

SENATE JOURNAL

EIGHTY-THIRD LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

FORTY-SECOND DAY

(Wednesday, April 17, 2013)

The Senate met at 11:44 a.m. pursuant to adjournment and was called to order by the President.

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

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

The Reverend Ramiro Peña, Christ the King Baptist Church, Waco, was introduced by Senator Birdwell and offered the invocation as follows:

Heavenly Father, we humble ourselves before You today and seek Your blessing over the State of Texas and our nation. We recognize You as sovereign over our lives and pause to ask for Your wisdom and guidance for the men and women who lead this state. We invite Your holy presence into this Chamber and into our hearts, and we declare our complete dependence on Your mercy and grace. We also ask for Your comfort and healing presence for those suffering in Boston today. Now, Lord, send Your holy angels to surround each of us and especially our men and women in uniform defending our homeland all over the world today. I pray these things with a thankful heart in the strong name of Jesus. 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.

MESSAGES FROM THE GOVERNOR

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

April 16, 2013
Austin, Texas

TO THE SENATE OF THE EIGHTY-THIRD 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 Evergreen Underground Water Conservation District for a term to expire February 1, 2017:

Jason B. Peeler
Floresville, Texas

Mr. Peeler is being reappointed.

To be a member of the Finance Commission of Texas for a term to expire February 1, 2018:

William M. Lucas
Center, Texas

Mr. Lucas is replacing Darby Ray Byrd, Sr. of Orange who resigned.

To be members of the Texas Diabetes Council for terms to expire February 1, 2019:

Carley Gomez-Meade
Austin, Texas
(replacing Neil Burrell of Beaumont whose term expired)

Alicia Gracia
Brownsville, Texas
(replacing Melissa Wilson of Corpus Christi whose term expired)

Jason Michael Ryan
Houston, Texas
(replacing Timothy Cavitt of McKinney whose term expired)

Curtis Triplitt
San Antonio, Texas
(Dr. Triplitt is being reappointed)

To be members of the Texas Board of Chiropractic Examiners for terms to expire February 1, 2019:

John H. Riggs, III
Midland, Texas
(replacing Janette Kurban of Pantego whose term expired)

John W. Steinberg
Marion, Texas
(replacing Armando Elizarde, Jr. of Harlingen whose term expired)

Cynthia Tays
Austin, Texas
(Dr. Tays is being reappointed)

Respectfully submitted,

/s/Rick Perry
Governor

RESOLUTION SIGNED

The President announced the signing of the following enrolled resolution in the presence of the Senate: **HCR 95**.

PHYSICIAN OF THE DAY

Senator Fraser was recognized and presented Dr. Charles Hall of Bangs as the Physician of the Day.

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

GUESTS PRESENTED

Senator Van de Putte was recognized and introduced to the Senate a delegation of students from Northwest Vista College, accompanied by Dr. Robert Marbut.

The Senate welcomed its guests.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Wednesday, April 17, 2013 - 1

The Honorable President of the Senate
Senate Chamber
Austin, Texas

Mr. President:

I am directed by the house to inform the senate that the house has taken the following action:

THE HOUSE HAS PASSED THE FOLLOWING MEASURES:

HCR 109 Craddick
Honoring Sue Brannon of Midland for her years of civic engagement.

SCR 21 West
Recognizing November 4-8, 2013, and November 3-7, 2014, as Municipal Courts Week.

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

SENATE RESOLUTION 690

Senator Ellis offered the following resolution:

SR 690, Recognizing April 17, 2013, as Vietnamese American Day.

The resolution was read and was adopted without objection.

ACKNOWLEDGMENT

Senator Ellis was recognized and acknowledged the presence of State Representative Hubert Vo.

The Senate welcomed its guest.

GUESTS PRESENTED

Senator Ellis, joined by Senators Whitmire, Hinojosa, West, and Lucio, was recognized and introduced to the Senate a delegation of Vietnamese American Day representatives.

The Senate welcomed its guests.

SENATE RESOLUTION 660

Senator Deuell offered the following resolution:

SR 660, Recognizing April as Licensed Athletic Trainers Month.

The resolution was read and was adopted without objection.

GUESTS PRESENTED

Senator Deuell was recognized and introduced to the Senate a delegation from the Texas State Athletic Trainers' Association, accompanied by Michael O'Shea, Jamie Woodall, Michael Henry, Monica Jackson, and Spanky Stephens, Executive Director.

The Senate welcomed its guests.

