

# SENATE JOURNAL

EIGHTIETH LEGISLATURE — REGULAR SESSION

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AUSTIN, TEXAS

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PROCEEDINGS

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**TWENTY-THIRD DAY**

(Wednesday, March 7, 2007)

The Senate met at 11:05 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 Most Reverend Patrick James Zurek, D.D., Auxiliary Bishop, Archdiocese of San Antonio, offered the invocation as follows:

O Lord, our God, how awesome is Your name through all the Earth. You have set Your majesty above the heavens. When I see Your heavens, the work of Your hands, the moon and stars that You have set in place, what are humans that You are mindful of them, yet You have made them little less than a god, crowned them with Your glory. (Psalm 8) O God, father of all, we invoke Your blessing and divine assistance on this body of state Senators. Enlighten them with Your spirit and presence to awaken in every heart reverence for the work of Your hands, and renew among Your people a readiness to nurture, protect, and sustain Your precious gift of human life. Give them the courage to be concerned with and to promote the common good of all Texans from the beginning of their life to its natural end. 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 West will be shown as Co-author of **SB 7**.

**CO-AUTHOR OF SENATE BILL 25**

On motion of Senator Nelson, Senator West will be shown as Co-author of **SB 25**.

**CO-AUTHOR OF SENATE BILL 82**

On motion of Senator Van de Putte, Senator West will be shown as Co-author of **SB 82**.

**CO-AUTHOR OF SENATE BILL 101**

On motion of Senator Shapiro, Senator Seliger will be shown as Co-author of **SB 101**.

**CO-AUTHOR OF SENATE BILL 127**

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

**CO-AUTHORS OF SENATE BILL 131**

On motion of Senator West, Senators Uresti and Zaffirini will be shown as Co-authors of **SB 131**.

**CO-AUTHOR OF SENATE BILL 220**

On motion of Senator Lucio, Senator Harris will be shown as Co-author of **SB 220**.

**CO-AUTHOR OF SENATE BILL 221**

On motion of Senator Lucio, Senator Harris will be shown as Co-author of **SB 221**.

**CO-AUTHOR OF SENATE BILL 261**

On motion of Senator Zaffirini, Senator Uresti will be shown as Co-author of **SB 261**.

**CO-AUTHOR OF SENATE BILL 338**

On motion of Senator Van de Putte, Senator Averitt will be shown as Co-author of **SB 338**.

**CO-AUTHOR OF SENATE BILL 407**

On motion of Senator Eltife, Senator Fraser will be shown as Co-author of **SB 407**.

**CO-AUTHOR OF SENATE BILL 439**

On motion of Senator Deuell, Senator Brimer will be shown as Co-author of **SB 439**.

**CO-AUTHOR OF SENATE BILL 730**

On motion of Senator Carona, Senator Deuell will be shown as Co-author of **SB 730**.

**CO-AUTHOR OF SENATE BILL 758**

On motion of Senator Nelson, Senator Uresti will be shown as Co-author of **SB 758**.

**CO-AUTHOR OF SENATE BILL 782**

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

**CO-AUTHORS OF SENATE BILL 785**

On motion of Senator Shapiro, Senators Brimer, Deuell, and Eltife will be shown as Co-authors of **SB 785**.

**CO-AUTHOR OF SENATE BILL 789**

On motion of Senator Hegar, Senator Seliger will be shown as Co-author of **SB 789**.

**CO-AUTHOR OF SENATE BILL 792**

On motion of Senator Williams, Senator Harris will be shown as Co-author of **SB 792**.

**CO-AUTHORS OF SENATE BILL 807**

On motion of Senator Whitmire, Senators Carona, Seliger, West, and Zaffirini will be shown as Co-authors of **SB 807**.

**CO-AUTHORS OF SENATE JOINT RESOLUTION 28**

On motion of Senator Wentworth, Senators Averitt, Carona, Fraser, Hegar, Patrick, Seliger, Shapiro, Shapleigh, West, and Zaffirini will be shown as Co-authors of **SJR 28**.

**CO-AUTHOR OF SENATE RESOLUTION 388**

On motion of Senator Hinojosa, Senator Lucio will be shown as Co-author of **SR 388**.

**PHYSICIAN OF THE DAY**

Senator Carona was recognized and presented Dr. John Richmond of Dallas as the Physician of the Day, accompanied by medical resident Shawn Riley of Richardson.

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

**SENATE RESOLUTION 388**

Senator Hinojosa offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to join citizens of the Coastal Bend area in recognizing March 7, 2007, as Coastal Bend Day at the State Capitol; and

WHEREAS, Home to many of Texas' top attractions, the Coastal Bend area is an economic powerhouse with a notable history and a bright future; and

WHEREAS, The Padre Island National Seashore's 68-mile beach constitutes the longest undeveloped shoreline in the country and is a favorite of outdoor enthusiasts; the Aransas National Wildlife Refuge draws 75,000 visitors a year, and the Texas Maritime Museum draws more than 1,000 visitors a month; and

WHEREAS, The Port of Corpus Christi is the sixth-largest port in the nation and an important strategic deployment port for the United States military; Naval Air Station Kingsville is the United States Navy's largest advanced jet-training base, and Naval Air Station Corpus Christi and Naval Air Station Ingleside have played a vital role in the growth of the area; and

WHEREAS, Education plays a major role in the life of the area, with Texas A&M University-Corpus Christi, Texas A&M-Kingsville, and Del Mar College serving over 26,000 students; Texas A&M University-Kingsville recently opened the doors of its Rangel College of Pharmacy, the state's first professional school to open south of San Antonio, and Texas A&M University-Corpus Christi recently created the Harte Research Institute for Gulf of Mexico Studies; and

WHEREAS, With its deep-water port facilities, abundant natural resources, and hard-working citizens, the Coastal Bend area of Texas is an inviting place in which to live, work, and raise a family; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 80th Legislature, hereby commend the citizens of the Coastal Bend for their many contributions to the rich cultural and economic fabric of our state and extend to them a heartfelt welcome to Austin on Coastal Bend Day at the State Capitol; and, be it further

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

HINOJOSA  
LUCIO

**SR 388** was read and was adopted without objection.

### **GUESTS PRESENTED**

Senator Hinojosa was recognized and introduced to the Senate Ken Trevino, Executive Vice-president, Corpus Christi Chamber of Commerce; Rodrigo Ramon, Mayor of Robstown; San Patricio County Judge Terry Simpson; and Dick Messbarger, Executive Director, Greater Kingsville Economic Development; accompanied by a delegation of citizens from the Coastal Bend area.

The Senate welcomed its guests.

### **MESSAGE FROM THE HOUSE**

HOUSE CHAMBER

Austin, Texas

March 7, 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 8**, Relating to the prosecution, punishment, and supervision of certain sex offenders and to certain crimes involving sex offenders.

Respectfully,

/s/Robert Haney, Chief Clerk  
House of Representatives

### SENATE RESOLUTION 393

Senator Seliger offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to recognize March 7, 2007, as Big Spring Area Day at the Capitol; a West Texas city with a rich history, Big Spring is known for its brilliant skies and earnest hospitality, and the "Big Sky, Big Heart" community looks forward to a productive 21st century; and

WHEREAS, The City of Big Spring is the seat of Howard County; its name is derived from the huge natural spring on Sulphur Draw that once provided water to the Comanche and Shawnee Indians; the Big Spring community is home to Comanche Trail Park and Big Spring State Park; and

WHEREAS, The Big Spring community moves into the future with a skilled workforce; training programs and educational opportunities are offered by Howard College and the South West Collegiate Institute for the Deaf; students from Big Spring, Coahoma, and Forsan Independent School Districts are encouraged to attend programs such as Career Day and Next Generation Day; and

WHEREAS, The Big Spring community attracts business and industry through concerted efforts by Moore Development of Big Spring; the community continues to maintain its established manufacturing and technology industries and its vital oil, agriculture, and ranching industries; and

WHEREAS, The Big Spring area considers its greatest resource to be its citizens; known for its many amenities, the area provides residents with vocational, recreational, and educational opportunities, thus ensuring a vital and prosperous quality of life; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 80th Legislature, hereby extend best wishes for a most successful Big Spring Area Day at the Capitol; and, be it further

RESOLVED, That a copy of this Resolution be prepared in honor of Big Spring Day at the State Capitol.

