for minority business owners, leaders, and advocates to learn about the governmental process and how they can work effectively with lawmakers on issues that affect minority business owners; and

WHEREAS, Members of the Minority Business Enterprise Institute for Public Policy and its partners contribute greatly to the cultural and economic vitality of this state, and they are to be commended for their work and their accomplishments; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 80th Legislature, hereby pay tribute to the Minority Business Enterprise Institute for Public Policy and to the minority business councils and leaders and extend to all representatives best wishes for a productive day at the Capitol; and, be it further

RESOLVED, That a copy of this Resolution be prepared in honor of Minority Business Enterprise Public Policy Day at the Capitol.

SR 447 was read and was adopted without objection.

GUESTS PRESENTED

Senator West was recognized and introduced to the Senate Carmen Garcia, founder, Minority Business Enterprise Institute for Public Policy; Margo Posey, President, Dallas/Fort Worth Minority Business Council; Stacey Schacht, Director of External Affairs, President of Greater Dallas Hispanic Chamber of Commerce; and Ed

Ryland, President, Concordis Ryland Enterprise; accompanied by a delegation of members of the Minority Business Enterprise Institute for Public Policy and Texas minority business representatives.

The Senate welcomed its guests.

GUEST PRESENTED

Senator Hinojosa was recognized and introduced to the Senate his son, Johnathan.

The Senate welcomed its guest.

GUESTS PRESENTED

Senator Wentworth was recognized and introduced to the Senate a delegation representing Leadership Boerne.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Ogden was recognized and introduced to the Senate Cub Scouts from Pack No. 159, accompanied by their parents.

The Senate welcomed its guests.

SENATE RESOLUTION 474

Senator Zaffirini offered the following resolution:

WHEREAS, Residents of Duval County are visiting Austin to celebrate Duval County Day at the State Capitol on March 14, 2007; and

WHEREAS, The rolling brushland of Duval County was first inhabited by the Venado tribe, who lived off the bison, deer, and the wild fruits and nuts of the region; later the Apache and the Comanche tribes moved through the area, as well as Spanish expeditions traveling north from Mexico; and

WHEREAS, The earliest European settlers were herdsmen; in 1848, Pablo Perez established the first town, which was originally named Perezville and later became known as San Diego; the Texas Legislature formed Duval County in 1858 and named it after Burr H. Duval, a Texas revolutionary who was killed in the Goliad Massacre; the county was organized in 1876, and San Diego was made the county seat; and

WHEREAS, After a colorful period when outlaws and renegades dominated the region, the arrival of the railroad helped to make Duval County a prosperous sheep-ranching area, and between 1873 and 1883, the county was said to have more sheep than any other county in the nation; today the county's economy is founded on cattle ranching and oil; and

WHEREAS, Residents and visitors enjoy Duval County's annual festivals; every year, the Pan de Campo Fiesta in San Diego celebrates the famous bread prepared by vaqueros on cattle drives with a pan de campo competition, a parade, a beauty pageant, and live musical entertainment; and

WHEREAS, The annual Freer Rattlesnake Roundup began in the mid-1960s as the Oil-O-Rama, in celebration of the oil industry; the event later shifted its focus to the crowd-pleasing roundup of rattlesnakes; the Freer Rattlesnake Roundup features carnival rides, the Mama Salsa Contest, and performances by some of the biggest names in country-western and Tejano music; and

WHEREAS, In 2006, the election of a new county judge, Abel Aragon, was held; born and raised in San Diego, Abel Aragon was graduated from Saint Frances Catholic School and San Diego High School; he holds a bachelor's degree and a master's degree in education from Texas A&I University-Kingsville; with over 40 years experience as a teacher and school administrator in Freer and service on the Freer Independent School District Board, Judge Aragon brings a wealth of experience to his new position, and Duval County Day provides a fitting opportunity to congratulate him and to welcome the Duval County contingent to Austin; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 80th Legislature, hereby recognize March 14, 2007, as Duval County Day at the State Capitol and extend to the visiting delegation best wishes for an informative and enjoyable stay in Austin; and, be it further

RESOLVED, That a copy of this Resolution be prepared in honor of this event.

SR 474 was read and was adopted without objection.

GUESTS PRESENTED

Senator Zaffirini was recognized and introduced to the Senate representatives of Duval County: Rocky Carnillo, County Attorney; Gilberto Uribe, County Commissioner; Abel Aragon, County Judge; Benito Canales, Justice of the Peace; and Alejo Garcia, County Commissioner; accompanied by a delegation of citizens.

The Senate welcomed its guests.

INTRODUCTION OF BILLS AND RESOLUTIONS POSTPONED

The Presiding Officer, Senator Whitmire in Chair, announced that the introduction of bills and resolutions on first reading would be postponed until the end of today's Local and Uncontested Calendar Session.

There was no objection.

SENATE RESOLUTION 446

Senator Hinojosa offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to recognize Dr. Francisco Mauricio Bandeira Teixeira for his many contributions to the medical profession and to the people of Alice; and

WHEREAS, A native of Brazil, he graduated at the top of his class from Universidade Federal do Ceara Medical School in 1964 and came to the United States to study new medical techniques; while serving his residency in Temple, he was drafted into the United States Army and served in Vietnam, where he received many

honors, including the Bronze Star; he served as a general surgeon in one of the busiest army hospitals in Vietnam, an evacuation facility on the legendary Ho Chi Minh Trail; and

WHEREAS, After completing his military service, Dr. Teixeira returned to Temple and finished his residency; he moved to Alice in 1973, where he has become a vital member of the community and a respected leader in the medical profession; and

WHEREAS, Dr. Teixeira has served as chief of staff for Alice Physicians and Surgeons Hospital and Alice Regional Hospital and now serves as chief of staff for CHRISTUS Spohn Hospital; he has been a Texas Medical Association representative for 25 years and has been instrumental in promoting quality health care for the citizens of Alice and the surrounding communities; he is truly deserving of legislative recognition for his many contributions to the state; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 80th Legislature, hereby commend Dr. Francisco Mauricio Bandeira Teixeira for his many accomplishments and extend to him best wishes in all his future endeavors; and, be it further

RESOLVED, That a copy of this Resolution be prepared for him as an expression of esteem from the Texas Senate.

SR 446 was read and was adopted without objection.

GUESTS PRESENTED

Senator Hinojosa was recognized and introduced to the Senate Dr. Francisco Mauricio Bandeira Teixeira; his wife, Ingrid; his daughter, Erika; his son, Fabian; and his daughter-in-law, Michelle.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator West was recognized and introduced to the Senate members of his Student Advisory Committee, accompanied by their advisors.

The Senate welcomed its guests.

SENATE RESOLUTION 470

Senator Deuell offered the following resolution:

WHEREAS, Citizens of Van Zandt County are visiting the State Capitol on March 13 and 14, 2007, to celebrate the significant role they and their forebears have played in the development of the Lone Star State; and

WHEREAS, Created by an Act of the Texas Legislature on March 20, 1847, this Northeast Texas county was named for Isaac Van Zandt, a Republic of Texas lawyer, legislator, and diplomat; and

WHEREAS, Canton, the county seat, was laid out in 1850 and incorporated in 1919; recently named a Main Street City, Canton is home to the Van Zandt County Fair and First Monday Trade Days, one of the country's best-known flea markets; a library of genealogy and local history is also a popular attraction and preserves much of the county's notable heritage; and

WHEREAS, The history of this area can be traced in a number of other communities as well; Edgewood, settled in the 1840s, boasts the Edgewood Heritage Park Museum, a facility dedicated to the preservation of the rural culture and architectural history of our state; and

WHEREAS, Edom, established in 1856, is one of the oldest towns in the county, and its past is highlighted by 10 state historical markers, many of them researched by members of the Edom Historical Society; the residents of this small community give vital support to an active civic theater; and

WHEREAS, Fruit cultivation prompted the naming of Fruitvale, where a nursery operated as early as the 1870s; several generations in this century-old town have treasured the Randall Store, a local institution since 1910; and

WHEREAS, Grand Saline, originally called Jordan's Saline, the first Van Zandt County seat, takes its name from an immense dome of pure salt lying beneath the city; more than a mile and a half wide and 20,000 feet thick, the deposit is presently mined by Morton Salt Company; the city celebrates salt with an annual Salt Festival; those exploring this 2004 Main Street City can tour the Salt Palace Museum, a unique structure built with rock salt crystal, stop by the historical marker that commemorates native son Wiley Post, the renowned pioneer aviator, and visit the new Veterans Memorial Wall Park, featuring a genuine United States Army tank; and

WHEREAS, Van, established in 1891, remained a quiet farming community until 1929, when the discovery of oil nearby transformed the village into a boomtown; the Van Area Oil and Historical Museum recaptures the excitement of that frenetic time and commemorates the discovery with an annual Oil Festival; and

WHEREAS, Wills Point, settled in 1873 and originally known as Iola, was renamed for William Wills, whose cabin served as a stopping place for those traveling between Shreveport and Dallas; the Wills cabin still stands, as does the old Texas and Pacific Railroad depot, which houses the Historical Society Museum; Wills Point, which is officially the Bluebird Capital of Texas, hosts the annual Bluebird Festival; and

WHEREAS, Ben Wheeler, surrounded by natural springs and rich farmland, was named for Van Zandt County's first mail carrier, Benjamin R. Wheeler, in 1876; and

WHEREAS, Martins Mill, named for Dan R. Martin's gristmill, was established in 1880 and is home to one of the largest dairies in East Texas; the community survived destruction by tornadoes and fires and today boasts a first-rate school district; and

WHEREAS, Major events in Van Zandt County include the Texas State Bluegrass Festival, the Edom Arts Fair, and the Van Zandt County Relay for Life; for the outdoor enthusiast, the Neches and Sabine Rivers, Purvis Creek State Park, and Lake Tawakoni State Park offer opportunities for fishing, boating, swimming, and camping; and

WHEREAS, Home to nearly 50,000 people, Van Zandt County relies on tourism, oil, and agribusiness; the area is a major producer of hay, blueberries, sweet potatoes, and nursery crops and is known for its cattle, horses, hogs, and dairy products; and

WHEREAS, The citizens of Van Zandt County take justifiable pride in their hard work and in the community endeavors that have made their county strong, and it is a pleasure to join them in honoring the county they call home; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 80th Legislature, hereby recognize March 13 and 14, 2007, as Van Zandt County Days at the State Capitol and extend sincere best wishes to the Van Zandt County residents for an informative and memorable visit.