HOUSE CONCURRENT RESOLUTION 109

The President laid before the Senate the following resolution:

HCR 109, Honoring Sue Brannon of Midland for her years of civic engagement.

SELIGER

The resolution was read.

On motion of Senator Seliger and by unanimous consent, the resolution was considered immediately and was adopted without objection.

GUESTS PRESENTED

Senator Seliger was recognized and introduced to the Senate Sue Brannon, Reid Brannon, Sherri Merket, Garrett Merket, and Allison Dyer.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Zaffirini was recognized and introduced to the Senate Leon and Ginger Matula.

Senator Zaffirini, joined by Senator Van de Putte, also recognized a group of Catholic nuns with Nuns on the Bus.

The Senate welcomed its guests.

SENATE RESOLUTION 686

Senator Hinojosa offered the following resolution:

SR 686, Recognizing April 17, 2013, as Transit Day.

(Senator Eltife in Chair)

The resolution was read and was adopted without objection.

GUESTS PRESENTED

Senator Hinojosa was recognized and introduced to the Senate a Transit Day delegation, accompanied by John Valls, Board of Directors Chair, Corpus Christi Regional Transportation Authority; Billy Landrias, Director of Government Affairs, Corpus Christi Regional Transportation Authority; Scott Neeley, President, Texas Transit Association; Tom Jasien, Vice-president of Government Affairs, Metropolitan Transit Authority of Harris County, Houston, Texas.

The Senate welcomed its guests.

SENATE RESOLUTION 674

Senator Hancock offered the following resolution:

SR 674, Recognizing the High School Republicans of Texas.

HANCOCK	ESTES	PAXTON
BIRDWELL	FRASER	SCHWERTNER
CAMPBELL	HEGAR	SELIGER
CARONA	HUFFMAN	TAYLOR
DEUELL	NELSON	WILLIAMS
DUNCAN	NICHOLS	
ELTIFE	PATRICK	

The resolution was read and was adopted without objection.

GUESTS PRESENTED

Senator Hancock, joined by Senator Huffman, was recognized and introduced to the Senate a High School Republicans of Texas delegation.

The Senate welcomed its guests.

SENATE RESOLUTION 689

Senator Patrick offered the following resolution:

SR 689, Recognizing the Governor William P. Clements, Jr., Scholars.

The resolution was read and was adopted without objection.

GUESTS PRESENTED

Senator Patrick was recognized and introduced to the Senate Governor William P. Clements, Jr., Scholars: Philip Collins, Matthew Hester, Chelsey McGee, Taylor Turner, and Jacqueline Walker.

The Senate welcomed its guests.

SENATE RESOLUTION 638

Senator Birdwell offered the following resolution:

SR 638, Recognizing April 17, 2013, as Texas State Technical College Day.

The resolution was read and was adopted without objection.

GUESTS PRESENTED

Senator Birdwell was recognized and introduced to the Senate a Texas State Technical College delegation, accompanied by Mike Reeser, Chancellor; Gail Lawrence, West Texas President; Cesar Maldonado, Harlingen President; and Randall Wooten, Marshall President.

The Senate welcomed its guests.

SENATE RESOLUTION 693

Senator West offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to recognize April 17, 2013, as Southeast Dallas Chamber of Commerce Day at the Capitol; and

WHEREAS, For more than 50 years, the Southeast Dallas Chamber of Commerce has worked diligently to improve the quality of life and business in southeast Dallas; the chamber provides business owners with the support, programs, and tools they need to be successful; and

WHEREAS, The chamber offers workshops on a wide variety of topics, such as financial planning, human resources, marketing, safety, and code enforcement; it also hosts town hall meetings with government officials and provides networking opportunities in such settings as meetings, luncheons, and other social events; and

WHEREAS, In addition, this exemplary organization serves the region through its sponsorship of community-wide events, youth education programs, and beautification projects; it offers support for family services and provides scholarships to deserving high school students; and

WHEREAS, The Southeast Dallas Chamber of Commerce has played a significant role in nurturing and supporting a healthy business environment, and it is truly fitting that a day be set aside to honor its many achievements; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 83rd Legislature, hereby commend the Southeast Dallas Chamber of Commerce on its many contributions to the growth and prosperity of the North Texas region and extend to its members best wishes for a productive and memorable Southeast Dallas Chamber of Commerce Day at the Capitol; and, be it further

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

SR 693 was read and was adopted without objection.

GUESTS PRESENTED

Senator West was recognized and introduced to the Senate a Southeast Dallas Chamber of Commerce delegation, accompanied by Carl Raines, Board of Directors Chair; Bettie Garrett, President; and Board of Directors members Joy Vosburg, Deylan Walker, and Verlene Mitchell.