**SR 393** was read and was adopted without objection.

### GUESTS PRESENTED

Senator Seliger was recognized and introduced to the Senate Lee George, President, Big Spring Area Chamber of Commerce Board of Directors; Dr. Cheryl Sparks, President, Howard College; Gloria McDonald, Big Spring Mayor Pro Tempore; Richard Steel, Moore Development for Big Spring, Incorporated; and Stefanie Wilkerson, Senate District Office representative; accompanied by a delegation of citizens from Big Spring.

The Senate welcomed its guests.

**GUESTS PRESENTED**

Senator Averitt was recognized and introduced to the Senate a delegation of citizens from Hood County, members of the Granbury Volunteer Fire Department, and a group of students from Granbury High School.

The Senate welcomed its guests.

**SENATE RESOLUTION 403**

Senator Nelson offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to recognize Nika Maples, who has been named Texas Secondary Teacher of the Year by the Texas Education Agency; and

WHEREAS, An English teacher at Fossil Ridge High School in the Keller Independent School District, Nika Maples has overcome a massive stroke she suffered at the age of 20, and her example serves as a daily inspiration to her students; and

WHEREAS, An exceptionally resourceful and dedicated teacher, Nika Maples is an enthusiastic educator whose skillful teaching methods motivate her students to strive for excellence; and

WHEREAS, Her encouragement, her wise counsel, and her vivid personal example of overcoming the odds foster a positive classroom environment and allow her students to feel self-confident in their studies and to take part in meaningful learning experiences; and

WHEREAS, Nika Maples believes that the best teaching is personal and that teachers should incorporate personal experience to capture a student's imagination; she is a gifted leader and instructor who instills in her students a sense of pride and a lifelong love of learning; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 80th Legislature, hereby commend Nika Maples for her commitment to her students and extend heartfelt congratulations to her on being named Texas Secondary Teacher of the Year; and, be it further

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

**SR 403** was read and was adopted without objection.

**GUEST PRESENTED**

Senator Nelson was recognized and introduced to the Senate Nika Maples, the Texas Secondary Teacher of the Year.

The Senate welcomed its guest.

**GUEST PRESENTED**

Senator Estes was recognized and introduced to the Senate his father-in-law, Burt Huff, Sr.

The Senate welcomed its guest.

**GUESTS PRESENTED**

Senator Hegar was recognized and introduced to the Senate representatives of Pro Life Leaders.

The Senate welcomed its guests.

**SENATE RESOLUTION 435**

Senator Lucio offered the following resolution:

WHEREAS, Members of the 2006-2007 Leadership Mid Valley class are visiting the State Capitol to gain further insight into the workings of state government; and

WHEREAS, Leadership Mid Valley is an exceptional program that provides opportunities for participants to develop leadership skills and increase their knowledge of vital public issues; and

WHEREAS, Classes inspire the spirit of activism and provide a diverse membership with networking opportunities and instruction from knowledgeable figures who encourage students to acquaint themselves with community needs and problems while evaluating possible solutions; and

WHEREAS, This year's Leadership Mid Valley class includes Monica Berry, Honei Deiu Blanco, Roel Campuzano, Anabell Cardona, Julie Crockett, Irma Garcia, Jimmy Don Lawrence, Julie Majors, James Martinez, Hector Mejia, Norma Montalvo, George Pina, Lucia Regalado, Fernando Saenz, Benito Sanchez, Jason Schoen, and Belda Villalon-Hill; and

WHEREAS, Endeavoring to foster a more informed and involved citizenry and to develop new leaders in South Texas, the program is helping to build a brighter and more promising future for the Lone Star State; now, therefore, be it

RESOLVED, That the Senate of the 80th Texas Legislature hereby welcome Leadership Mid Valley to the State Capitol and extend to all participants sincere best wishes for continued success.

**SR 435** was read and was adopted without objection.

**GUESTS PRESENTED**

Senator Lucio was recognized and introduced to the Senate Monica Berry, Honei Deiu Blanco, Roel Campuzano, Hector Mejia, and Belda Villalon-Hill, representatives of the 2006-2007 Leadership Mid Valley class, accompanied by other representatives of the leadership class.

The Senate welcomed its guests.

**SENATE CONCURRENT RESOLUTION 32**

The Presiding Officer laid before the Senate the following resolution:

WHEREAS, Founded in 1947, Texas Southern University now celebrates 60 years of educational excellence and commitment to providing opportunity for higher education to all; and

WHEREAS, Texas Southern University is the second-largest of the Historically Black Colleges and Universities in the United States; the university has opened its doors to higher education for over 11,000 students from throughout the State of Texas and around the country; and

WHEREAS, As an open-enrollment institution, Texas Southern University remains committed to its historical mission of offering opportunities for higher education to underserved students; and

WHEREAS, Texas Southern University has conferred over 48,000 degrees in its 60-year history; and

WHEREAS, The Texas Southern University Thurgood Marshall School of Law has been recognized by *U.S. News and World Report* magazine as the most "diverse law school" in the nation; and

WHEREAS, Texas Southern University trains the majority of teachers for the Houston Independent School District, the largest school district in the State of Texas; and

WHEREAS, Among Houston's African American citizens, one in six has attended Texas Southern University; most of the African American pharmacists in the State of Texas have also attended the university; and

WHEREAS, The Texas Southern University National Alumni Association represents thousands of active and concerned alumni in 14 chapters nationwide; and

WHEREAS, The members of the Texas Southern University National Alumni Association and the members of the Texas Southern University Student Government Association are traveling to Austin on March 7, 2007, to visit with members of the Texas Senate and the Texas House of Representatives and to express their support for a strong and independent Texas Southern University for the benefit of higher education in Texas; now, therefore, be it

RESOLVED, That the 80th Legislature of the State of Texas hereby congratulate the Texas Southern University community on its many contributions to our state and declare March 7, 2007, Texas Southern University Day at the State Capitol; and, be it further

RESOLVED, That copies of this resolution be prepared for the Texas Southern University National Alumni Association president and the Texas Southern University Student Government Association president as an expression of high regard from the Texas Legislature.

ELLIS  
WEST  
WHITMIRE

**SCR 32** was read.

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

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

Absent-excused: Gallegos.



**GUESTS PRESENTED**

Senator West, joined by Senators Ellis and Whitmire, was recognized and introduced to the Senate Chris Le Blanc, President, Texas Southern University National Alumni Association, and Clare Bailey, President, Student Government Association, accompanied by a delegation of students from Texas Southern University in Houston.

The Senate welcomed its guests.