SR 470 was read and was adopted without objection.

GUESTS PRESENTED

Senator Deuell was recognized and introduced to the Senate a delegation of county officials and citizens from Van Zandt County, representing Van Zandt County Days at the State Capitol.

The Senate welcomed its guests.

SENATE RESOLUTION 471

Senator Zaffirini offered the following resolution:

WHEREAS, Residents of Live Oak County are gathering in Austin on March 14, 2007, to share their justifiable pride in their unique part of the Lone Star State; and

WHEREAS, In the years before the land became part of Texas, the area now known as Live Oak County was home to Native American tribes, Spanish and Mexican colonists, and Irish immigrants, and this rich cultural diversity has greatly influenced the development of the area; and

WHEREAS, The county was created on February 2, 1856, from San Patricio and Nueces Counties and was named after the imposing and majestic live oaks that grew throughout much of the region; and

WHEREAS, The rugged beauty of Live Oak County's brushy plains is complemented by the Frio, Nueces, and Atascosa Rivers, and admirers of the Texas landscape are drawn to such attractions as Lake Corpus Christi and Choke Canyon State Park; and

WHEREAS, Area revenue originally came from sheep, cattle, and cotton, but later was diversified by the discovery of oil and natural gas in the county in the 1930s and by the discovery of uranium in the 1960s; and

WHEREAS, In addition to George West, the county seat, the communities located in Live Oak County include Three Rivers, Dinero, Lagarto, Oakville, Pernitas Point, and Whitsett, and residents of these towns join in honoring their distinctive part of Texas; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 80th Legislature, hereby recognize March 14, 2007, as Live Oak County Day at the State Capitol and extend to all those associated with this event best wishes for a meaningful and memorable day; and, be it further

RESOLVED, That a copy of this Resolution be prepared in honor of this occasion.

SR 471 was read and was adopted without objection.

GUESTS PRESENTED

Senator Zaffirini was recognized and introduced to the Senate a delegation of officials from Live Oak County.

The Senate welcomed its guests.

(President in Chair)

CONCLUSION OF MORNING CALL

The President at 12:04 p.m. announced the conclusion of morning call.

SENATE BILL 187 ON SECOND READING

On motion of Senator Janek and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 187** at this time on its second reading:

SB 187, Relating to the name of the Brazos River Harbor Navigation District of Brazoria County and the name of its governing body.

The President ordered that **HB 542** be considered in lieu of **SB 187**, pursuant to the provisions of Senate Rule 7.14, which provides that when any Senate Bill shall be reached on the calendar or shall be before the Senate for consideration, it shall be the duty of the President to give the place of such bill on the calendar to any House Bill which has been referred to and reported from a committee of the Senate containing the same subject or to lay such House Bill before the Senate to be considered in lieu of such Senate Bill.

HOUSE BILL 542 ON SECOND READING

The President laid before the Senate **HB 542**, sponsored by Senator Janek, on its second reading and passage to third reading:

HB 542, Relating to the name of the Brazos River Harbor Navigation District of Brazoria County and the name of its governing body.

The bill was read second time and was passed to third reading by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to third reading except as follows:

Absent-excused: Gallegos.

HOUSE BILL 542 ON THIRD READING

Senator Janek moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 542** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Nays: Wentworth.

Absent-excused: Gallegos.

Reason for Vote

Senator Wentworth submitted the following reason for vote on suspension of the Constitutional Three-day Rule:

I cast a "No" vote on the procedural motion to suspend the Constitutional Rule requiring that bills be read on three several days in order to take up and consider **HB 542**, because in my judgment no circumstance exists in this case to justify the

extraordinary act of suspending a requirement of the Texas Constitution. The suspension of this Constitutional Rule has the direct and immediate effect of denying the people of Texas knowledge and notice of the passage of this measure until it has already been finally passed on third reading. Were we to have followed the requirement of the Texas Constitution, third reading and a vote on **HB 542** would have occurred on the next legislative day, allowing for Texans to have learned through news reports of our second reading vote exactly what we had tentatively passed. Third reading and a vote on the next legislative day would also have allowed our professional staff an opportunity overnight to make sure any amendments passed on second reading are technically correct.

/s/Jeff Wentworth
Senator, District 25

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0.

Absent-excused: Gallegos.

SENATE BILL 277 ON SECOND READING

On motion of Senator Shapiro and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 277** at this time on its second reading:

SB 277, 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.

The bill was read second time.

Senator Shapiro offered the following amendment to the bill:

Floor Amendment No. 1

Amend **SB 277**, in SECTION 1 of the bill (committee printing, page 1, line 24), in proposed Subsection (b), Section 35.64, Business & Commerce Code, between "individual in uniform" and the comma, by inserting "in which the individual is clearly identifiable".

The amendment to **SB 277** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1 except as follows:

Absent-excused: Gallegos.

Senator Van de Putte offered the following amendment to the bill:

Floor Amendment No. 2

Amend **SB 277** (Senate committee printing) as follows:

(1) In added section 35.64, Business and Commerce Code (page 1, line 24), after "Forces" insert:

"who is a member or former member of a reserve component of the United States Armed Forces, or who is a member or former member of the state military forces, as defined by Section 431.001, Government Code,"

The amendment to **SB 277** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 2 except as follows:

Absent-excused: Gallegos.

On motion of Senator Shapiro and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

SB 277 as amended was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment except as follows:

Absent-excused: Gallegos.

SENATE BILL 277 ON THIRD READING

Senator Shapiro moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 277** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Nays: Wentworth.

Absent-excused: Gallegos.

Reason for Vote

Senator Wentworth submitted the following reason for vote on suspension of the Constitutional Three-day Rule:

I cast a "No" vote on the procedural motion to suspend the Constitutional Rule requiring that bills be read on three several days in order to take up and consider **SB 277**, because in my judgment no circumstance exists in this case to justify the extraordinary act of suspending a requirement of the Texas Constitution. The suspension of this Constitutional Rule has the direct and immediate effect of denying the people of Texas knowledge and notice of the passage of this measure until it has already been finally passed on third reading. Were we to have followed the requirement of the Texas Constitution, third reading and a vote on **SB 277** would have occurred on the next legislative day, allowing for Texans to have learned through news reports of our second reading vote exactly what we had tentatively passed. Third reading and a vote on the next legislative day would also have allowed our professional staff an opportunity overnight to make sure any amendments passed on second reading are technically correct.

/s/Jeff Wentworth
Senator, District 25

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0.

Absent-excused: Gallegos.

SENATE BILL 210 ON SECOND READING

On motion of Senator Ellis and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 210** at this time on its second reading:

SB 210, Relating to compensation to persons wrongfully imprisoned.

The bill was read second time and was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment except as follows:

Absent-excused: Gallegos.

SENATE BILL 210 ON THIRD READING

Senator Ellis moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 210** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Nays: Wentworth.

Absent-excused: Gallegos.

Reason for Vote

Senator Wentworth submitted the following reason for vote on suspension of the Constitutional Three-day Rule:

I cast a "No" vote on the procedural motion to suspend the Constitutional Rule requiring that bills be read on three several days in order to take up and consider **SB 210**, because in my judgment no circumstance exists in this case to justify the extraordinary act of suspending a requirement of the Texas Constitution. The suspension of this Constitutional Rule has the direct and immediate effect of denying the people of Texas knowledge and notice of the passage of this measure until it has already been finally passed on third reading. Were we to have followed the requirement of the Texas Constitution, third reading and a vote on **SB 210** would have occurred on the next legislative day, allowing for Texans to have learned through news reports of our second reading vote exactly what we had tentatively passed. Third reading and a vote on the next legislative day would also have allowed our professional staff an opportunity overnight to make sure any amendments passed on second reading are technically correct.

/s/Jeff Wentworth
Senator, District 25

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0.

Absent-excused: Gallegos.

SENATE BILL 458 ON SECOND READING

On motion of Senator Watson and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 458** at this time on its second reading:

SB 458, Relating to workers' compensation medical benefits for certain prosthetic or orthotic devices.

The bill was read second time and was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment except as follows:

Absent-excused: Gallegos.

SENATE BILL 458 ON THIRD READING

Senator Watson moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 458** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Nays: Wentworth.

Absent-excused: Gallegos.

Reason for Vote

Senator Wentworth submitted the following reason for vote on suspension of the Constitutional Three-day Rule:

I cast a "No" vote on the procedural motion to suspend the Constitutional Rule requiring that bills be read on three several days in order to take up and consider **SB 458**, because in my judgment no circumstance exists in this case to justify the extraordinary act of suspending a requirement of the Texas Constitution. The suspension of this Constitutional Rule has the direct and immediate effect of denying the people of Texas knowledge and notice of the passage of this measure until it has already been finally passed on third reading. Were we to have followed the requirement of the Texas Constitution, third reading and a vote on **SB 458** would have occurred on the next legislative day, allowing for Texans to have learned through news reports of our second reading vote exactly what we had tentatively passed. Third reading and a vote on the next legislative day would also have allowed our professional staff an opportunity overnight to make sure any amendments passed on second reading are technically correct.

/s/Jeff Wentworth
Senator, District 25

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0.

Absent-excused: Gallegos.

SENATE BILL 299 ON SECOND READING

On motion of Senator Van de Putte and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 299** at this time on its second reading:

SB 299, Relating to the continuation of a residence homestead exemption from ad valorem taxation while the owner is temporarily absent because of military service.

The bill was read second time and was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment except as follows:

Absent-excused: Gallegos.

SENATE BILL 299 ON THIRD READING

Senator Van de Putte moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 299** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Nays: Wentworth.

Absent-excused: Gallegos.

Reason for Vote

Senator Wentworth submitted the following reason for vote on suspension of the Constitutional Three-day Rule:

I cast a "No" vote on the procedural motion to suspend the Constitutional Rule requiring that bills be read on three several days in order to take up and consider **SB 299**, because in my judgment no circumstance exists in this case to justify the extraordinary act of suspending a requirement of the Texas Constitution. The suspension of this Constitutional Rule has the direct and immediate effect of denying the people of Texas knowledge and notice of the passage of this measure until it has already been finally passed on third reading. Were we to have followed the requirement of the Texas Constitution, third reading and a vote on **SB 299** would have occurred on the next legislative day, allowing for Texans to have learned through news reports of our second reading vote exactly what we had tentatively passed. Third reading and a vote on the next legislative day would also have allowed our professional staff an opportunity overnight to make sure any amendments passed on second reading are technically correct.