The Senate welcomed its guests.

**INTRODUCTION OF
BILLS AND RESOLUTIONS POSTPONED**

The Presiding Officer 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.

CONCLUSION OF MORNING CALL

The Presiding Officer at 12:39 a.m. announced the conclusion of morning call.

**COMMITTEE SUBSTITUTE
SENATE BILL 143 ON SECOND READING**

On motion of Senator Nelson and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 143** at this time on its second reading:

CSSB 143, Relating to programs designed to enhance medical education in this state.

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.

**COMMITTEE SUBSTITUTE
SENATE BILL 143 ON THIRD READING**

Senator Nelson moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 143** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

**COMMITTEE SUBSTITUTE
SENATE BILL 1292 ON SECOND READING**

On motion of Senator Ellis and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1292** at this time on its second reading:

CSSB 1292, Relating to DNA testing of biological evidence in certain capital cases.

The bill was read second time.

Senator Ellis offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 1292** (senate committee printing) in SECTION 1 of the bill, in amended Article 38.43(i), Code of Criminal Procedure (page 1, lines 31-32), by striking "Department of Public Safety" and substituting "laboratory that performed the DNA testing".

The amendment to **CSSB 1292** 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.

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

CSSB 1292 as amended was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment.

**COMMITTEE SUBSTITUTE
SENATE BILL 1292 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 **CSSB 1292** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

**COMMITTEE SUBSTITUTE
SENATE BILL 1815 ON SECOND READING**

On motion of Senator Zaffirini and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1815** at this time on its second reading:

CSSB 1815, Relating to voluntary donations to the Glenda Dawson Donate Life-Texas Registry.

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.

**COMMITTEE SUBSTITUTE
SENATE BILL 1815 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 **CSSB 1815** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

SENATE BILL 1853 ON SECOND READING

On motion of Senator Fraser and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 1853** at this time on its second reading:

SB 1853, Relating to the amendment of restrictions affecting real property in certain subdivisions.

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.

SENATE BILL 1853 ON THIRD READING

Senator Fraser moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 1853** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

SENATE BILL 976 ON SECOND READING

On motion of Senator West and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 976** at this time on its second reading:

SB 976, Relating to the temporary approval of an institution to participate in the tuition equalization grant program.

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.

SENATE BILL 976 ON THIRD READING

Senator West moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 976** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

(President in Chair)

SENATE BILL 329 ON SECOND READING

Senator Huffman moved to suspend the regular order of business to take up for consideration **SB 329** at this time on its second reading:

SB 329, Relating to a prohibition on the use of a tanning facility by a minor.

The motion prevailed.

Senators Birdwell, Estes, Hancock, Nichols, and Paxton asked to be recorded as voting "Nay" on suspension of the regular order of business.

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:

Nays: Birdwell, Estes, Hancock, Hegar, Nichols, Paxton.

SENATE BILL 329 ON THIRD READING

Senator Huffman moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 329** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 26, Nays 5.

Yeas: Campbell, Carona, Davis, Deuell, Duncan, Ellis, Eltife, Fraser, Garcia, Hegar, Hinojosa, Huffman, Lucio, Nelson, Patrick, Rodriguez, Schwertner, Seliger, Taylor, Uresti, Van de Putte, Watson, West, Whitmire, Williams, Zaffirini.

Nays: Birdwell, Estes, Hancock, Nichols, Paxton.

The bill was read third time and was passed by the following vote: Yeas 25, Nays 6.

Yeas: Campbell, Carona, Davis, Deuell, Duncan, Ellis, Eltife, Fraser, Garcia, Hinojosa, Huffman, Lucio, Nelson, Patrick, Rodriguez, Schwertner, Seliger, Taylor, Uresti, Van de Putte, Watson, West, Whitmire, Williams, Zaffirini.

Nays: Birdwell, Estes, Hancock, Hegar, Nichols, Paxton.

COMMITTEE SUBSTITUTE SENATE BILL 822 ON SECOND READING

On motion of Senator Schwertner and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 822** at this time on its second reading:

CSSB 822, Relating to the regulation of certain health care provider network contract arrangements; providing an administrative penalty; authorizing a fee.

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.

COMMITTEE SUBSTITUTE SENATE BILL 822 ON THIRD READING

Senator Schwertner moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 822** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

SENATE BILL 887 ON SECOND READING

On motion of Senator Uresti and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 887** at this time on its second reading:

SB 887, Relating to certain correction instruments in the conveyance of real property.