**MESSAGES FROM THE GOVERNOR**

The following Messages from the Governor were read and were referred to the Committee on Nominations:

Austin, Texas  
March 6, 2007

TO THE SENATE OF THE EIGHTIETH LEGISLATURE, REGULAR SESSION:

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

To be a member of the State Cemetery Committee for a term to expire February 1, 2013:

Deborah "Borah" Van Dormolen  
Salado, Texas

(Ms. Van Dormolen is replacing John Lyle of Houston who is deceased)

Cameron County Regional Mobility Authority

David E. Allex  
Harlingen, Texas  
Appointment Date: May 9, 2006  
Expiration Date: February 1, 2008

Alamo Regional Mobility Authority

William E. "Bill" Thornton, D.D.S.  
San Antonio, Texas  
Appointment Date: July 28, 2006  
Expiration Date: February 1, 2008

To be members of the Texas Guaranteed Student Loan Corporation for terms to expire January 31, 2013:

Connie Sue Sitterly, Ed.D.  
Fort Worth, Texas

(replacing Jerry Don Miller of Canyon whose term expired)

Ivan Arturo Andarza  
Austin, Texas

(replacing Albon Head of Aledo whose term expired)

Respectfully submitted,  
/s/Rick Perry  
Governor

**EXECUTIVE ORDER**

The following Executive Order by the Governor was read and was filed with the Secretary of the Senate:

EXECUTIVE ORDER  
BY THE  
GOVERNOR OF THE STATE OF TEXAS

Executive Department  
Austin, Texas  
March 2, 2007

EXECUTIVE ORDER  
RP 66

*Relating to the Texas Youth Commission.*

WHEREAS, on March 2, 2007, the Legislative Audit Committee met pursuant to Texas Government Code §2104.021 to consider allegations regarding gross fiscal mismanagement at the Texas Youth Commission ("TYC"); and

WHEREAS, the Committee found that gross fiscal mismanagement exists at TYC; and

WHEREAS, pursuant to Texas Government Code Chapter 2104 the Committee, recommended the appointment of a conservator for TYC or that TYC be directed to enter into a rehabilitation plan pursuant to Texas Government Code §2104.0215;

NOW, THEREFORE, I, Rick Perry, Governor of the State of Texas, by virtue of the power and authority vested in me by the Constitution and laws of the State of Texas, do hereby order the following:

*Special Master.* A Special Master is hereby appointed to investigate all matters relating to gross fiscal mismanagement of TYC. The Special Master shall report directly to the Governor. The Board of TYC (the "Board") shall, as necessary, grant authority to the Special Master to investigate all related matters, and direct all employees to cooperate with the Special Master. The Special Master will work with the executive director to develop and implement the Rehabilitation Plan.

*Rehabilitation Plan.* TYC shall enter into a rehabilitation plan and engage the services of an independent management consulting team, approved by the Governor, and by the presiding officer and assistant presiding officer of the legislative audit committee. The Rehabilitation Plan shall be developed and submitted to the Governor's Office and the Legislative Audit Committee for review by March 16, 2007. The Rehabilitation Plan shall ensure that TYC complies with state fiscal management policies. The

Rehabilitation Plan shall remain in place until the Legislative Audit Committee certifies to me that the condition of gross fiscal mismanagement in TYC no longer exists.

*Other State Agency Support.* The assistance of the Office of the Attorney General is requested and the Texas Department of Public Safety and the Texas Department of Criminal Justice are directed to provide assistance and support as requested.

*Report.* At all times throughout the investigation, the Special Master shall keep the Governor fully informed. Not later than the 60 days from the date of this Executive Order, a comprehensive report shall be delivered to the Governor's office and to the Legislative Audit Committee. The report shall include a description of the measures taken to ensure that TYC complies with state fiscal management policies.

*Cooperation.* All affected agencies and other public entities shall cooperate fully with the Special Master during the implementation of and execution of this order.

This executive order supersedes all previous orders and shall remain in effect and in full force until modified, amended, rescinded, or superseded by me or by a succeeding Governor.

(seal)

Given under my hand this the  
2nd day of March, 2007.

/s/Rick Perry  
Governor

Attested by:

/s/Roger Williams  
Secretary of State

#### **SENATE RESOLUTION 434**

Senator Wentworth offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to recognize the Alamo Heights High School football team for winning the University Interscholastic League Class 4A Division I state championship title; and

WHEREAS, The Alamo Heights Mules won their first state title by defeating the Copperas Cove High School Bulldawgs 40-28 in a game in which the Mules repeatedly held off the multiple rallies of a determined Copperas Cove team; given the comeback history of the Bulldawgs, the game remained in doubt until the Mules scored on a quarterback sneak with 31 seconds left to play; and

WHEREAS, These young athletes demonstrated great talent and perseverance throughout the school year, ending the season with a 14-1 record; team members Sergio Acosta, Jacob Aguirre, Drew Allen, Austin Amaro, Garrett Anders, Terry Andersen, James Bailey, Collin Bibb, Brent Blonkvist, Adam Bridgman, Bobby Broadnax, Collin Campbell, Josh Cantu, Connor Cook, Cody Courtney, Tyler Dan, Sam Dibrell, Adam Duncan, Cameron Foote, Abel Garcia, Grant Grotte, Donaven

Guerrero, Sam Hamilton, Colton Haverda, Trent Kingman, Chris Layne, R. H. LePere, Dean Martin, Addison McCaleb, Patrick Mowrey, Ryan Murphy, Sean O'Brien, Michael Owens, Alex Patino, Ben Pilgrim, Kyle Pipkin, Sam Planto, Eduardo Rivera, Nico Romo, Charles Schaefer, Dylan Sharp, Ben Shaver, Matt Sledge, Dennis Stanley, Thomas Tatum, Charles Thaddeus, Craig Thompson, Andre Trevino, Giovanni Vizza, Matt Wentworth, and Beau Wilson can take great pride in their outstanding performance; and

WHEREAS, Under the superior leadership and expertise of head coach Don Byrd and with the assistance of varsity coaches Ron Harris, Doug Lambert, Bobby Newton, Mike Norment, Randy Osborne, Kelly Parker, Tim Stuewe, Chris Troilo, and Mike Walker, the Mules have developed exceptional teamwork and discipline; and

WHEREAS, Alamo Heights High School and the Alamo Heights community are proud of the Mules for their hard work, their impressive skills, and their fine sportsmanship; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 80th Legislature, hereby commend the Alamo Heights High School football team on its successful season and extend congratulations to all team members on winning the University Interscholastic League Class 4A Division I state championship title; and, be it further

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

**SR 434** was read and was adopted without objection.

### **GUESTS PRESENTED**

Senator Wentworth was recognized and introduced to the Senate members of the Alamo Heights High School football team: Adam Bridgman, Sam Dibrell, Abel Garcia, Colton Haverda, and Giovanni Vizza, winners of the University Interscholastic League Class 4A Division I state championship, accompanied by their coach, Don Byrd, and the remainder of the team and family members.

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 session.

There was no objection.

### **SENATE RESOLUTION 436**

Senator Deuell offered the following resolution:

WHEREAS, On March 7, 2007, proud residents of Hunt County are visiting Austin on the occasion of Hunt County Day at the State Capitol, presenting a fitting opportunity to celebrate that vibrant region of the Lone Star State; and

WHEREAS, Located in the Blackland Prairie of northeastern Texas, Hunt County's first inhabitants were the Kiowa Indians; Anglo settlers arrived in 1839, and the county was officially formed from parts of Fannin and Nacogdoches Counties in 1846; with Greenville as its seat, the county was named after Memucan Hunt, secretary of the navy and minister to Washington under the Republic of Texas; and

WHEREAS, While the county's early economy depended mainly on cotton, life changed dramatically after the Civil War; the arrival of the railroad in the mid-1870s was a catalyst for 11 communities that sprang up around train depots, and by the early 20th century, Hunt County was home to the first municipally owned public utilities in Texas and a number of industries centered around the cotton trade, such as cotton-spinning mills, cotton compresses, and a cottonseed-oil refinery; and

WHEREAS, Hunt County has continued to grow and today has more than 82,000 residents; its diverse economy now includes such industries as aircraft electronics and plastics distribution, and eight Fortune 500 companies have offices in Greenville; and

WHEREAS, The county is well served by two institutions of higher learning, Texas A&M University–Commerce and the Greenville Center of Paris Junior College, and it is enriched by a number of recreational and cultural attractions; picturesque Lake Tawakoni State Park is a destination for boating, swimming, camping, and hiking, the Mathews Prairie Nature Preserve, a 100-acre tract of native prairie meadow that has never been plowed, is ideal for birders and wildflower enthusiasts, and the Audie Murphy/American Cotton Museum commemorates the importance of cotton to the region and celebrates the life of Hunt County native Audie Murphy, film star and the most decorated American soldier of World War II; and

WHEREAS, The citizens of Hunt County may take justifiable pride in their community and know that it has contributed immensely to the history and vitality of Texas; now, therefore, be it

RESOLVED, That the Senate of the 80th Texas Legislature hereby recognize March 7, 2007, as Hunt County Day at the State Capitol and extend to the visiting delegation sincere best wishes for an enjoyable and memorable stay in Austin.