/s/Jeff Wentworth
Senator, District 25

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0.

Absent-excused: Gallegos.

SENATE BILL 310 ON SECOND READING

On motion of Senator Van de Putte and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 310** at this time on its second reading:

SB 310, Relating to the Texas Veterans Commission's authority to make performance incentive awards for providing services to veterans.

The bill was read second time and was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment except as follows:

Absent-excused: Gallegos.

SENATE BILL 310 ON THIRD READING

Senator Van de Putte moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 310** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Nays: Wentworth.

Absent-excused: Gallegos.

Reason for Vote

Senator Wentworth submitted the following reason for vote on suspension of the Constitutional Three-day Rule:

I cast a "No" vote on the procedural motion to suspend the Constitutional Rule requiring that bills be read on three several days in order to take up and consider **SB 310**, because in my judgment no circumstance exists in this case to justify the extraordinary act of suspending a requirement of the Texas Constitution. The suspension of this Constitutional Rule has the direct and immediate effect of denying the people of Texas knowledge and notice of the passage of this measure until it has already been finally passed on third reading. Were we to have followed the requirement of the Texas Constitution, third reading and a vote on **SB 310** would have occurred on the next legislative day, allowing for Texans to have learned through news reports of our second reading vote exactly what we had tentatively passed. Third reading and a vote on the next legislative day would also have allowed our professional staff an opportunity overnight to make sure any amendments passed on second reading are technically correct.

/s/Jeff Wentworth
Senator, District 25

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0.

Absent-excused: Gallegos.

**COMMITTEE SUBSTITUTE
SENATE BILL 218 ON SECOND READING**

On motion of Senator Carona and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 218** at this time on its second reading:

CSSB 218, Relating to licensing and inspection requirements of the Department of Family and Protective Services for certain facilities.

The bill was read second time.

Senator Carona offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 218** (Senate committee printing) as follows:

(1) In SECTION 1 of the bill, in Subdivision (7), Subsection (b), Section 42.041, Human Resources Code, between "Education Agency" and "or the Southern Association", by inserting ", the Texas Private School Accreditation Commission," (Senate committee printing, page 1, line 33).

(2) In SECTION 2 of the bill in added Subsection (b-1), Section 42.044, Human Resources Code (committee printing, page 2, lines 32-36), strike Subdivision (2) and substitute the following:

(2) an after-school program operated by an entity under contract with an educational facility accredited by the Texas Education Agency, the Texas Private School Accreditation Commission, or the Southern Association of Colleges and Schools, if that agency, commission, or association has approved the curriculum content of the after-school program.

(3) Insert new SECTION 4 of the bill (committee printing, page 2, between lines 43 and 44) to read as follows:

SECTION 4. Section 42.054, Human Resources Code, is amended by adding Subsection (h) to read as follows:

(h) Notwithstanding any other provision of this section, the department may not charge the initial license fee or the annual license fee for a licensed child-care facility that exclusively offers an after-school program operated by another entity under contract with the educational facility, if the Texas Education Agency, the Texas Private School Accreditation Commission, or the Southern Association of Colleges and Schools has approved the curriculum content of the after-school program operated under the contract.

(4) In SECTION 4 of the bill (committee printing, page 2, line 44), strike "SECTION 4" and substitute "SECTION 5".

The amendment to **CSSB 218** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1 except as follows:

Absent-excused: Gallegos.

Senator Van de Putte offered the following amendment to the bill:

Floor Amendment No. 2

Amend **CSSB 218** (Senate committee printing) as follows:

(1) In amended section 42.044, Human Resources Code (page 1, line 35), after "above" insert:

", including an educational facility that operates an after-school program that meets the certification and standard requirements established by the Texas Education Agency."

The amendment to **CSSB 218** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 2 except as follows:

Absent-excused: Gallegos.

On motion of Senator Carona and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

CSSB 218 as amended was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment except as follows:

Absent-excused: Gallegos.

SENATE BILL 673 ON SECOND READING

On motion of Senator Zaffirini and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 673** at this time on its second reading:

SB 673, Relating to allowing a student receiving special education services to participate in a graduation ceremony after the fourth year of high school.

The bill was read second time and was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment except as follows:

Absent-excused: Gallegos.

SENATE BILL 673 ON THIRD READING

Senator Zaffirini moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 673** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Nays: Wentworth.

Absent-excused: Gallegos.

Reason for Vote

Senator Wentworth submitted the following reason for vote on suspension of the Constitutional Three-day Rule:

I cast a "No" vote on the procedural motion to suspend the Constitutional Rule requiring that bills be read on three several days in order to take up and consider **SB 673**, because in my judgment no circumstance exists in this case to justify the extraordinary act of suspending a requirement of the Texas Constitution. The suspension of this Constitutional Rule has the direct and immediate effect of denying the people of Texas knowledge and notice of the passage of this measure until it has already been finally passed on third reading. Were we to have followed the requirement of the Texas Constitution, third reading and a vote on **SB 673** would have occurred on the next legislative day, allowing for Texans to have learned through news reports of our second reading vote exactly what we had tentatively passed. Third reading and a vote on the next legislative day would also have allowed our professional staff an opportunity overnight to make sure any amendments passed on second reading are technically correct.

/s/Jeff Wentworth
Senator, District 25

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0.

Absent-excused: Gallegos.

(Senator Brimer in Chair)

SENATE BILL 503 REREFERRED

Senator Hegar submitted a Motion In Writing requesting that **SB 503** be withdrawn from the Committee on Education and rereferred to the Committee on Criminal Justice.

The Motion In Writing prevailed without objection.

SENATE BILL 960 REREFERRED

Senator Shapleigh submitted a Motion In Writing requesting that **SB 960** be withdrawn from the Committee on Education and rereferred to the Subcommittee on Base Realignment and Closure.

The Motion In Writing prevailed without objection.

SENATE BILL 961 REREFERRED

Senator Shapleigh submitted a Motion In Writing requesting that **SB 961** be withdrawn from the Committee on Education and rereferred to the Subcommittee on Base Realignment and Closure.

The Motion In Writing prevailed without objection.

SENATE BILL 962 REREFERRED

Senator Shapleigh submitted a Motion In Writing requesting that **SB 962** be withdrawn from the Committee on Education and rereferred to the Subcommittee on Base Realignment and Closure.

The Motion In Writing prevailed without objection.

(President in Chair)

SENATE BILL 1921 ON SECOND READING

Senator Harris moved to suspend Senate Rule 7.12, Senate Rule 5.14, and the regular order of business to take up for consideration **SB 1921** at this time on its second reading:

SB 1921, Relating to the powers, duties, and composition of the governing board of the Texas Youth Commission.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Gallegos.

The bill was read second time and was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment except as follows:

Absent-excused: Gallegos.

SENATE BILL 1921 ON THIRD READING

Senator Harris moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 1921** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Nays: Wentworth.

Absent-excused: Gallegos.

Reason for Vote

Senator Wentworth submitted the following reason for vote on suspension of the Constitutional Three-day Rule:

I cast a "No" vote on the procedural motion to suspend the Constitutional Rule requiring that bills be read on three several days in order to take up and consider **SB 1921**, because in my judgment no circumstance exists in this case to justify the extraordinary act of suspending a requirement of the Texas Constitution. The suspension of this Constitutional Rule has the direct and immediate effect of denying the people of Texas knowledge and notice of the passage of this measure until it has already been finally passed on third reading. Were we to have followed the requirement of the Texas Constitution, third reading and a vote on **SB 1921** would have occurred on the next legislative day, allowing for Texans to have learned through news reports of our second reading vote exactly what we had tentatively passed.

Third reading and a vote on the next legislative day would also have allowed our professional staff an opportunity overnight to make sure any amendments passed on second reading are technically correct.

/s/Jeff Wentworth
Senator, District 25

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0.

Absent-excused: Gallegos.

**SENATE RULE 11.13 SUSPENDED
(Consideration of Bills in Committees)**

On motion of Senator Brimer and by unanimous consent, Senate Rule 11.13 was suspended to grant all committees permission to meet while the Senate was meeting today.

**SENATE RULES SUSPENDED
(Posting Rules)**

On motion of Senator Lucio and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on International Relations and Trade might meet and consider the following bill and resolution today:

SB 408, SJR 20.

MOTION TO ADJOURN

On motion of Senator Whitmire and by unanimous consent, the Senate at 1:44 p.m. agreed to adjourn, in memory of Petra Rivera Elizondo of San Antonio, upon completion of the introduction of bills and resolutions on first reading, until 10:00 a.m. tomorrow.

(Senator Brimer in Chair)

**SESSION HELD FOR
LOCAL AND UNCONTESTED CALENDAR**

The Presiding Officer announced that the time had arrived to consider bills and resolutions placed on the Local and Uncontested Calendar. Notice of consideration of the local calendar was given by Senator Brimer yesterday.

Pursuant to Senate Rule 9.03(d), the following bills and resolutions were laid before the Senate in the order listed, read second time, amended where applicable, passed to engrossment or third reading, read third time, and passed. The votes on passage to engrossment or third reading, suspension of the Constitutional Three-day Rule, and final passage are indicated after each caption. All Members are deemed to have voted "Yea" on viva voce votes unless otherwise indicated.

CSSB 27 (Nelson)

Relating to a pilot program to educate residents and families of residents of nursing homes and intermediate care facilities for the mentally retarded about advance care planning.