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.

SENATE BILL 887 ON THIRD READING

Senator Uresti moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 887** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

COMMITTEE SUBSTITUTE SENATE BILL 1256 ON SECOND READING

On motion of Senator Patrick and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1256** at this time on its second reading:

CSSB 1256, Relating to the requirements for a sale to be considered a comparable sale for ad valorem tax purposes.

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.

COMMITTEE SUBSTITUTE SENATE BILL 1256 ON THIRD READING

Senator Patrick moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1256** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

SENATE BILL 116 ON SECOND READING

Senator Hinojosa moved to suspend the regular order of business to take up for consideration **SB 116** at this time on its second reading:

SB 116, Relating to the consideration of ownership interests of disabled veterans in determining whether a business is a historically underutilized business for purposes of state contracting.

The motion prevailed.

Senators Ellis and West asked to be recorded as voting "Nay" on suspension of the regular order of business.

The bill was read second time.

Senator Hinojosa offered the following amendment to the bill:

Floor Amendment No. 1

Amend **SB 116** (senate committee report) in SECTION 1 of the bill, in added Section 2161.001(3)(A)(vi), Government Code (page 1, line 33), by striking "have a" and substituting "have suffered at least a 20 percent".

HINOJOSA
BIRDWELL
URESTI

The amendment to **SB 116** 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.

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

SB 116 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:

Nays: Ellis, West.

SENATE BILL 116 ON THIRD READING

Senator Hinojosa moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 116** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 2.

Yeas: Birdwell, Campbell, Carona, Davis, Deuell, Duncan, Eltife, Estes, Fraser, Garcia, Hancock, Hegar, Hinojosa, Huffman, Lucio, Nelson, Nichols, Patrick, Paxton, Rodriguez, Schwertner, Seliger, Taylor, Uresti, Van de Putte, Watson, Whitmire, Williams, Zaffirini.

Nays: Ellis, West.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 2. (Same as previous roll call)

(Senator Seliger in Chair)

(President in Chair)

**COMMITTEE SUBSTITUTE
SENATE BILL 817 ON SECOND READING**

On motion of Senator Hegar and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 817** at this time on its second reading:

CSSB 817, Relating to certain requirements for political parties holding conventions and for officers of certain of those parties.

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.

**COMMITTEE SUBSTITUTE
SENATE BILL 817 ON THIRD READING**

Senator Hegar moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 817** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

GUEST PRESENTED

Senator Davis was recognized and introduced to the Senate Brooklyn Farrell, serving today as an Honorary Senate Page.

The Senate welcomed its guest.

SENATE BILL 34 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 34** at this time on its second reading:

SB 34, Relating to the administration of psychoactive medications to persons receiving services in certain facilities.

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.

SENATE BILL 34 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 34** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

SENATE BILL 634 ON SECOND READING

On motion of Senator Davis and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 634** at this time on its second reading:

SB 634, Relating to regulating faulty on-site sewage disposal systems in the unincorporated areas of a county as a public nuisance; providing a criminal penalty.

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.

SENATE BILL 634 ON THIRD READING

Senator Davis moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 634** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

COMMITTEE SUBSTITUTE

SENATE BILL 1340 ON THIRD READING

Senator Seliger moved to suspend the regular order of business to take up for consideration **CSSB 1340** at this time on its third reading and final passage:

CSSB 1340, Relating to the temporary operation of a race track extension location.

The motion prevailed by the following vote: Yeas 21, Nays 10.

Yeas: Carona, Davis, Duncan, Ellis, Eltife, Fraser, Garcia, Hegar, Hinojosa, Lucio, Nichols, Rodríguez, Schwertner, Seliger, Uresti, Van de Putte, Watson, West, Whitmire, Williams, Zaffirini.

Nays: Birdwell, Campbell, Deuell, Estes, Hancock, Huffman, Nelson, Patrick, Paxton, Taylor.

The bill was read third time and was passed by the following vote: Yeas 19, Nays 12.

Yeas: Carona, Davis, Duncan, Ellis, Eltife, Fraser, Garcia, Hinojosa, Lucio, Nichols, Rodríguez, Seliger, Uresti, Van de Putte, Watson, West, Whitmire, Williams, Zaffirini.

Nays: Birdwell, Campbell, Deuell, Estes, Hancock, Hegar, Huffman, Nelson, Patrick, Paxton, Schwertner, Taylor.