**SR 436** was read and was adopted without objection.

#### **GUESTS PRESENTED**

Senator Deuell was recognized and introduced to the Senate Greenville Mayor Tom Oliver, Commerce Mayor Sheryl Zelhart, Commerce Mayor Pro Tempore John Sands, Hunt County Judge John Horn, and Greenville City Councilmember Chris Bracken, accompanied by a delegation of citizens from Hunt County.

The Senate welcomed its guests.

#### **SENATE CONCURRENT RESOLUTION 34**

The Presiding Officer laid before the Senate the following resolution:

WHEREAS, Section 17, Article III, Texas Constitution, provides that neither house of the legislature may adjourn for more than three days without the consent of the other house; now, therefore, be it

RESOLVED by the 80th Legislature of the State of Texas, That each house grant the other permission to adjourn for more than three days during the period beginning on Wednesday, March 7, 2007, and ending on Monday, March 12, 2007.

WHITMIRE

**SCR 34** was read.

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

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

Absent-excused: Gallegos.

### **GUESTS PRESENTED**

Senator Deuell was recognized and introduced to the Senate Anna Braye, Goodwill Industries of Lubbock; Vastine Brown, Goodwill Industries of Amarillo; Jerry Davis, Goodwill Industries of Central Texas; Dan Nisley, Heart of Texas Goodwill Industries; and Steve Lufburrow, Goodwill Industries of Houston.

The Senate welcomed its guests.

### **SESSION TO CONSIDER EXECUTIVE APPOINTMENTS**

The Presiding Officer announced the time had arrived to consider executive appointments to agencies, boards, and commissions. Notice of submission of these names for consideration was given yesterday by Senator Jackson.

Senator Jackson moved confirmation of the nominees reported yesterday by the Committee on Nominations.

The Presiding Officer asked if there were requests to sever nominees.

There were no requests offered.

### **NOMINEES CONFIRMED**

The following nominees, as reported by the Committee on Nominations, were confirmed by the following vote: Yeas 30, Nays 0.

Absent-excused: Gallegos.

Members, Crime Stoppers Advisory Council: Nelda L. Garcia, Jim Wells County; Melvin Ray Joyner, Jr., Wichita County; Emerson Frederick Lane, Jr., Victoria County; Dorothy Jon Flores Spinks, Blanco County; Brian Thomas, Potter County.

District Attorney, 29th Judicial District, Palo Pinto County: Michael Kent Burns, Palo Pinto County.

Commissioner, Division of Workers' Compensation, Texas Department of Insurance: Albert Betts, Jr., Travis County.

Member, Employees Retirement System of Texas Board of Trustees: Ira Craig Hester, Travis County.

Members, Finance Commission of Texas: Mike Bradford, Midland County; Vidal Gonzalez, Bexar County; Johnny Lewis "John" Snider, Shelby County.

Members, Texas School for the Blind and Visually Impaired Board: Caroline Kupstas Daley, Harris County; Michelle DeAnn Goodwin, Tarrant County; Deborah Louder, Tom Green County; Robert K. Peters, Smith County.

Director, North Texas Tollway Authority Board of Directors: Robert Kelly Shepard, Parker County.

Public Counsel, Office of Injured Employee Counsel: Norman W. Darwin, Parker County.

Members, State Bar of Texas Board of Directors: Bill Burch, Tarrant County; Rodolfo Garcia, Presidio County; Lloyd M. Garland, Lubbock County; Sandy Stewart, Smith County.

Members, Texas Board of Orthotics and Prosthetics: Rebecca Hill Brou, Aransas County; Roy D. McCoy, Williamson County; Miguel Mojica, Dallas County; James C. Wendlandt, Travis County.

Members, Texas Council on Purchasing from People with Disabilities: Chuck Brewton, Bexar County; Scott D. Burford, Travis County; James Michael Daugherty, Dallas County; Margaret Morgan "Meg" Pfluger, CPA, Lubbock County.

Member, Texas Growth Fund Board of Trustees: Robert J. Ellis, Travis County.

Members, Texas Mutual Insurance Company Board of Directors: Richard A. Cooper, Lubbock County; Jacob M. Monty, Harris County; Delia M. Reyes, Denton County.

Members, Texas State Board of Pharmacy: Rosemary Combs, El Paso County; Alice G. Mendoza, R.Ph., Kleberg County; Jeanne D. Waggener, McLennan County.

Members, Texas State Library and Archives Commission: Sharon T. Carr, El Paso County; Sally Ann Reynolds, Aransas County.

### **CONCLUSION OF MORNING CALL**

The Presiding Officer, Senator Whitmire in Chair, at 12:03 p.m. announced the conclusion of morning call.

**(President in Chair)**

### **SENATE BILL 91 ON SECOND READING**

Senator Van de Putte moved that Senate Rule 7.13, Senate Rule 7.07(a), and the regular order of business be suspended and that **SB 91** be taken up for consideration at this time on its second reading:

**SB 91**, Relating to point-of-sale health warnings for tobacco products.

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 91 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 91** 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 91**, 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 91** 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.

### **GUESTS PRESENTED**

Senator Jackson was recognized and introduced to the Senate representatives of the Clear Lake Area Chamber of Commerce.

The Senate welcomed its guests.

### **SENATE BILL 330 ON SECOND READING**

Senator Carona moved that Senate Rule 7.13, Senate Rule 7.07(a), and the regular order of business be suspended and that **SB 330** be taken up for consideration at this time on its second reading:



**SB 330**, Relating to enforcement of certain vehicle weight and safety requirements by a noncommissioned employee of the Department of Public Safety of the State of Texas.

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 330 ON THIRD READING**

Senator Carona moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 330** 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 330**, 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 330** 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 135 ON THIRD READING**

Senator Wentworth moved to suspend the regular order of business to take up for consideration **SB 135** at this time on its third reading and final passage:

**SB 135**, Relating to the ability of public school employees to communicate with members of a school district board of trustees.

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

Absent-excused: Gallegos.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

**SENATE BILL 255 ON SECOND READING**

Senator Carona moved that Senate Rule 7.13, Senate Rule 7.07(a), and the regular order of business be suspended and that **SB 255** be taken up for consideration at this time on its second reading:

**SB 255**, Relating to reports and information provided by the Texas Department of Transportation.

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

Absent-excused: Gallegos.

The bill was read second time.

Senator Shapleigh offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend **SB 255** (committee printing) in SECTION 1 of the bill in added Section 201.805, Transportation Code, as follows:

(1) Between the period and "The" (page 1, line 14), insert "(a)".

(2) Between "into" and "electronic" (page 1, line 17), strike "an" and substitute "a commercially available".

(3) Between "information" and "listed" (page 1, line 18), insert ", calculated on a per capita basis considering the most recent census data and".