(viva voce vote) (30-0) (30-0)

CSSB 28 (Nelson)

Relating to transferable physician orders for life-sustaining and related treatment.
(viva voce vote) (30-0) (30-0)

SB 30 (Nelson)

Relating to the eligibility of certain aliens for a license to practice medicine in this state.
(viva voce vote) (30-0) (30-0)

SB 33 (Nelson)

Relating to hepatitis B vaccination for students enrolled in certain health-related courses of study in an institution of higher education.
(viva voce vote) (30-0) (30-0)

CSSB 36 (Nelson)

Relating to the examination of certain applicants for a license to practice medicine.
(viva voce vote) (30-0) (30-0)

CSSB 57 (Zaffirini)

Relating to the priority given to the hearing by trial courts of certain ad valorem tax matters.
(viva voce vote) (30-0) (30-0)

SB 61 (Zaffirini)

Relating to the performance of the functions of the governing body of a political subdivision in the event of a disaster.
(viva voce vote) (30-0) (30-0)

SB 63 (Zaffirini)

Relating to the powers of the commissioners court of certain counties that have no incorporated municipality.
(viva voce vote) (30-0) (30-0)

SB 66 (Zaffirini)

Relating to the construction of cattle guards on county roads.
(viva voce vote) (30-0) (30-0)

CSSB 138 (Nelson)

Relating to promoting the retention and graduation of students enrolled in professional nursing programs.
(viva voce vote) (30-0) (30-0)

SB 139 (Nelson)

Relating to a study on improving the curricula of professional and vocational nursing education programs.
(viva voce vote) (30-0) (30-0)

SB 140 (Nelson)

Relating to a study of the feasibility of providing immunizations to certain students enrolled in health professional degree programs.
(viva voce vote) (30-0) (30-0)

CSSB 153 (Wentworth)

Relating to the creation of an offense involving the supervision of a vehicle operator holding an instruction permit.

(viva voce vote) (30-0) (30-0)

CSSB 159 (Wentworth)

Relating to a local public defender's office that represents indigent defendants in criminal cases.

(viva voce vote) (30-0) (30-0)

CSSB 164 (Deuell)

Relating to priority for health care providers in the distribution of certain vaccines.

(viva voce vote) (30-0) (30-0)

SB 168 (Ellis)

Relating to the State Bar of Texas fee to provide legal services to the indigent.

(viva voce vote) (30-0) (30-0)

SB 175 (Wentworth)

Relating to the calculation of certain deadlines under the public information law.

(viva voce vote) (30-0) (30-0)

SB 178 (Wentworth)

Relating to working papers and electronic communications of State Office of Administrative Hearings administrative law judges.

(viva voce vote) (30-0) (30-0)

CSSB 180 (Carona)

Relating to issuance and renewal of a driver's license of an elderly person.

(viva voce vote) (30-0) (30-0)

SB 189 (Harris on behalf of Brimer)

Relating to the amount of sick leave for police officers employed by certain municipalities.

(viva voce vote) (30-0) (30-0)

CSSB 190 (Harris on behalf of Brimer)

Relating to sales and use tax information provided by the comptroller of public accounts to certain municipalities.

(viva voce vote) (30-0) (30-0)

SB 192 (Harris on behalf of Brimer)

Relating to the Texas Mutual Insurance Company and the application of certain statutes to the Texas Mutual Insurance Company.

(viva voce vote) (30-0) (30-0)

(Senator Seliger in Chair)**CSSB 198** (Nelson)

Relating to the recognition of hospitals with outstanding nursing programs and a listing of hospital nursing staff information.

(viva voce vote) (30-0) (30-0)

SB 204 (Nelson)

Relating to certain electronic medical records systems.
(viva voce vote) (30-0) (30-0)

CSSB 205 (Nelson)

Relating to the privacy of protected health information.
(viva voce vote) (30-0) (30-0)

SB 220 (Lucio)

Relating to the use of electronic communication by a conservator of a child to facilitate communication with the child.
(viva voce vote) (30-0) (30-0)

CSSB 225 (Ellis)

Relating to privacy of wireless telecommunications customer information; providing a civil penalty.
(viva voce vote) (30-0) (30-0)

SB 228 (Harris)

Relating to suits affecting the parent-child relationship, including proceedings for the establishment, modification, and enforcement of child support; providing a civil penalty.
(viva voce vote) (30-0) (30-0)

Senator Harris offered the following committee amendment to the bill:

Committee Amendment No. 1

Amend **SB 228** in SECTION 6 of the bill on page 3 (committee printing), amending Section 156.409, Family Code, as follows:

On lines 3 and 4 strike ", including a conservator or governmental entity," and substitute "for at least six months";

On line 11 strike "to another person for at least six months";

On line 13 strike "30" and substitute "90";

On line 25 after the period insert subsection "(a-2)" to read as follows:

"(a-2) This section does not affect the ability of the court to render a temporary order for the payment of child support that is in the best interest of the child."

The amendment to **SB 228** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Committee Amendment No. 1 except as follows:

Absent-excused: Gallegos.

Senator Harris offered the following committee amendment to the bill:

Committee Amendment No. 2

Amend **SB 228**, in SECTION 27 of the bill, in added Section 232.0135(d), Family Code (introduced version page 18, line 16), by inserting after the period "If, after a review by the Title IV-D agency or a hearing by the court, the Title IV-D agency withdraws the notice under Subsection (a), the Title IV-D agency shall reimburse the obligor the amount of any fee charged the obligor under Section 232.014."

The amendment to **SB 228** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Committee Amendment No. 2 except as follows:

Absent-excused: Gallegos.

On motion of Senator Harris and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

SB 229 (Harris)

Relating to the seal of a district court used on process issued by the court.
(viva voce vote) (30-0) (30-0)

SB 235 (Harris)

Relating to the composition of a county bail bond board.
(viva voce vote) (30-0) (30-0)

CSSB 237 (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.
(viva voce vote) (30-0) (30-0)

CSSB 254 (Ellis)

Relating to the sale of live animals in certain counties on a public highway or road, the right-of-way of a public highway or road, or a parking lot.
(viva voce vote) (30-0) (30-0)

SB 261 (Zaffirini)

Relating to the detention and transportation of a person with a mental illness.
(viva voce vote) (30-0) (30-0)

SB 267 (Duncan)

Relating to the grounds and procedures for removal of a member of the board of directors of the Lynn County Hospital District.
(viva voce vote) (30-0) (30-0)

(Senator Uresti in Chair)

CSSB 271 (Wentworth)

Relating to the qualifications to serve as an associate judge in certain family law proceedings.
(viva voce vote) (30-0) (30-0)

SB 272 (Estes)

Relating to the appointment of bailiffs for the 97th Judicial District.
(viva voce vote) (30-0) (30-0)

SB 282 (Gallegos)

Relating to notice regarding the availability of programs under which a student may earn college credit in public schools.
(viva voce vote) (30-0) (30-0)

CSSB 295 (Williams)

Relating to the administration of polygraph examinations to certain officers and employees of the Department of Public Safety of the State of Texas.

(viva voce vote) (30-0) (30-0)

SB 324 (Deuell)

Relating to contingent payment clauses in certain construction contracts.

(viva voce vote) (30-0) (30-0)

CSSB 325 (Williams)

Relating to the creation of an appellate judicial system for the Ninth Court of Appeals District.

(viva voce vote) (30-0) (30-0)

SB 327 (Carona)

Relating to cargo transported by vehicle; providing a criminal penalty.

(viva voce vote) (30-0) (30-0)

SB 328 (Carona)

Relating to the requirement that the results of an alcohol and drug test taken by certain holders of a commercial driver's license be reported to the Department of Public Safety of the State of Texas.

(viva voce vote) (30-0) (30-0)

SB 329 (Carona)

Relating to an object or material placed on or attached to a window of a commercial motor vehicle.

(viva voce vote) (30-0) (30-0)

SB 333 (Carona)

Relating to driving a commercial motor vehicle in violation of an out-of-service order; providing a criminal penalty.

(viva voce vote) (30-0) (30-0)

SB 336 (Brimer)

Relating to the notice required for the lease of real property by certain counties when responding to particular emergency circumstances.

(viva voce vote) (30-0) (30-0)

(Senator Brimer in Chair)**SB 343** (Carona)

Relating to the oath taken by witnesses appearing before a grand jury.

(viva voce vote) (30-0) (30-0)

SB 355 (Wentworth)

Relating to the duty of the judge of the 147th District Court to impanel grand juries and to the terms of court for certain district courts in Travis County.

(viva voce vote) (30-0) (30-0)

SB 364 (Nelson)

Relating to the licensing and regulation of dentists, dental hygienists, dental assistants, and dental laboratories; providing penalties.

(viva voce vote) (30-0) (30-0)

CSSB 369 (Williams)

Relating to an offense involving a motor vehicle with an altered or obscured license plate.

(viva voce vote) (30-0) (30-0)

SB 456 (Watson)

Relating to the applicability of the requirement that certain communications delivered to a property owner on behalf of a taxing unit notify the owner of any entitlement to postpone payment of the ad valorem taxes on the property.

(viva voce vote) (30-0) (30-0)

SB 580 (Hegar)

Relating to the manner of recording documents filed with a county clerk.

(viva voce vote) (30-0) (30-0)

SCR 1 (Nelson)

Encouraging the National Health Services Corps Ambassador Program to coordinate with the Primary Care Office at the Texas Department of State Health Services.

(viva voce vote)

CSSR 2 (Carona)

Requesting the Texas Transportation Commission to cease efforts to influence Congress and other states for changes in federal law relating to the statewide transportation enhancement program.

(viva voce vote)

**BILL REMOVED FROM
LOCAL AND UNCONTESTED CALENDAR**

Senator Estes and Senator Brimer requested in writing that **SB 60** be removed from the Local and Uncontested Calendar.

**SESSION CONCLUDED FOR
LOCAL AND UNCONTESTED CALENDAR**

Senator Brimer announced that the session to consider bills and resolutions placed on the Local and Uncontested Calendar was concluded.

SENATE BILLS ON FIRST READING

The following bills, filed on or before Friday, March 9, 2007, were introduced, read first time, and referred to the committees indicated:

SB 1001 by West

Relating to requiring a contractor to provide health insurance to its employees as a condition of eligibility for the award of certain state contracts.

To Committee on State Affairs.

SB 1002 by West

Relating to a requirement that an ad valorem tax abatement agreement provide for the recapture of lost ad valorem tax revenue if the property owner fails to provide a health benefit plan to the owner's employees and their dependents.

To Subcommittee on Emerging Technologies and Economic Development.

SB 1003 by Harris

Relating to areas of an airport where weapons are prohibited; providing a penalty.

To Committee on Criminal Justice.

SB 1004 by Whitmire

Relating to the election and disqualification of emergency services commissioners in certain populous counties.

To Committee on Intergovernmental Relations.

SB 1005 by Janek

Relating to the confidentiality of social security numbers maintained by certain governmental entities.