**COMMITTEE SUBSTITUTE
SENATE BILL 17 ON SECOND READING**

Senator Patrick moved to suspend the regular order of business to take up for consideration **CSSB 17** at this time on its second reading:

CSSB 17, Relating to the training in school safety of certain educators of a school district or an open-enrollment charter school authorized to carry a concealed handgun on school premises.

The motion prevailed.

Senators Garcia, Rodríguez, and Watson asked to be recorded as voting "Nay" on suspension of the regular order of business.

The bill was read second time.

Senator Patrick offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 17** (senate committee printing) as follows:

(1) In SECTION 1 of the bill, in added Section 37.322(a), Education Code (page 1, line 34), strike "The" and substitute "Except as provided by Section 37.325(e), the".

(2) In SECTION 1 of the bill, in added Section 37.325, Education Code, following Subsection (d) (page 3, between lines 26 and 27), insert the following:

(e) The department must establish and maintain the training program under Section 37.322 only if sufficient funds under Subsection (b) and state funds allocated for the training program are available.

The amendment to **CSSB 17** 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.

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

CSSB 17 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:

Nays: Garcia, Rodríguez, Watson.

**COMMITTEE SUBSTITUTE
SENATE BILL 17 ON THIRD READING**

Senator Patrick moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 17** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 3.

Yeas: Birdwell, Campbell, Carona, Davis, Deuell, Duncan, Ellis, Eltife, Estes, Fraser, Hancock, Hegar, Hinojosa, Huffman, Lucio, Nelson, Nichols, Patrick, Paxton, Schwertner, Seliger, Taylor, Uresti, Van de Putte, West, Whitmire, Williams, Zaffirini.

Nays: Garcia, Rodríguez, Watson.

The bill was read third time and was passed by the following vote: Yeas 28, Nays 3. (Same as previous roll call)

REMARKS ORDERED PRINTED

On motion of Senator Williams and by unanimous consent, the remarks by Senators Williams and Patrick regarding **CSSB 17** were ordered reduced to writing and printed in the *Senate Journal* as follows:

Senator Williams: Senator Patrick, I was trying to catch you before you brought this bill up. That's when I was talking to you in the back hall, and I had a couple of questions for you and a suggestion about how we might be able to address my concerns. When I look at the fiscal note, the fiscal note is just over \$9 million for the biennium. And then I see in your bill that you're going to limit the allocation of state funds in a fiscal biennium to an amount not to exceed \$1 million.

Senator Patrick: Yes, we, we amended—

Senator Williams: And, a—

Senator Patrick: —I'm sorry.

Senator Williams: And so, here's what my concern is. If you look on page one of your bill, and you're saying that the department shall do these things. What you're doing is you're changing the appropriation that we made to the Department of Public Safety. And so, what my concern is is that we need to turn that "shall" into a "may" at the beginning or as funds are appropriated. Because otherwise, you know, they had a big request, we weren't able to meet everything, and this is actually going back and changing how those funds would be allocated to the DPS. And I don't think that was your intention.

Senator Patrick: No, and I have an amendment to do that. My amendment, Senator, I'll tell you in advance, will say, only if sufficient funds under Subsection (b), and state funds allocated for training program are available. And that will address that issue.

Senator Williams: Where, okay.

Senator Patrick: No, this is an amendment I'm going to offer on the floor.

Senator Williams: Okay, I had not seen this, okay. That, I think, let me read this. I think this may address my concerns.

Senator Patrick: Yes.

Senator Williams: Thank you.

President: Members, you've heard the motion by Senator Patrick, is there objection from any Member? Chair hears no objection and the rules are suspended. The Chair lays out on second reading Committee Substitute to Senate Bill 17. The Secretary will read the caption.

Secretary of the Senate: Committee Substitute Senate Bill 17, relating to the training and school safety of certain educators of a school district or open enrollment charter school.

President: The Chair lays out Floor Amendment No. 1 by Senator Patrick. The Secretary will read the amendment.

Secretary of the Senate: Floor Amendment No. 1 by Patrick.

President: Chair recognizes Senator Patrick to explain Floor Amendment 1.

Senator Patrick: Does everyone have, I want to be sure everyone has a copy of the amendment.

President: Does everyone have a copy of—

Senator Patrick: Particular Senator Williams.

President: —it's got 11 lines. Line 8, the department shall establish and maintain the training.

Senator Patrick: Members, this addresses, I believe, the concern from Senator Williams. It says, must establish and maintain a training program if sufficient funds under the Subsection (b) are allocated. We believe, by the way, Senator, that the fiscal note that was assuming every school district in the state was going to allow CHL to carry. This may be a matter of very little bit of money, but this addresses your concern, I believe.