(4) Insert the following subsection (page 1, between lines 41 and 42):

(b) The department shall include information from all department contracts in the statistical comparison and information reports required under Subsection (a).

The amendment to **SB 255** 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.

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

**SB 255** 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 255 ON THIRD READING**

Senator Carona moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 255** 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 255**, 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 255** 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.

### **GUESTS PRESENTED**

Senator Duncan was recognized and introduced to the Senate representatives of the Texas Association of Defense Counsel, Incorporated.

The Senate welcomed its guests.

### **BIRTHDAY GREETINGS EXTENDED**

Senator Whitmire was recognized and, on behalf of the Senate, extended birthday greetings to Senator Hinojosa.

### MOTION TO ADJOURN

On motion of Senator Whitmire and by unanimous consent, the Senate at 11:27 a.m. agreed to adjourn, in memory of Jesus Rolando Garza, Sr., upon completion of the introduction of bills and resolutions on first reading, until 1:30 p.m. Monday, March 12, 2007.

### SENATE BILLS AND RESOLUTIONS ON FIRST READING

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

**SB 8** by Janek

Relating to random testing of certain public school students for steroid use and training of certain public school employees regarding steroid use.  
To Committee on Education.

**SB 10** by Nelson, Brimer, Carona, Deuell, Eltife, Fraser, Harris, Janek, Shapiro, Uresti

Relating to the operation and financing of the medical assistance program and other programs to provide health care benefits and services to persons in this state.  
To Committee on Health and Human Services.

**SB 750** by Deuell

Relating to the creation of the Office of State Inspector General.  
To Committee on Government Organization.

**SB 801** by Patrick

Relating to the appraisal for ad valorem tax purposes of property located in more than one appraisal district and to the boundaries of an appraisal district.  
To Committee on Finance.

**SB 802** by Nichols

Relating to the child fatality review process, including the composition and functions of the child fatality review committee.  
To Committee on Health and Human Services.

**SB 803** by Ellis

Relating to prohibited deceptive or disenfranchising practices regarding an election; providing criminal penalties.  
To Committee on State Affairs.

**SB 804** by Uresti

Relating to standing for certain persons to file a suit for the adoption of a child.  
To Committee on Jurisprudence.

**SB 805** by Uresti

Relating to a foster children's bill of rights.  
To Committee on Health and Human Services.

**SB 806** by Duncan

Relating to the appointment of certain judicial offices and a nonpartisan election for the retention or rejection of a person appointed to those offices.  
To Committee on Jurisprudence.

**SB 807** by Whitmire

Relating to the punishment for and prevention of the offense of burglary of vehicles.  
To Committee on Criminal Justice.

**SB 808** by Williams

Relating to disclosure of information about health care-related services or access to health care information provided to persons covered by health benefit plans.  
To Committee on State Affairs.

**SB 809** by Janek

Relating to automated pharmacy systems.  
To Committee on Health and Human Services.

**SB 810** by Janek

Relating to control measures and court orders for management of persons with communicable diseases.  
To Committee on Health and Human Services.

**SB 811** by Janek

Relating to requiring the Department of State Health Services to allow health care providers to use certain vaccines in the vaccines for children program.  
To Committee on Health and Human Services.

**SB 812** by Janek

Relating to the exemption from ad valorem taxation of property owned by certain nonprofit corporations that provide chilled water and steam to certain health-related institutions of this state.  
To Committee on Business and Commerce.

**SB 813** by Janek

Relating to child protective services.  
To Committee on Health and Human Services.

**SB 814** by Janek

Relating to environmental lead investigations by the Department of State Health Services.  
To Committee on Health and Human Services.

**SB 815** by Hegar

Relating to health benefit plan coverage for vaccination against human papillomavirus.  
To Committee on State Affairs.

**SB 816** by Averitt

Relating to the eligibility of certain educational employees to participate or be enrolled in certain group health benefit programs.  
To Committee on State Affairs.

**SB 817** by Averitt

Relating to the use of personal leave by a public school employee.  
To Committee on Education.

**SB 818** by Brimer

Relating to participation and credit in, contributions to, and benefits and administration of the Texas County and District Retirement System.

To Committee on State Affairs.

**SB 819** by Wentworth

Relating to the fees charged for filing an inventory and appraisement in probate actions.

To Committee on Jurisprudence.

**SB 820** by Wentworth

Relating to the minimum continuing legal education requirements for an attorney who is a member of the Texas Legislature.

To Committee on Jurisprudence.

**SB 821** by Wentworth

Relating to the use of certain excess contributions to the judicial fund that are remitted to certain counties.

To Committee on Jurisprudence.

**SB 822** by Wentworth

Relating to the creation of the atmosphere modification research program and center.

To Subcommittee on Flooding and Evacuations.

**SB 823** by Whitmire

Relating to the interception of or the collection of other information from certain communications in an investigation of criminal conduct.

To Committee on Criminal Justice.

**SB 824** by Uresti

Relating to the survival of actions brought under the Deceptive Trade Practices–Consumer Protection Act.

To Committee on State Affairs.

**SB 825** by Nichols

Relating to a program to control or eradicate nuisance aquatic vegetation.

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

**SB 826** by West

Relating to providing notice of residence homestead exemptions from ad valorem taxation to owners of certain residential real property.

To Committee on Intergovernmental Relations.

**SB 827** by West

Relating to the public schools eligible to receive certain grants from the Department of Agriculture.

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

**SB 828** by West

Relating to the collection and use of certain information by insurers and related entities.

To Committee on Business and Commerce.

**SB 829** by Ellis

Relating to depositions of witnesses in a health care liability claim.  
To Committee on State Affairs.

**SB 830** by Ellis

Relating to an insurer's rating practices.  
To Committee on Business and Commerce.

**SB 831** by Ellis

Relating to energy savings performance contracts.  
To Committee on Business and Commerce.

**SB 832** by Lucio

Relating to the regulation of interior designers; providing penalties.  
To Committee on Business and Commerce.

**SB 833** by Lucio

Relating to limitations on the compensation of county auditors for certain counties.  
To Committee on Intergovernmental Relations.

**SB 834** by Zaffirini

Relating to requirements for monitoring compliance of public school bilingual education and special language programs.  
To Committee on Education.

**SB 835** by Whitmire

Relating to exempting certain federal judges from certain procedural requirements for obtaining or renewing a concealed handgun license.  
To Committee on Criminal Justice.

**SB 836** by Duncan

Relating to a program allowing for countywide voting locations in certain elections.  
To Committee on State Affairs.

**SB 837** by Watson

Relating to the provision of certain services and information related to unintended pregnancies and sexually transmitted diseases.  
To Committee on Health and Human Services.

**SB 838** by Whitmire

Relating to the revocation or modification of a person's parole.  
To Committee on Criminal Justice.

**SB 839** by Duncan

Relating to the exchange of information among agencies related to the Texas Correctional Office on Offenders with Medical or Mental Impairments and the agencies responsible for continuity of care for offenders in the criminal justice system who are physically disabled, terminally ill, or significantly ill.  
To Committee on Criminal Justice.

**SB 840** by Lucio

Relating to professional development institutes for public school teachers and paraprofessionals regarding education of students with disabilities.

To Committee on Education.

**SB 841** by Lucio

Relating to the exemption from ad valorem taxation of certain travel trailers.

To Committee on Finance.

**SB 842** by Hinojosa

Relating to the La Joya Special Utility District and its board of directors as successor in interest to the La Joya Water Supply Corporation.

To Committee on Intergovernmental Relations.

**SB 843** by Hinojosa

Relating to creation of an additional judicial district in Hidalgo County.

To Committee on Jurisprudence.

**SB 844** by Hinojosa

Relating to longevity pay for assistant prosecutors.