To Committee on State Affairs.

SB 1006 by Shapleigh

Relating to the use of direct recording electronic voting systems.

To Committee on State Affairs.

SB 1007 by West

Relating to student representation on the Texas Higher Education Coordinating Board and certain coordinating board advisory committees.

To Subcommittee on Higher Education.

SB 1008 by Seliger

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

To Committee on Intergovernmental Relations.

SB 1009 by Zaffirini

Relating to the installation, copying, or use of certain computer software for unauthorized purposes.

To Committee on Business and Commerce.

SB 1010 by Patrick, Brimer, Ellis, Hinojosa, Janek, Lucio, Whitmire

Relating to exempting sales of certain hurricane preparation and summer seasonal supplies from the sales tax for a limited period.

To Committee on Finance.

SB 1011 by Ellis

Relating to the Texas Department of Housing and Community Affairs.

To Committee on Intergovernmental Relations.

SB 1012 by Williams

Relating to the establishment of regional participation agreements between certain municipalities and special districts.

To Committee on Intergovernmental Relations.

SB 1013 by Jackson

Relating to the authority of the Railroad Commission of Texas to regulate warning signs appurtenant to certain pipeline facilities; providing an administrative penalty.
To Committee on Natural Resources.

SB 1014 by Whitmire

Relating to the application of the doctrine of sovereign immunity in a judicial proceeding to enforce certain employment rights.
To Committee on Jurisprudence.

SB 1015 by Whitmire

Relating to the application of the doctrine of sovereign immunity in a judicial proceeding to enforce certain employment rights.
To Committee on Jurisprudence.

SB 1016 by West

Relating to providing a method for assessing the annual improvement in achievement of public school students on certain assessment instruments.
To Committee on Education.

SB 1017 by West

Relating to compulsory school attendance requirements.
To Committee on Education.

SB 1018 by West

Relating to establishment of a pilot program to improve mathematics instruction in public schools.
To Committee on Education.

SB 1019 by West

Relating to establishment of a pilot program to provide early identification of public school students at risk of dropping out of school.
To Committee on Education.

SB 1020 by West

Relating to assistance by the Texas Education Agency to school districts in the development, administration, and improvement of personal graduation plans.
To Committee on Education.

SB 1021 by Lucio

Relating to the operation of the owner-builder loan program.
To Committee on Intergovernmental Relations.

SB 1022 by Janek

Relating to the application of the sales and use tax to certain telecommunications services provided through the use of a pay phone.
To Committee on Finance.

SB 1023 by West

Relating to limiting use of money in the Texas Enterprise Fund to recipients that provide health benefit plans.
To Subcommittee on Emerging Technologies and Economic Development.

SB 1024 by Wentworth

Relating to the requirements for appointment as a visiting statutory probate court judge.

To Committee on Jurisprudence.

SB 1025 by Shapleigh

Relating to the powers and duties of the Texas Department of Transportation related to rail facilities.

To Committee on Transportation and Homeland Security.

SB 1026 by Averitt

Relating to the regulation as common carriers of certain owners, operators, or managers of pipelines for the transportation of feedstock for carbon gasification, the products of carbon gasification, or the derivative products of carbon gasification.

To Committee on Natural Resources.

SB 1027 by Ellis

Relating to the availability of property insurance under the Fair Access to Insurance Requirements (FAIR) Plan.

To Committee on Business and Commerce.

SB 1028 by West

Relating to establishing a demonstration project for the regional delivery of tertiary care services.

To Committee on Health and Human Services.

SB 1030 by Watson

Relating to the determination of title to real property through a declaratory judgment.

To Committee on State Affairs.

SB 1031 by Shapiro, Janek, Seliger, West

Relating to the administration of certain assessment instruments in public schools; providing a criminal penalty.

To Committee on Education.

SB 1032 by Uresti

Relating to the issuance of Insure Texas Kids specialty license plates.

To Committee on Transportation and Homeland Security.

SB 1033 by Uresti

Relating to emergency medical services.

To Committee on Health and Human Services.

SB 1034 by Janek

Relating to the annexation by certain municipalities of land owned by a navigation district.

To Committee on Natural Resources.

SB 1035 by Janek

Relating to requiring certain municipalities to disannex land owned by a navigation district.

To Committee on Natural Resources.

SB 1036 by Ellis

Relating to information technology security practices of state agencies.
To Committee on Government Organization.

SB 1037 by Duncan

Relating to the prevention of surface water or groundwater pollution from certain evaporation pits.
To Committee on Natural Resources.

SB 1038 by Lucio

Relating to notice and certain restrictions regarding the nonrenewal of lease agreements in manufactured home communities; providing a civil penalty.
To Committee on Business and Commerce.

SB 1039 by Lucio

Relating to the payment of benefits to certain retirees of the Teacher Retirement System of Texas who work during the final month of the school year.
To Committee on State Affairs.

SB 1040 by Lucio

Relating to education and examination requirements for the issuance of a driver's license.
To Committee on Transportation and Homeland Security.

SB 1041 by Lucio

Relating to the creation of the Los Fresnos Municipal Utility District No. 2 of Cameron County; providing authority to impose a tax and issue bonds; granting the power of eminent domain.
To Committee on Intergovernmental Relations.

SB 1042 by West

Relating to providing supplemental financial assistance to certain grandparents.
To Committee on Health and Human Services.

SB 1043 by Duncan

Relating to the creation of an online volunteer fire department registry by the Texas Forest Service.
To Committee on Natural Resources.

SB 1044 by Deuell

Relating to revenue from Texas State Rifle Association specialty license plates.
To Committee on Transportation and Homeland Security.

SB 1045 by Wentworth

Relating to providing that a performance evaluation of the commissioner of higher education or of a chancellor or university president is confidential.
To Subcommittee on Higher Education.

SB 1046 by Wentworth

Relating to the provision of notice to institutions of higher education of meetings of the Texas Higher Education Coordinating Board and to telephone conference meetings of the board.

To Subcommittee on Higher Education.

SB 1047 by Seliger

Relating to the use of information obtained by the attorney general through a civil investigative demand under the Deceptive Trade Practices-Consumer Protection Act.

To Committee on State Affairs.

SB 1048 by Watson

Relating to the inheritance rights of certain parents.

To Committee on Jurisprudence.

SB 1049 by Zaffirini

Relating to the availability of online information relating to research-based programs and best practices regarding the instruction of students with autism and autism-related disorders in public schools.

To Committee on Education.

SB 1050 by Zaffirini

Relating to the administration of the work-study student mentorship program by the Texas Higher Education Coordinating Board.

To Subcommittee on Higher Education.

SB 1051 by Zaffirini

Relating to course requirements for students enrolled in joint degree programs between certain general academic teaching institutions and foreign universities.

To Subcommittee on Higher Education.

SB 1052 by Zaffirini

Relating to tuition credits for students who complete the core curriculum at two-year public institutions of higher education.

To Subcommittee on Higher Education.

SB 1053 by Zaffirini

Relating to assessing the quality and effectiveness of academic advising services offered by public institutions of higher education.

To Subcommittee on Higher Education.

SB 1054 by Zaffirini

Relating to the conduct that constitutes hazing and to the application of hazing laws to certain former students of an educational institution.

To Committee on Education.

SB 1055 by Zaffirini

Relating to establishing a commission to study and report on the projected need for faculty at public and private institutions of higher education.

To Subcommittee on Higher Education.

SB 1056 by Wentworth

Relating to conversion of a reciprocal or interinsurance exchange to a stock company through creation of a mutual holding company.

To Committee on Business and Commerce.

SB 1057 by Hegar

Relating to the exemption of volunteer fire departments from certain motor fuel taxes.

To Committee on Finance.

SB 1058 by West

Relating to the creation of a reintegration counseling program for certain veterans and servicemembers.

To Committee on Veteran Affairs and Military Installations.

SB 1059 by Janek

Relating to exempting property used or consumed by a manufacturer in certain research and development activities from the sales and use tax.

To Committee on Finance.

SB 1060 by West

Relating to the operation of hybrid motor vehicles.

To Committee on Transportation and Homeland Security.

SB 1061 by Williams

Relating to restricting persons who refuse to submit a breath specimen to the operation of a vehicle equipped with an ignition interlock device.

To Committee on Criminal Justice.

SB 1062 by Williams

Relating to the authority of an owner of real property to require that ad valorem taxes, other than taxes imposed for public school purposes, be imposed on that real property on the basis of a five-year average of the property's taxable value.

To Committee on Finance.

SB 1063 by Williams

Relating to the authority of the governing body of a taxing unit to waive penalties and interest on a delinquent ad valorem tax.

To Committee on Intergovernmental Relations.

SB 1064 by West

Relating to the purchasing and contracting practices of junior college districts; providing criminal penalties.

To Subcommittee on Higher Education.

SB 1065 by Shapiro

Relating to high school success and college readiness in public schools.

To Committee on Education.

SB 1066 by Shapiro

Relating to the Public Education Information Management System (PEIMS).

To Committee on Education.

SB 1067 by Shapiro

Relating to the enrollment in public school of students who are registered sex offenders and the notification requirements concerning certain offenses committed by students.

To Committee on Education.

SB 1068 by Wentworth

Relating to the reapportionment of congressional districts and the creation, function, and duties of the Texas Congressional Redistricting Commission.

To Committee on State Affairs.

SB 1069 by Janek

Relating to the creation of the Fort Bend County Municipal Utility District No. 183; providing authority to impose a tax and issue bonds; granting the power of eminent domain.

To Committee on Intergovernmental Relations.

SB 1070 by Janek

Relating to the creation of Booth Ranch Municipal Utility District of Fort Bend County, Texas; providing authority to impose taxes and issue bonds; granting the power of eminent domain.

To Committee on Intergovernmental Relations.

SB 1071 by Janek

Relating to the creation of Cade Ranch Water Control and Improvement District No. 1 of Galveston County; providing authority to impose a tax and issue bonds; granting the power of eminent domain.

To Committee on Natural Resources.

SB 1072 by Janek

Relating to the delivery of a child taken into custody under the juvenile justice system to a school official.

To Committee on Jurisprudence.

SB 1073 by Janek

Relating to excluding the transportation of gas to and from a liquefied natural gas marine terminal from being considered a gas utility.

To Committee on Natural Resources.

