

# SENATE JOURNAL

EIGHTY-THIRD LEGISLATURE — FIRST CALLED SESSION

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AUSTIN, TEXAS

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PROCEEDINGS

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**SECOND DAY**

(Wednesday, June 12, 2013)

The Senate met at 1:38 p.m. pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Birdwell, Davis, Deuell, Duncan, Eltife, Estes, Fraser, Garcia, Hegar, Hinojosa, Huffman, Lucio, Nelson, Nichols, Patrick, Rodríguez, Schwertner, Seliger, Uresti, Van de Putte, Watson, West, Whitmire, Williams, Zaffirini.

Absent-excused: Campbell, Carona, Ellis, Hancock, Paxton, Taylor.

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

Major Dale Brynestad, Acting State Chaplain, Texas Military Forces, offered the invocation as follows:

My gracious heavenly Father, You are the God of order. You are the one who has ordained civil authorities to govern and protect the people under their care. Therefore, I lift up the men and women gathered here today and ask that they may know Your leading as You direct their steps in these critical times so that we may enjoy the blessings You have poured out on our great state. The eyes of the nation are watching what happens in these hallowed halls so the decisions made here have national and international consequences. Give our Senators and their staff wisdom and discernment to make the tough and right decisions. Bless and defend their families so that they have the freedom to do what is being asked of them. I ask that You would forgive, renew, and restore us to right standing in Your eyes and in the eyes of our people. It's into Your hands I commend each and every one as I trust again in Your mercy through Your son, Jesus Christ, my lord. Amen.

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

The motion prevailed without objection.

### LEAVES OF ABSENCE

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

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

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

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

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

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

### PHYSICIAN OF THE DAY

Senator Fraser was recognized and presented Dr. David Clampitt of Dripping Springs as the Physician of the Day.

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

### HOUSE CONCURRENT RESOLUTION 1

The President laid before the Senate the following resolution:

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

RESOLVED by the 83rd Legislature of the State of Texas, First Called Session That each house grant the other permission to adjourn for more than three days during the period beginning on Tuesday, May 28, 2013, and ending on Monday, June 3, 2013.

WHITMIRE

**HCR 1** was read.

On motion of Senator Whitmire, the resolution was considered immediately and was adopted by the following vote: Yeas 25, Nays 0.

Absent-excused: Campbell, Carona, Ellis, Hancock, Paxton, Taylor.

**SENATE CONCURRENT RESOLUTION 1**

The President laid before the Senate the following resolution:

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

WHEREAS, The governor has called the legislature to convene in special session beginning May 27, 2013; and

WHEREAS, It is the judgment of both houses of the legislature that it is neither necessary nor economical for each house to convene regularly because of the limited agenda of the special session and that the limited duration of the special session requires each house to exercise flexibility in determining when it will convene; now, therefore, be it

RESOLVED by the 83rd Legislature of the State of Texas, 1st Called Session, That each house grant the other permission to adjourn for more than three days on one or more occasions during the 1st Called Session for the period or periods that the adjourning house determines appropriate.

WHITMIRE

**SCR 1** was read.

On motion of Senator Whitmire, the resolution was considered immediately and was adopted by the following vote: Yeas 25, Nays 0.

Absent-excused: Campbell, Carona, Ellis, Hancock, Paxton, Taylor.

**MOTION TO RECESS**

On motion of Senator Whitmire and by unanimous consent, the Senate at 1:59 p.m. agreed to recess, in memory of Grace Annabel Lee, pending the introduction of bills and resolutions on first reading, the receipt of messages, and the receipt of committee reports, until 9:30 a.m. Friday, June 14, 2013.

**CO-AUTHORS OF SENATE BILL 9**

On motion of Senator Birdwell, Senators Nelson and Patrick will be shown as Co-authors of **SB 9**.

**CO-AUTHOR OF SENATE BILL 19**

On motion of Senator Ellis, Senator Davis will be shown as Co-author of **SB 19**.

**CO-AUTHOR OF SENATE JOINT RESOLUTION 6**

On motion of Senator Ellis, Senator Davis will be shown as Co-author of **SJR 6**.

**RESOLUTIONS OF RECOGNITION**

The following resolutions were adopted by the Senate:

**Memorial Resolutions**

**SR 40** by West, In memory of A'Lethea Norman Williams.

**SR 42** by Davis, In memory of Roman Soto Mercado.

**SR 43** by Davis, In memory of Leoncio Jimenez.

**SR 45** by Davis, In memory of Henry Edgar Hammack.

**SR 46** by Watson, In memory of Joyce Elizabeth Adejumo.

**SR 49** by Watson, In memory of Janie G. Martinez.

**SR 52** by Davis, In memory of Golda Mae Caston Sykes.

**SR 58** by Lucio, In memory of Yolanda Z. Gonzalez.

**SR 60** by Lucio, In memory of Jovita Perez Garcia.

**SR 61** by Lucio, In memory of Michael Anthony Jordan.

**SR 62** by Lucio, In memory of John Geoffrey Warburton.

**SR 63** by Lucio, In memory of Juanita Pearl Adams Barton.

**SR 64** by Lucio, In memory of John Francis Anthony Carnesi.

**SR 65** by Lucio, In memory of Raquel Mosbacker.

#### **Welcome and Congratulatory Resolutions**

**SR 35** by Nelson, Recognizing the Lewisville High School softball team for winning a state championship.

**SR 38** by Deuell, Welcoming Alexei Landon Prettyman to Texas.

**SR 39** by Deuell, Welcoming Svetta Grace Prettyman to Texas.

**SR 41** by Davis, Recognizing Fred Parker for receiving a 2013 Lifetime Achievement Award.

**SR 44** by Williams, Recognizing Texas Torque, FIRST Robotics Competition Team, for winning a world championship.

**SR 47** by Hegar, Recognizing Mount Rose Missionary Baptist Church of Brenham on the occasion of its 145th anniversary.

**SR 50** by Davis, Recognizing the Carroll Independent School District for its support of Rachel's Challenge Relay for Life.

**SR 51** by Davis, Recognizing Margie Peschel for her support of cancer prevention.

**SR 53** by West, Recognizing Jody F. Brandon on the occasion of her retirement.

**SR 54** by Davis, Recognizing Derek Rodriguez for being accepted into the Gates Millennium Scholars Program.

**SR 55** by Schwertner, Recognizing Pete and Margaret Peterson on the occasion of their 73rd wedding anniversary.

**SR 56** by Lucio, Recognizing John Garza for his service to his country.

**SR 57** by Lucio, Recognizing Gonzalo Garza for his service to his country.

**SR 59** by Lucio, Recognizing the Port Isabel-Cameron County Airport for being named the 2013 Most Improved Airport.

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**RECESS**

Pursuant to a previously adopted motion, the Senate at 5:00 p.m. recessed, in memory of Grace Annabel Lee, until 9:30 a.m. Friday, June 14, 2013.

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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:

June 12, 2013

CRIMINAL JUSTICE — SB 23

**RESOLUTIONS ENROLLED**

June 6, 2013

SR 8, SR 9, SR 10, SR 11, SR 12, SR 13, SR 14, SR 15, SR 16, SR 17, SR 18, SR 19, SR 20, SR 21, SR 22, SR 23, SR 24, SR 25, SR 26, SR 27, SR 28, SR 29, SR 30, SR 31, SR 32, SR 33, SR 34