To Committee on Jurisprudence.

**SB 845** by Hinojosa

Relating to the grade of offense for which a person may be committed to the Texas Youth Commission and the termination of control of persons committed to the Texas Youth Commission.

To Committee on Criminal Justice.

**SB 847** by Hinojosa, Lucio

Relating to the conversion of certain water rights on subdivided land from irrigation to municipal use.

To Committee on Natural Resources.

**SB 848** by Eltife

Relating to the requirement that a railroad corporation submit articles of incorporation or an amendment to articles of incorporation to the attorney general.

To Committee on Transportation and Homeland Security.

**SB 849** by Hegar

Relating to the submission of annual reports by farm mutual insurance companies.

To Committee on Business and Commerce.

**SB 850** by Duncan

Relating to the designation of certain highways as the Ports-to-Plains Corridor.

To Committee on Transportation and Homeland Security.

**SB 851** by Wentworth

Relating to administrative and judicial review of certain decisions about public assistance benefits.

To Committee on Health and Human Services.



**SB 852** by Nichols

Relating to certain actions that constitute unlawful acts against the Medicaid program.  
To Committee on Health and Human Services.

**SB 853** by Nichols

Relating to the creation, administration, powers, duties, functions, operations, and financing of the San Jacinto Special Utility District.  
To Committee on Intergovernmental Relations.

**SB 854** by Fraser

Relating to business entities and associations.  
To Committee on Business and Commerce.

**SB 855** by Shapleigh

Relating to the extension of consumer credit to certain members of the Texas National Guard and armed forces of the United States and their dependents; providing a penalty.  
To Committee on Veteran Affairs and Military Installations.

**SB 859** by Ellis

Relating to required community investment by certain insurers; providing administrative and civil penalties.  
To Committee on Business and Commerce.

**SB 860** by Ellis

Relating to a temporary moratorium on authorizations for certain coal-fired electric generating facilities.  
To Committee on Business and Commerce.

**SB 861** by Shapleigh

Relating to the creation of employee wellness programs by state agencies.  
To Committee on Government Organization.

**SB 862** by Shapleigh

Relating to a prohibition of trans fatty acids in meals provided to students by school districts.  
To Committee on Education.

**SB 863** by Shapleigh

Relating to the authority of the commissioner of the General Land Office to accept, approve, and file corrected field notes to certain tracts of land in El Paso County and Hudspeth County.  
To Committee on Natural Resources.

**SB 864** by Harris

Relating to offenses involving boating safety.  
To Committee on Natural Resources.

**SB 865** by Watson

Relating to the sales and use tax on certain pharmaceutical biotechnology cleanrooms and equipment.  
To Committee on Finance.

**SB 866** by Watson

Relating to the creation of the Texas Organic Agricultural Industry Advisory Board.  
To Subcommittee on Agriculture, Rural Affairs, and Coastal Resources.

**SB 867** by Duncan

Relating to procedures regarding certain criminal defendants who are or may be persons with mental illness or mental retardation.  
To Committee on Criminal Justice.

**SB 868** by Uresti

Relating to the deadline for the Parks and Wildlife Department, the Texas Commission on Environmental Quality, and the Texas Water Development Board to complete priority instream flow studies of the state's rivers and streams.  
To Committee on Natural Resources.

**SB 869** by Uresti

Relating to a documented member of the Kickapoo Traditional Tribe of Texas hunting certain deer.  
To Committee on Natural Resources.

**SB 870** by Uresti

Relating to the definition of "institution" in the law regulating convalescent and nursing homes.  
To Committee on Health and Human Services.

**SB 871** by Uresti

Relating to the enforcement of civil penalties against certain assisted living facilities.  
To Committee on Health and Human Services.

**SB 872** by Uresti

Relating to the maximum amount of a monthly subsidy that may be paid under adoption assistance agreements for certain children with special needs.  
To Committee on Health and Human Services.

**SB 873** by Van de Putte

Relating to a wage increase for education support staff in public schools.  
To Committee on Education.

**SB 874** by Van de Putte

Relating to the tuition and fee exemption available to certain military personnel and permitting those personnel to transfer the exemption to a child.  
To Committee on Veteran Affairs and Military Installations.

**SB 875** by Nichols

Relating to certificates of public convenience and necessity to provide water or sewer utility service.  
To Committee on Natural Resources.

**SB 876** by Seliger

Relating to authorizing the Texas Department of Public Safety to establish a driver record monitoring pilot program and enter into contracts for the periodic reporting of certain information in the department's driver's license files.

To Committee on Transportation and Homeland Security.

**SB 877** by Seliger

Relating to a limitation on judge-ordered community supervision for a defendant convicted of first-degree felony injury to a child.

To Committee on Criminal Justice.

**SB 878** by Gallegos

Relating to residential property exemptions from taxes, assessments, and impact fees in the Greater East End Management District.

To Committee on Intergovernmental Relations.

**SB 879** by Shapleigh

Relating to the regulation of tax refund anticipation loans; imposing an administrative penalty.

To Committee on Business and Commerce.

**SB 880** by Whitmire

Relating to providing a civil penalty for violations of the Antiquities Code of Texas.

To Committee on Natural Resources.

**SB 881** by Shapiro

Relating to the limitation on the issuance of tax-supported bonds by a school district.

To Committee on Education.

**SB 882** by Shapleigh

Relating to authorizing certain gaming activity conducted by an Indian tribe or tribal organization on tribal land.

To Committee on State Affairs.

**SB 883** by Deuell

Relating to the imposition of impact fees on the property of a school district.

To Committee on Education.

**SB 884** by Eltife

Relating to the regulation of consumer debt management services.

To Committee on Business and Commerce.

**SB 885** by Whitmire

Relating to access to criminal history record information by state appellate courts.

To Committee on Criminal Justice.

**SB 886** by Deuell

Relating to the authority of the Texas State Board of Podiatric Medical Examiners to commission a peace officer.

To Committee on Criminal Justice.

**SB 887** by Shapiro

Relating to the use of certain revenue generated by Texas Department of Transportation toll projects.

To Committee on Transportation and Homeland Security.

**SB 888** by Watson

Relating to the applicability of across-the-board salary increases to employees of institutions of higher education.

To Committee on Finance.

**SB 889** by Wentworth

Relating to the charges for certain public information maintained by a governmental body.

To Committee on State Affairs.

**SB 890** by Carona

Relating to the intersection of certain roads with the Trans-Texas Corridor.

To Committee on Transportation and Homeland Security.

**SB 891** by Zaffirini

Relating to the measurement of annual improvement in public school student achievement.

To Committee on Education.

**SB 892** by Zaffirini

Relating to the Texas Immunization and Screening Registry.

To Committee on Health and Human Services.

**SB 893** by Zaffirini

Relating to the acquisition of an international railroad toll bridge by certain counties.

To Committee on Transportation and Homeland Security.

**SB 894** by Zaffirini

Relating to enrollment and participation in certain research programs of certain children in foster care.

To Committee on Health and Human Services.

**SB 895** by Seliger

Relating to limits on the size of prekindergarten classes in public schools.

To Committee on Education.

**SB 897** by Ellis

Relating to the determination of the amount of payment on certain claims under residential property insurance policies.

To Committee on Business and Commerce.

**SB 898** by Ellis

Relating to coverage under certain residential property insurance policies for losses incurred because of storm surges.

To Committee on Business and Commerce.

**SB 899** by Ellis

Relating to design and construction standards for newly constructed or renovated state buildings, public school facilities, and higher education facilities.

To Committee on Government Organization.

**SB 900** by Deuell

Relating to the continuation and functions of the Texas Historical Commission.

To Committee on Government Organization.