SB 1074 by Wentworth

Relating to short-term revenue bonds in certain metropolitan rapid transit authorities.

To Committee on Transportation and Homeland Security.

SB 1075 by Wentworth

Relating to the permissible uses of the state highway fund.

To Committee on Finance.

SB 1076 by Carona

Relating to a declaration of taking filed by the Texas Department of Transportation for a toll project.

To Committee on Transportation and Homeland Security.

SB 1077 by Carona

Relating to performance audits of certain regional transportation authorities.
To Committee on Transportation and Homeland Security.

SB 1078 by Carona

Relating to the operation of a school bus; creating an offense.
To Committee on Transportation and Homeland Security.

SB 1079 by Carona

Relating to the operation of a school bus; creating an offense.
To Committee on Transportation and Homeland Security.

SB 1080 by Carona

Relating to the use of a safety belt by a school bus operator.
To Committee on Transportation and Homeland Security.

SB 1081 by Carona

Relating to school activity buses.
To Committee on Transportation and Homeland Security.

SB 1082 by Carona

Relating to school bus emergency evacuation training in public schools.
To Committee on Education.

SB 1083 by Carona

Relating to authorizing a judge or justice of the peace to request and obtain a copy of certain defendants' driving records from the Department of Public Safety using TexasOnline.
To Committee on Criminal Justice.

SB 1084 by Carona

Relating to advertising in Department of Public Safety driver's license mailings.
To Committee on Transportation and Homeland Security.

SB 1085 by Carona

Relating to the suspension, revocation, or cancellation of a driver's license, instruction permit, or operating privilege by the Department of Public Safety.
To Committee on Transportation and Homeland Security.

SB 1086 by Carona

Relating to providing notice of the anticipated fiscal impact of municipal charter amendments.
To Committee on Intergovernmental Relations.

SB 1087 by Watson

Relating to the exemption from ad valorem taxation of property used by a charitable organization operating certain radio stations.
To Committee on Finance.

SB 1088 by Shapiro

Relating to use of a portion of the money in the Texas Mobility Fund for mass transit projects.
To Committee on Transportation and Homeland Security.

SB 1089 by Shapiro

Relating to the authority of certain development corporations to spend tax revenue on certain mass transit-related facilities.

To Subcommittee on Emerging Technologies and Economic Development.

SB 1090 by Duncan

Relating to the creation of a youth diabetes registry; providing penalties.

To Committee on Health and Human Services.

SB 1091 by Nichols

Relating to the creation of the Somerset Municipal Utility District No. 1; providing authority to impose a tax and issue bonds; granting the power of eminent domain.

To Committee on Intergovernmental Relations.

SB 1092 by Nichols

Relating to the creation of the Somerset Municipal Utility District No. 2; providing authority to impose a tax and issue bonds; granting the power of eminent domain.

To Committee on Intergovernmental Relations.

SB 1093 by Carona

Relating to the creation of a local government transportation corporation by a hospital district or hospital authority.

To Committee on Intergovernmental Relations.

SB 1094 by Carona

Relating to the powers of municipal and county hospital authorities and hospital districts created under general or special law.

To Committee on Intergovernmental Relations.

SB 1095 by Uresti

Relating to a study on increasing the number of medical residency programs, medical residents, and physicians practicing medical specialties in this state.

To Committee on Health and Human Services.

SB 1096 by Janek

Relating to mandatory participation in certain TANF employment programs by certain persons.

To Committee on Health and Human Services.

SB 1097 by Whitmire

Relating to the penalties for the offense of criminal trespass.

To Committee on Criminal Justice.

SB 1098 by Patrick

Relating to a subsidy for health benefits coverage for certain adopted children.

To Committee on Health and Human Services.

SB 1099 by Patrick

Relating to a local option election in Harris County to set a limitation of not less than three percent on the maximum average annual increase in the appraised value of residence homesteads for purposes of ad valorem taxation by each political subdivision in the county.

To Committee on Finance.

SB 1100 by Whitmire

Relating to the offenses of cruelty to livestock and nonlivestock animals.

To Committee on Criminal Justice.

SB 1101 by Duncan

Relating to the reporting and disclosure of financial arrangements between referring health care providers and diagnostic imaging providers; providing penalties.

To Committee on State Affairs.

SB 1103 by Watson

Relating to a person who is entitled to claim a lien on certain assets.

To Committee on Jurisprudence.

SB 1104 by Watson

Relating to the conditions of employment for emergency medical services personnel employed by certain municipalities.

To Committee on Intergovernmental Relations.

SB 1105 by Watson

Relating to the eligibility of property used in connection with a data center for economic benefits authorized by the Texas Economic Development Act.

To Subcommittee on Emerging Technologies and Economic Development.

SB 1106 by Watson

Relating to county accounting procedures regarding certain audits, debts, and records.

To Committee on Intergovernmental Relations.

SB 1107 by Watson

Relating to the powers of certain hospital districts and to the retirement benefits of employees of the districts and related entities; authorizing the issuance of anticipation notes and the imposition of taxes.

To Committee on State Affairs.

SB 1108 by Watson

Relating to appropriating money to pay for a judgment rendered in certain litigation.

To Committee on Finance.

SB 1109 by Watson

Relating to exempting certain federal judges from certain procedural requirements for obtaining or renewing a concealed handgun license.

To Committee on Criminal Justice.

SB 1110 by Carona

Relating to the use of a card-minding device to play bingo.

To Committee on State Affairs.

SB 1111 by Carona

Relating to expedited credentialing for certain physicians providing services under a managed care plan.

To Committee on State Affairs.

SB 1112 by Eltife

Relating to the filing of sales reports with the comptroller by wholesalers and distributors of certain alcohol and tobacco products.

To Committee on Business and Commerce.

SB 1113 by West

Relating to the exemption from ad valorem taxation of certain property used to provide low-income housing.

To Committee on Finance.

SB 1114 by Janek

Relating to purchases made at the campus level in certain school districts.

To Committee on Education.

SB 1115 by Deuell

Relating to the regulation of independent emergency medical care facilities; providing an administrative penalty; creating an offense.

To Committee on Health and Human Services.

SB 1116 by Carona

Relating to the appeal of certain hearings related to a grant of deferred adjudication community supervision and to certain related applications for a writ of habeas corpus.

To Committee on Criminal Justice.

SB 1117 by Carona

Relating to the designation by name of parts of the highway system.

To Committee on Transportation and Homeland Security.

SB 1118 by Carona

Relating to the licensing and regulation of tow trucks, tow truck operators, and vehicle storage facilities; providing penalties.

To Committee on Transportation and Homeland Security.

SB 1119 by Carona

Relating to the authority of a local authority to implement a photographic traffic signal enforcement system; providing for the imposition of civil penalties.

To Committee on Transportation and Homeland Security.

SB 1120 by Carona

Relating to licensing and regulation of automotive shops, automotive technicians, and automotive service writers, advisors, and estimators; providing penalties.

To Committee on Business and Commerce.

SB 1121 by Carona

Relating to the creation of the law enforcement integrity unit in the office of the attorney general.

To Committee on Criminal Justice.

SB 1122 by Carona

Relating to judicial findings regarding victims of trafficking and related offenses.
To Committee on Criminal Justice.

SB 1123 by Ellis

Relating to the creation and authority of Harris County Improvement District No. 8; Authorizing contracts between the District and other Political Subdivisions; providing authority to impose taxes and issue bonds.
To Committee on Intergovernmental Relations.

SB 1124 by Eltife

Relating to sanitary, chemical, or bacteriological surveys of bodies of public water conducted by the Department of State Health Services and related fish advisories.
To Subcommittee on Agriculture, Rural Affairs, and Coastal Resources.

SB 1125 by Gallegos

Relating to statutory probate court associate judges in certain courts in Harris County.
To Committee on Jurisprudence.

SB 1126 by Hegar

Relating to the issuance of certain search warrants.
To Committee on Criminal Justice.

SB 1127 by Hegar

Relating to the penalty for certain violations of county traffic regulations.
To Committee on Transportation and Homeland Security.

SB 1128 by Hegar

Relating to the Texas Rural Foundation.
To Subcommittee on Agriculture, Rural Affairs, and Coastal Resources.

SB 1129 by Hegar

Relating to information included in the judgment in a criminal case.
To Committee on Criminal Justice.

SB 1130 by Hegar

Relating to the composition of the board of navigation and canal commissioners of the Victoria County Navigation District.
To Committee on Natural Resources.

SB 1131 by Lucio

Relating to the rates of tuition charged to students of institutions of higher education.
To Subcommittee on Higher Education.

SB 1132 by Carona

Relating to a documentary fee included in the principal balance of a retail installment contract for the purchase of a motor vehicle.
To Committee on Business and Commerce.

SB 1133 by Eltife

Relating to an exception under the public information law regarding the name of an applicant for superintendent of a public school district.
To Committee on Education.

SB 1134 by Brimer

Relating to the nonsubstantive revision of certain local laws concerning special districts, including conforming amendments.

To Committee on Administration.

SB 1135 by Brimer

Relating to a nonsubstantive revision of statutes relating to business and commerce; including conforming amendments.

To Committee on Administration.

SB 1136 by Brimer

Relating to the nonsubstantive revision of statutes relating to the Texas Department of Insurance, the business of insurance, and certain related businesses, to nonsubstantive additions to and corrections in the codified Insurance Code, and to conforming the provisions of that code that were codified by the 79th Legislature to other Acts of that legislature, including conforming amendments, repeals, and penalties.

To Committee on Administration.

SB 1137 by Duncan

Relating to prohibition of sale or exchange of consideration for human organs and tissues.

To Committee on Health and Human Services.

SB 1138 by Duncan

Relating to risk management programs for members of fraternities and other student organizations at public and private postsecondary educational institutions and to certain insurance requirements for fraternities.

To Subcommittee on Higher Education.

SB 1139 by Uresti

Relating to a joint interim study of ways to promote economic development in nations that are a primary source of undocumented immigrants in Texas.

To Committee on International Relations and Trade.

SB 1140 by Deuell

Relating to the regulation and limitation of liability of persons engaged in certain liquefied petroleum gas-related activities, including requirements concerning consumer safety notification.

To Committee on State Affairs.

SB 1141 by Deuell

Relating to a demonstration project to provide consultation services to certain child-care providers.

To Committee on Health and Human Services.