**SB 901** by Deuell

Relating to the continuation and functions of the Texas Commission on the Arts.

To Committee on Government Organization.

**SB 902** by Brimer

Relating to the continuation and functions of the Prepaid Higher Education Tuition Board.

To Committee on Government Organization.

**SB 903** by Brimer

Relating to the abolishment of the Office of State-Federal Relations as an independent agency and the transfer of the duties and functions of that agency to the office of the governor.

To Committee on Government Organization.

**SB 904** by Brimer

Relating to the continuation and functions of the Texas Alcoholic Beverage Commission; providing penalties.

To Committee on Government Organization.

**SB 905** by Whitmire

Relating to the continuation and functions of the Teacher Retirement System of Texas; providing penalties.

To Committee on Government Organization.

**SB 906** by Brimer

Relating to the licensing and regulation of structural pest control by the Department of Agriculture and the abolition of the Texas Structural Pest Control Board.

To Committee on Government Organization.

**SB 907** by Deuell

Relating to the continuation and functions of the Board of Nurse Examiners.

To Committee on Government Organization.

**SB 908** by Brimer

Relating to the continuation and functions of the State Office of Risk Management.

To Committee on Government Organization.

**SB 921** by Ellis

Relating to public financing of campaigns for legislative or executive office and to limits on political contributions to and direct campaign expenditures made on behalf of candidates, officeholders, and political committees in connection with legislative or executive offices; providing civil penalties.

To Committee on State Affairs.

**SB 922** by Watson

Relating to regional health care programs for employees of small employers.

To Committee on State Affairs.

**SB 923** by Whitmire

Relating to residency requirements for holders of a promotional alcoholic beverage permit.

To Committee on Business and Commerce.

**SB 924** by Brimer

Relating to rules and policies adopted by state agencies regarding engineering or architectural errors or omissions.

To Committee on Government Organization.

**SB 925** by Brimer

Relating to the time a person may be detained in custody for a preliminary examination.

To Committee on Health and Human Services.

**SB 926** by Brimer

Relating to the issuance and use of temporary cardboard tags on vehicles; providing penalties.

To Committee on Transportation and Homeland Security.

**SB 927** by Williams

Relating to certain disaster response procedures for political subdivisions.

To Committee on Transportation and Homeland Security.

**SB 928** by Nichols, Williams

Relating to the creation of an additional county court at law in Montgomery County.

To Committee on Jurisprudence.

**SB 929** by Jackson

Relating to the resolution of certain medical disputes regarding workers' compensation claims.

To Committee on State Affairs.

**SB 930** by Jackson

Relating to split payments of ad valorem taxes.

To Committee on Finance.

**SB 931** by Jackson

Relating to the appraisal for ad valorem tax purposes of certain property used to provide low-income or moderate-income housing.

To Committee on Finance.

**SB 932** by Jackson

Relating to the required contents of a voter registration certificate.  
To Committee on State Affairs.

**SB 933** by Jackson

Relating to the eligibility of certain Texas Rangers for burial in the state cemetery.  
To Committee on Government Organization.

**SB 934** by Jackson

Relating to retirement benefits for retired Texas Rangers.  
To Committee on State Affairs.

**SB 935** by Van de Putte

Relating to the registration of a registered financial services company and the authority of its exclusive agents to act as mortgage brokers.  
To Committee on Business and Commerce.

**SB 936** by Van de Putte

Relating to motor fuel tax credits for certain metropolitan rapid transit authorities providing public school transportation services to a school district.  
To Committee on Finance.

**SB 937** by Deuell

Relating to a memorial sign program for victims of certain vehicle accidents.  
To Committee on Transportation and Homeland Security.

**SB 938** by Uresti

Relating to providing medical assistance to certain former foster care adolescents.  
To Committee on Health and Human Services.

**SB 939** by West

Relating to the authority of a municipality to implement a photographic traffic signal enforcement system; providing for the imposition of civil penalties and providing a criminal penalty.  
To Committee on Transportation and Homeland Security.

**SB 940** by Wentworth

Relating to multi-jurisdictional library districts.  
To Committee on Intergovernmental Relations.

**SB 941** by Wentworth

Relating to the use of revenue from a tax increment fund to acquire, construct, or reconstruct educational facilities.  
To Committee on Finance.

**SB 942** by Carona

Relating to the resolution of certain disputes by collaborative law procedures.  
To Committee on State Affairs.

**SB 943** by Janek

Relating to the licensing and regulation of wholesale distributors of prescription drugs; providing penalties.  
To Committee on Health and Human Services.

**SB 944** by Janek

Relating to participation in the advanced research program by certain private institutions of higher education.

To Subcommittee on Higher Education.

**SB 945** by Ellis

Relating to the Texas Global Warming Solutions Act; imposing a fee and providing a penalty.

To Committee on Natural Resources.

**SB 946** by Ellis

Relating to early voting by mail by any qualified voter.

To Committee on State Affairs.

**SB 947** by Duncan

Relating to delivery of certain unclaimed money to a rural scholarship fund.

To Committee on Finance.

**SB 948** by Hegar

Relating to the waiver of penalty and interest on a taxing unit's delinquent payment of its allocation of the budget of an appraisal district.

To Committee on Intergovernmental Relations.

**SB 949** by Hegar

Relating to the authority of a private business to provide security services.

To Committee on Business and Commerce.

**SB 950** by Hegar

Relating to an exemption from reactivation and continuing education requirements for certain honorably retired peace officers.

To Committee on Criminal Justice.

**SB 951** by Hegar

Relating to participation of hospitals in certain health care delivery networks.

To Committee on State Affairs.

**SB 952** by Watson

Relating to designation of certain areas as the premises of a mixed beverage permit holder.

To Committee on Business and Commerce.

**SB 953** by Brimer

Relating to the application of the sales tax to services for repairing and remodeling certain historic commercial properties.

To Committee on Finance.

**SB 954** by Duncan

Relating to liability of certain physical therapists, physical therapist assistants, occupational therapists, and occupational therapy assistants who voluntarily provide health care services.

To Committee on State Affairs.



**SB 955** by Whitmire

Relating to use of electronically readable information on a driver's license or personal identification certificate by certain organizations that sponsor youth programs.

To Committee on Transportation and Homeland Security.

**SB 956** by West

Relating to consideration of family violence in the risk assessment for international parental abduction of a child.

To Committee on Jurisprudence.

**SB 957** by West

Relating to the collection of a family protection fee.

To Committee on Jurisprudence.

**SB 958** by Shapleigh

Relating to public access to information contained in an early voting roster.

To Committee on State Affairs.

**SB 959** by Shapleigh

Relating to including the international symbol of access on certain specialty license plates.

To Committee on Transportation and Homeland Security.

**SB 960** by Shapleigh

Relating to the administration of exit-level state assessment instruments to transfer students who are dependents of military personnel.

To Committee on Education.

**SB 961** by Shapleigh

Relating to an allotment under the foundation school program for certain students who are military dependents.

To Committee on Education.

**SB 962** by Shapleigh

Relating to funding under the instructional facilities allotment for school districts affected by troop reassignments at military installations.

To Committee on Education.

**SB 963** by Shapleigh

Relating to the recreational facility fee at The University of Texas at El Paso.

To Subcommittee on Higher Education.

**SB 964** by Shapiro

Relating to the board of directors of a regional tollway authority.

To Committee on Transportation and Homeland Security.

**SB 965** by Shapiro

Relating to the powers and duties of a regional tollway authority related to turnpikes and other related projects.

To Committee on Transportation and Homeland Security.

**SB 966** by Ellis, Duncan

Relating to a qualified privilege of a journalist not to testify.  
To Committee on Jurisprudence.

**SB 967** by Harris

Relating to injurious or disruptive conduct at major venue sporting events; providing penalties.  
To Committee on Criminal Justice.

**SB 968** by West

Relating to financing tools for certain obligations for public improvements.  
To Committee on Intergovernmental Relations.

**SB 969** by Estes

Relating to exemptions from certain fees for government vessels and outboard motors.  
To Committee on Natural Resources.

**SB 970** by Van de Putte

Relating to restrictions on the use of stun guns; providing a penalty.  
To Committee on Criminal Justice.

**SB 971** by Van de Putte

Relating to swimming pool safety; providing a civil penalty.  
To Committee on State Affairs.

**SB 972** by Van de Putte

Relating to prohibiting the sale or use of unsafe children's products; providing a civil penalty.  
To Committee on State Affairs.

**SB 973** by Van de Putte

Relating to notification to a patient of a mental health facility or resident of a residential care facility of the exemption of certain trusts from liability to pay for support.  
To Committee on Health and Human Services.

**SB 974** by Van de Putte

Relating to the regulation of the practice of dental hygiene.  
To Committee on Health and Human Services.

**SB 975** by Hinojosa, Lucio

Relating to the abolition of certain water control and improvement, water improvement, and irrigation districts.  
To Committee on Natural Resources.

**SB 977** by West

Relating to the punishment for human trafficking and the issuance of reports on how existing laws and programs meet the needs of trafficking victims.  
To Committee on Criminal Justice.

**SB 978** by Watson

Relating to certain insurance premium surcharges.  
To Committee on Business and Commerce.

**SB 979** by West

Relating to the operation of property owners' associations.  
To Committee on Intergovernmental Relations.

**SB 980** by West

Relating to the minimum wage.  
To Committee on Business and Commerce.

**SB 981** by West

Relating to employee voting; creating an offense.  
To Committee on State Affairs.

**SB 982** by West

Relating to the eligibility of certain grandparents for foster care payments.  
To Committee on Health and Human Services.

**SB 983** by West

Relating to the screening of newborns for sickle cell trait by the Department of State Health Services.  
To Committee on Health and Human Services.

**SB 984** by Whitmire

Relating to the regulation of barbers and cosmetologists at mobile locations.  
To Committee on Business and Commerce.

**SB 985** by Hegar

Relating to certification of a person as eligible for disabled parking privileges.  
To Committee on Transportation and Homeland Security.

**SB 986** by Lucio

Relating to an urban land bank program in certain municipalities.  
To Committee on Intergovernmental Relations.

**SB 987** by Lucio

Relating to requiring counseling before closing certain high-risk loans.  
To Committee on Business and Commerce.

**SB 988** by Carona

Relating to the regulation of certain consumer lenders.  
To Committee on Business and Commerce.

**SB 989** by Carona

Relating to an interim study concerning alcohol-related offenses, alcohol awareness, and treatment for alcohol dependency in this state.  
To Committee on Health and Human Services.

**SB 990** by Harris

Relating to the marital property interest in certain employee benefits.  
To Committee on Jurisprudence.

**SB 991** by Ogden

Relating to the cessation of tolls by toll project entities in certain circumstances.  
To Committee on Transportation and Homeland Security.

**SB 992** by Nelson

Relating to the use of money from the permanent fund for health-related programs to provide grants to nursing education programs.

To Committee on Finance.

**SB 993** by Nelson

Relating to nursing peer review and the regulation of the practice of nursing.

To Committee on Health and Human Services.

**SB 994** by Nelson

Relating to prescriptions for certain controlled substances.

To Committee on Health and Human Services.

**SB 995** by Nelson

Relating to the publication of certain information regarding proposed toll projects.

To Committee on Transportation and Homeland Security.

**SB 996** by Watson

Relating to employment leave to comply with certain family or medical obligations; providing a civil penalty.

To Committee on Business and Commerce.

**SB 997** by Watson

Relating to the regulation of commercially operated party boats on public water of this state.

To Committee on Natural Resources.

**SB 998** by Harris

Relating to a defendant's inability to pay certain expenses during a period of probation provided by a judge in a justice or municipal court.

To Committee on Jurisprudence.

**SB 999** by Eltife

Relating to possession of or access to a child in a suit affecting the parent-child relationship during military deployment or mobilization of the child's parent.

To Committee on Jurisprudence.

**SB 1000** by Shapiro, Deuell, Estes, Harris, Janek, Nelson, Nichols, Ogden, Patrick, Wentworth, Williams

Relating to the accessibility of services for certain students with autism or autism spectrum disorder.

To Committee on Education.

**SJR 32** by Duncan

Proposing a constitutional amendment providing for appointment to fill vacancies in certain judicial offices and for nonpartisan retention elections for those offices.

To Committee on Jurisprudence.

**SJR 33** by Shapleigh

Proposing a constitutional amendment permitting recognized Indian tribes to conduct gambling or other gaming activity on certain tribal land.

To Committee on State Affairs.

**SJR 34** by Wentworth

Proposing a constitutional amendment to allow library districts to impose property taxes.

To Committee on Finance.

**SJR 35** by Gallegos

Proposing a constitutional amendment to abolish the office of county treasurer of Harris County.

To Committee on Intergovernmental Relations.

**SCR 28** by Watson

Urging the Texas congressional delegation to support legislation to expand telemedicine/telehealth services.

To Committee on Health and Human Services.

**HOUSE BILLS ON FIRST READING**

The following bills received from the House were read first time and referred to the committees indicated:

**HB 8** to Committee on Criminal Justice.

**HB 542** to Committee on Natural Resources.

**HB 2061** to Committee on State Affairs.

**RESOLUTIONS OF RECOGNITION**

The following resolutions were adopted by the Senate:

**Memorial Resolutions**

**SR 424** by Van de Putte, In memory of Amado S. Hinojosa.

**SR 425** by Van de Putte, In memory of Lisa Rose Flores of San Antonio.

**SR 426** by Van de Putte, In memory of Max T. Martinez of San Antonio.

**SR 428** by Van de Putte, In memory of Susan Marie Calvey of San Antonio.

**SR 429** by Van de Putte, In memory of Antonio Castillo, Jr., of San Antonio.

**SR 437** by Zaffirini, In memory of Lance Corporal Juan Rodrigo Rodriguez.

**HCR 79** (Carona), In memory of Bishop Rhymes H. Moncure, Jr., of Dallas.

**Welcome and Congratulatory Resolutions**

**SR 423** by Van de Putte, Recognizing Stephen B. Milam for his contributions to the field of oral and maxillofacial surgery.

**SR 427** by Van de Putte, Commending Matt Taylor for his service with the United States Department of Education.

**SR 430** by Uresti, Recognizing Sanderson State Bank in Sanderson on the occasion of its 100th anniversary.

**SR 431** by Watson, Recognizing the Elephant Room in Austin for being named one of the top ten jazz clubs in the country in *USA Today*.

**SR 432** by Watson, Welcoming German exchange students and their teacher sponsors to Austin.

**Official Designation Resolutions**

**SR 413** by Lucio, Designating March 7, 2007, Texas Desalination Day.

**SR 433** by Zaffirini, Recognizing March 8, 2007, as Karnes County Day at the Capitol.

**ADJOURNMENT**

Pursuant to a previously adopted motion, the Senate at 12:58 p.m. adjourned, in memory of Jesus Rolando Garza, Sr., until 1:30 p.m. Monday, March 12, 2007.

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**APPENDIX**

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**COMMITTEE REPORTS**

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

March 7, 2007

STATE AFFAIRS — **SB 458, SB 210, CSSB 123, CSSJR 3**

NATURAL RESOURCES — **SB 187**

EDUCATION — **SB 673**

INTERGOVERNMENTAL RELATIONS — **SB 581, SB 580**