SB 1142 by Deuell

Relating to an audit of health and human services information technology systems.

To Committee on Health and Human Services.

SB 1143 by Deuell

Relating to prohibiting certain ranking of physicians by health benefit plans.

To Committee on State Affairs.

SB 1144 by Deuell

Relating to the reporting requirements for health plans participating in the medical assistance program.

To Committee on Health and Human Services.

SB 1145 by Shapiro

Relating to the computation of a student's high school grade point average.

To Committee on Education.

SB 1146 by Shapiro

Relating to online performance reports for public institutions of higher education.

To Subcommittee on Higher Education.

SB 1147 by Shapiro

Relating to the administration of Texas governor's schools.

To Committee on Education.

SB 1148 by Hegar

Relating to dealer agreements regarding the purchase and sale of certain all-terrain vehicles or equipment or machinery used for agricultural, off-road construction, utility, industrial, mining, forestry, and landscaping purposes.

To Committee on Business and Commerce.

SB 1149 by Ellis

Relating to compensating persons wrongfully incarcerated for interest paid or owed on college loans.

To Committee on Criminal Justice.

SB 1150 by Hinojosa

Relating to the establishment of a school of engineering at Texas A&M University–Corpus Christi.

To Subcommittee on Higher Education.

SB 1151 by Shapiro

Relating to the duties of the Texas Department of Transportation and other agencies with regard to state highways, toll roads, and the Trans-Texas Corridor.

To Committee on Transportation and Homeland Security.

SB 1152 by Carona

Relating to an exclusion from unemployment compensation chargebacks for certain employers of continuously employed part-time employees.

To Committee on Business and Commerce.

SB 1153 by Carona

Relating to the use of title insurance to insure certain interests in personal property.

To Committee on Business and Commerce.

SB 1154 by Carona

Relating to sales of certain regulated material and to the criminal penalties for violations relating to those sales.

To Committee on Transportation and Homeland Security.

SB 1155 by Fraser

Relating to operation of the Texas Windstorm Insurance Association and the Texas FAIR Plan Association, including funding of coverage for certain catastrophic events through the issuance of public securities.

To Committee on Business and Commerce.

SB 1156 by Fraser

Relating to certain exemptions from the requirements of electrical licensing.

To Committee on Business and Commerce.

SB 1157 by Fraser

Relating to the requirements for a petition seeking an election to abolish a municipality's corporate existence.

To Committee on Intergovernmental Relations.

SB 1158 by Lucio

Relating to cancellation of a subdivision plat under certain circumstances.

To Committee on Intergovernmental Relations.

SB 1159 by Jackson

Relating to prohibition of certain insurer restrictions regarding repair of a motor vehicle covered under an insurance policy.

To Committee on Business and Commerce.

SB 1160 by Jackson

Relating to coverage for certain towing and storage expenses under a motor vehicle insurance policy.

To Committee on Business and Commerce.

SB 1161 by Jackson

Relating to the filing of a complaint or referral to juvenile court by a school district against a student for failing to attend school.

To Committee on Education.

SB 1162 by Estes

Relating to the ad valorem tax situs of certain portable drilling rigs and associated equipment.

To Committee on Finance.

SB 1163 by Estes

Relating to definitions applicable to the watershed of and the size of the board of directors of the Brazos River Authority.

To Committee on Natural Resources.

SB 1164 by Estes

Relating to the compensation of official court reporters for district courts.

To Committee on Jurisprudence.

SB 1165 by Estes

Relating to the powers and duties of the Gainesville Hospital District.

To Committee on Intergovernmental Relations.

SB 1166 by Duncan

Relating to the reporting of claims information under certain health benefit plans; providing administrative penalties.

To Committee on State Affairs.

SB 1167 by Duncan

Relating to appeals in cases arising under the Federal Arbitration Act.

To Committee on State Affairs.

SB 1168 by Van de Putte, Deuell

Relating to the licensing and regulation of the practice of dietetics and nutrition care services.

To Committee on Health and Human Services.

SB 1169 by Janek

Relating to the reimbursement of an insurance carrier for the overpayment of certain workers' compensation benefits.

To Committee on State Affairs.

SB 1170 by Hinojosa

Relating to requirements for certain contracts with physicians and health care providers.

To Committee on State Affairs.

SB 1171 by Harris

Relating to the regulation of drivers education and driving safety programs by the Texas Department of Licensing and Regulation.

To Committee on Transportation and Homeland Security.

SB 1172 by Seliger

Relating to the disposition of income at Palo Duro Canyon State Park.

To Committee on Natural Resources.

SB 1173 by Seliger

Relating to the tax credit for enhanced efficiency equipment installed on certain wells.

To Committee on Natural Resources.

SB 1174 by Ellis

Relating to alternatives to abortion organizations; imposing a civil penalty.

To Committee on State Affairs.

SB 1175 by Ellis

Relating to the elimination of sexual assault against inmates confined in a facility operated by or under contract with the Texas Department of Criminal Justice.

To Committee on Criminal Justice.

SB 1176 by Ellis

Relating to a requirement that a full TEXAS grant be awarded to each eligible applicant in an academic year.

To Subcommittee on Higher Education.

SB 1177 by Brimer, Harris

Relating to a pilot test of an advanced control technology for the reduction of nitrogen oxides emissions.

To Committee on Natural Resources.

SB 1178 by Hegar

Relating to the qualification of supervisors of a fresh water supply district.

To Committee on Natural Resources.

SB 1179 by Hegar

Relating to a petition for the creation of a fresh water supply district.

To Committee on Natural Resources.

SB 1180 by Hegar

Relating to the powers and duties of the DeWitt Medical District.

To Committee on Intergovernmental Relations.

SB 1181 by Hegar

Relating to restrictions on collective bargaining agreements and arbitration awards under The Fire and Police Employee Relations Act.

To Committee on Intergovernmental Relations.

SB 1182 by Watson

Relating to the creation of a supreme court judicial system to support the operation of the Supreme Court of Texas.

To Committee on Jurisprudence.

SB 1183 by Watson

Relating to the right of certain municipalities to maintain local control over wages, hours, and other terms and conditions of employment.

To Committee on Intergovernmental Relations.

SB 1184 by Watson

Relating to the requirements for a petition proposing an amendment to the charter of a home-rule municipality.

To Committee on Intergovernmental Relations.

SB 1185 by Nelson

Relating to certain low-interest home loan programs offered by the state.

To Committee on Finance.

SB 1186 by Nelson

Relating to inclusion in the immunization registry of immunization records of first responders and their immediate family members and of immunization records obtained during certain declared disasters.

To Committee on Health and Human Services.

SB 1187 by Nelson

Relating to data collection at the Department of State Health Services.

To Committee on Health and Human Services.

SB 1188 by Uresti

Relating to the child abuse and neglect prevention trust fund account.
To Committee on Finance.

SB 1189 by Uresti

Relating to ambulatory surgical centers and to the provision of services at those centers by certain designated physician groups.
To Committee on State Affairs.

SB 1190 by Patrick

Relating to the establishment of a commission on state government spending to address waste, fraud, and abuse in state agency operations.
To Committee on Government Organization.

SB 1191 by Patrick

Relating to special reports filed with the Texas Ethics Commission by certain candidates and political committees after receiving large political contributions from a person.
To Committee on State Affairs.

SB 1192 by Patrick

Relating to restrictions on certain lobbyist expenditures for meals provided to legislators; providing a criminal penalty.
To Committee on State Affairs.

SB 1193 by Patrick

Relating to lobbying by former members of the legislature; creating an offense.
To Committee on State Affairs.

SB 1194 by Patrick

Relating to retirement benefits for members of the legislature.
To Committee on State Affairs.

SB 1195 by Patrick

Relating to restrictions on the use of political contributions by certain state officers; providing a criminal penalty.
To Committee on State Affairs.

SB 1196 by Whitmire

Relating to access to criminal history record information by certain county attorneys.
To Committee on Criminal Justice.

SB 1197 by Patrick

Relating to filling of a vacancy in an office of a county.
To Committee on State Affairs.

SB 1198 by Shapiro

Relating to the civil commitment of sexually violent predators.
To Committee on Criminal Justice.

SB 1199 by Patrick

Relating to restrictions on certain lobbyist expenditures for meals provided to legislative employees; providing a criminal penalty.

To Committee on State Affairs.

SB 1200 by Patrick

Relating to rules governing instant games by the Texas Lottery Commission.

To Committee on State Affairs.

SB 1201 by Janek

Relating to managing the assets of the Texas preservation trust fund account.

To Committee on Finance.

SB 1202 by Lucio

Relating to establishment of a pilot program by the commissioner of education for the prevention of obesity in children attending the public schools.

To Committee on Education.

SB 1203 by Seliger

Relating to the authority of the attorney general to obtain reimbursement to the compensation to victims of crime fund resulting from overpayments made to victims, claimants, and providers.

To Committee on Criminal Justice.

SB 1204 by Duncan

Relating to the reorganization and administration of, and procedures relating to, courts in this state, including procedures for appeals.

To Committee on State Affairs.

SB 1205 by Deuell

Relating to the powers and duties of the Kaufman County Municipal Utility District Nos. 2, 3, 4, 5, 6, and 7; providing authority to impose a tax and issue bonds.

To Committee on Intergovernmental Relations.

SB 1206 by Hegar

Relating to the subdivision requirements that a county may impose for certain driveways.

To Committee on Intergovernmental Relations.

SB 1207 by Hegar

Relating to the removal by the county commissioners court of appointed special district board members who engage in misconduct.

To Committee on Intergovernmental Relations.

SB 1208 by Carona

Relating to the release of a motor vehicle accident report or certain information in a motor vehicle accident report, providing penalties.

To Committee on Transportation and Homeland Security.

SB 1209 by Carona

Relating to the relocation of utility facilities required by improvement of a state highway.

To Committee on Transportation and Homeland Security.

SB 1210 by Carona

Relating to the use of eminent domain for highway or other transportation purposes.

To Committee on Transportation and Homeland Security.

SB 1211 by Carona

Relating to the statute of limitations for the offense of fraudulent use or possession of identifying information.

To Committee on Criminal Justice.

SB 1212 by Gallegos

Relating to the local control of fire fighter employment matters in certain municipalities.

To Committee on Intergovernmental Relations.

SB 1213 by Gallegos

Relating to the administration of retirement systems for paid, partly paid, or volunteer fire fighters.

To Committee on Intergovernmental Relations.

SB 1214 by Gallegos

Relating to involvement in charitable events by holders of alcoholic beverage licenses and permits.

To Committee on Business and Commerce.

SB 1215 by Gallegos

Relating to the quantity of beer or malt liquor a distributor or wholesaler may withdraw from a retailer.

To Committee on Business and Commerce.

SB 1216 by Gallegos

Relating to the hours for the wholesale delivery or sale of beer.

To Committee on Business and Commerce.

SB 1217 by Gallegos

Relating to fees for and terms of permits and licenses issued by the Texas Alcoholic Beverage Commission.

To Committee on Business and Commerce.

SB 1218 by Gallegos

Relating to the sampling of malt beverages on the premises of certain manufacturers and retailers.

To Committee on Business and Commerce.

SB 1219 by Gallegos

Relating to citizenship and residency requirements for alcoholic beverage license and permit holders.

To Committee on Business and Commerce.

SB 1220 by Shapleigh

Relating to national certification of certain public school teachers.

To Committee on Education.

SB 1221 by Carona

Relating to the provision of a preference in certain state construction contracts for contractors that provide health benefits to employees.

To Committee on State Affairs.

SB 1222 by Carona

Relating to the licensing and regulation of appliance installers and appliance installation contractors.

To Committee on Business and Commerce.

SB 1223 by Van de Putte

Relating to a public awareness campaign concerning certain solicitations for the purchase of prescription drugs.

To Committee on Health and Human Services.

SB 1224 by Jackson

Relating to the definition of normal wear in a service contract.

To Committee on Business and Commerce.

SB 1225 by Jackson

Relating to publication of the annual financial statement by a school district.

To Committee on Education.

SB 1226 by Duncan

Relating to the provision of diabetes self-management training under the state Medicaid program and the child health plan program.

To Committee on Health and Human Services.

SB 1227 by Gallegos

Relating to the conditions of employment for firefighters employed by certain districts and entities; providing penalties.

To Committee on Intergovernmental Relations.

SB 1228 by Gallegos

Relating to temporary housing and emergency shelters provided by a political subdivision for disaster victims.

To Subcommittee on Flooding and Evacuations.

SB 1229 by Gallegos

Relating to certain shipments by package stores and wine only package stores to customers.

To Committee on Business and Commerce.

SB 1230 by Gallegos

Relating to the licensing of court interpreters.

To Committee on Jurisprudence.

SB 1231 by Zaffirini

Relating to refunding tuition and mandatory fees at institutions of higher education for dropped courses and student withdrawals.

To Subcommittee on Higher Education.

SB 1232 by Zaffirini

Relating to the manner of payment of higher education tuition and fees and to the repayment of emergency student loans.

To Subcommittee on Higher Education.

SB 1233 by Zaffirini

Relating to the general property deposit paid by a student to a public institution of higher education.

To Subcommittee on Higher Education.

SB 1234 by Zaffirini

Relating to the five-year master plan for higher education in this state.

To Subcommittee on Higher Education.

SB 1235 by Zaffirini

Relating to the state's goal of installing additional electric generating capacity by renewable energy technologies and distributed renewable energy generation technologies.

To Committee on Business and Commerce.

SB 1236 by Zaffirini

Relating to the powers and duties of the Starr County Hospital District.

To Committee on Intergovernmental Relations.

SB 1237 by Uresti, Van de Putte

Relating to the powers and duties of defense base development authorities; modifying the power of eminent domain.

To Subcommittee on Base Realignment and Closure.

SB 1238 by Ellis

Relating to local regulation of distance requirements for businesses selling alcoholic beverages near certain institutions.

To Committee on Business and Commerce.

SB 1239 by Shapleigh

Relating to the creation of the Criminal Judicial District of El Paso County.

To Committee on Jurisprudence.

SB 1240 by Shapleigh

Relating to the creation of an additional judicial district in El Paso County.

To Committee on Jurisprudence.

SB 1241 by Shapleigh

Relating to authorizing certain counties near the international border to regulate land development; providing a penalty.

To Committee on International Relations and Trade.

SB 1242 by Averitt

Relating to tuition exemptions granted by public institutions of higher education to students who have served in certain school district tutoring programs.

To Subcommittee on Higher Education.

SB 1243 by Duncan

Relating to the number of persons who may be appointed to the classification immediately below department head in a police department covered by municipal civil service.

To Committee on Intergovernmental Relations.

SB 1244 by Whitmire

Relating to the authority of an investigator employed by a prosecuting attorney.

To Committee on Criminal Justice.

SB 1245 by Wentworth

Relating to the creation of Kendall County Water Control and Improvement District No. 2; providing authority to impose a tax and issue bonds; granting the power of eminent domain.

To Committee on Natural Resources.

SB 1246 by West

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

To Committee on State Affairs.

SB 1247 by West

Relating to the use of direct recording electronic voting machines.

To Committee on State Affairs.

SB 1248 by Nelson

Relating to the establishment of the University of North Texas Health Science Center Health Institutes of Texas.

To Subcommittee on Higher Education.

SB 1249 by Seliger

Relating to the labeling requirement for fuel pumps dispensing certain gasoline and ethanol mixtures.

To Committee on Natural Resources.

SB 1250 by Carona

Relating to the issuance of driver's licenses and identification cards.

To Committee on Transportation and Homeland Security.

SB 1251 by Averitt

Relating to the access, use, or retention of certain electronically readable information on a driver's license, commercial driver's license, or personal identification certificate.

To Committee on Transportation and Homeland Security.

SB 1252 by Averitt

Relating to an electronic fingerprint verification system used by a seller to confirm the age of a purchaser of certain products.

To Committee on Transportation and Homeland Security.

SB 1253 by Averitt

Relating to the frequency of certain examinations conducted by the Texas Department of Insurance.

To Committee on Business and Commerce.

SB 1254 by Averitt

Relating to the Texas Health Insurance Risk Pool.

To Committee on State Affairs.

SB 1255 by Averitt

Relating to the powers and duties of certain small and large health cooperatives.

To Committee on State Affairs.

SB 1256 by Averitt

Relating to the operation and regulation of charitable bingo and the use of bingo proceeds.

To Committee on State Affairs.

SB 1257 by Averitt

Relating to the definition of hotel under the Alcoholic Beverage Code.

To Committee on Business and Commerce.

SB 1258 by West

Relating to the development of a plan to reregulate the electric market in this state.

To Committee on Business and Commerce.

SB 1259 by West

Relating to safeguards for certain customers of retail public utilities in the electric power market.

To Committee on Business and Commerce.

SB 1260 by Seliger

Relating to the issuance of a nonresident commercial driver's license.

To Committee on Transportation and Homeland Security.

SB 1261 by Brimer

Relating to the nomination of a project or activity of a qualified business for designation as an enterprise project.

To Subcommittee on Emerging Technologies and Economic Development.

SB 1262 by Brimer

Relating to the enterprise zone program.

To Subcommittee on Emerging Technologies and Economic Development.

SB 1263 by Brimer

Relating to regulation and licensing of certain insurance agents.

To Committee on Business and Commerce.

SB 1264 by Brimer

Relating to the authority of a taxing unit to make a loan to the board of directors of a tax increment financing reinvestment zone for deposit in the tax increment fund for the zone.

To Subcommittee on Emerging Technologies and Economic Development.

SB 1265 by Brimer

Relating to the practice of optometry and therapeutic optometry and the administration by other health care professionals of treatments ordered by an optometrist or therapeutic optometrist.

To Committee on Health and Human Services.

SB 1266 by Brimer

Relating to pass-through financing and the creation and operation of the Transportation Reinvestment Fund.

To Committee on Transportation and Homeland Security.

SB 1267 by Nichols, Averitt, Carona, Ellis, Eltife, Estes, Fraser, Hegar, Hinojosa, Jackson, Janek, Lucio, Nelson, Ogden, Patrick, Seliger, Shapiro, Uresti, Van de Putte, Watson, Wentworth, West, Whitmire, Williams, Zaffirini

Relating to a moratorium on the inclusion of certain provisions in a comprehensive development agreement or the sale of a toll project and to the creation and duties of a study committee.

To Committee on Transportation and Homeland Security.

SB 1268 by Nichols

Relating to the conversion of a nontolled state highway or segment of the state highway system to a toll project.

To Committee on Transportation and Homeland Security.

SB 1269 by West

Relating to the performance of certain civil duties by officers in this state.

To Committee on Jurisprudence.

RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

Memorial Resolution

SR 475 by Deuell, In memory of Austin Theron Dixon of Edgewood.

Congratulatory Resolutions

SR 463 by Zaffirini, Commending the Three Rivers Chamber of Commerce and the George West Chamber of Commerce for their contributions to Live Oak County.

SR 472 by Janek, Congratulating Oscar G. Ortiz for being named the 2006 Person of the Year by Quota International of Southeast Texas.

SR 476 by Watson, Recognizing Flossie Jenkins Sweat of Austin on the occasion of her 100th birthday.

HCR 133 (Seliger), Commending Larry Carroll of Midland on his 30 years of service with Permian Basin Community Centers for Mental Health and Mental Retardation.

HCR 147 (Seliger), Congratulating Beverly Marie Pevehouse of Midland on her receipt of the Hope Award from the National Multiple Sclerosis Society.

Official Designation Resolution

SR 477 by Duncan, Recognizing the Buffalo Springs Lake Buffalo Wing Cook-off as a Texas State Championship event.

ADJOURNMENT

Pursuant to a previously adopted motion, the Senate at 3:09 p.m. adjourned, in memory of Petra Rivera Elizondo of San Antonio, until 10:00 a.m. tomorrow.

APPENDIX

COMMITTEE REPORTS

The following committee reports were received by the Secretary of the Senate in the order listed:

March 14, 2007

CRIMINAL JUSTICE — **SB 1921**

NATURAL RESOURCES — **HB 542**

GOVERNMENT ORGANIZATION — **CSSB 470, CSSB 608, CSSB 640**

BUSINESS AND COMMERCE — **SB 495, SB 541, SB 978**

STATE AFFAIRS — **CSSB 468, SB 471, SB 563, HB 2061**

GOVERNMENT ORGANIZATION — **CSSB 247**

SENT TO GOVERNOR

March 14, 2007

SCR 32