President: Senator Williams, for what purpose?

Senator Williams: Question for Senator Patrick.

President: Will Senator Patrick yield?

Senator Patrick: Yes.

Senator Williams: Senator Patrick, I believe that your amendment addresses what my concern was about this, and just for the record, I'd like to get in as a part of our record that's not your intent that the department would be responsible beyond the amount of money, the \$1 million that's allocated in the bill, except unless they had grants, gifts, and other things that might help appropriate. So, you're not trying to go back and force the department to reallocate funds from other parts of their budget to fund this. Is that correct?

Senator Patrick: Thank you for making that point. You are correct.

Senator Williams: Okay. Mr. President, I would move that Senator Patrick's remarks and my remarks be reduced to writing and placed in the Journal for the purposes of legislative intent.

COMMITTEE SUBSTITUTE SENATE BILL 1263 ON SECOND READING

Senator Taylor moved to suspend the regular order of business to take up for consideration **CSSB 1263** at this time on its second reading:

CSSB 1263, Relating to allowing parents to petition for repurposing, alternative management, or closure of certain public school campuses.

The motion prevailed by the following vote: Yeas 26, Nays 5.

Yeas: Birdwell, Campbell, Carona, Davis, Deuell, Duncan, Eltife, Estes, Fraser, Hancock, Hegar, Hinojosa, Huffman, Lucio, Nelson, Nichols, Patrick, Paxton, Schwertner, Seliger, Taylor, Van de Putte, West, Whitmire, Williams, Zaffirini.

Nays: Ellis, Garcia, Rodríguez, Uresti, Watson.

The bill was read second time.

Senator Lucio offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 1263** (senate committee report) in SECTION 1 of the bill, in amended Section 39.107(e-2), Education Code (page 1, line 33), between "three consecutive school years" and "~~to~~", by inserting "and at which the parents of a majority of the students enrolled at the campus participated in parent-teacher nights during the preceding school year".

The amendment to **CSSB 1263** was read.

Senator Lucio withdrew Floor Amendment No. 1.

Senator West offered the following amendment to the bill:

Floor Amendment No. 2

Amend **CSSB 1263** (Committee Report) as follows:

(1) In SECTION 1 of the bill, strike Subsection (e-3), Section 39.107, Education Code (Committee Printing 1-48 through 1-55) and substitute (e-3) to read as follows:

(e-3) For purposes of Subsection (e-2), the petition shall:

(1) be developed by the commissioner;
 (2) be made available to all parents or guardians of students enrolled at the campus;

(3) include unbiased information on the status of the campus, including why the campus has been assigned an unacceptable performance rating in each year;

(4) include detailed information on the options available for the campus, including a copy of the proposed options listed under Subsection (e); and

(4) require the signature of only one parent of a student [is required].

The amendment to **CSSB 1263** 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.

Senator Zaffirini offered the following amendment to the bill:

Floor Amendment No. 3

Amend **CSSB 1263** (senate committee printing) as follows:

(1) In SECTION 1 of the bill, in the recital to amended Section 39.107, Education Code (page 1, line 25), strike "Subsection (e-4)" and substitute "Subsections (e-4) and (e-5)".

(2) In SECTION 1 of the bill, in amended Section 39.107, Education Code (page 1, between lines 58 and 59), insert the following:

(e-5) If the commissioner orders repurposing of a campus or alternative management of a campus under Subsection (e-2), the campus shall remain a part of the school district in which the campus was included before the commissioner ordered repurposing or alternative management.

The amendment to **CSSB 1263** 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. 3.

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

CSSB 1263 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:

Nays: Ellis, Garcia, Rodríguez, Uresti, Watson.

COMMITTEE SUBSTITUTE SENATE BILL 1263 ON THIRD READING

Senator Taylor moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1263** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 26, Nays 5.

Yeas: Birdwell, Campbell, Carona, Davis, Deuell, Duncan, Eltife, Estes, Fraser, Hancock, Hegar, Hinojosa, Huffman, Lucio, Nelson, Nichols, Patrick, Paxton, Schwertner, Seliger, Taylor, Van de Putte, West, Whitmire, Williams, Zaffirini.

Nays: Ellis, Garcia, Rodríguez, Uresti, Watson.

The bill was read third time and was passed by the following vote: Yeas 26, Nays 5. (Same as previous roll call)

SENATE CONCURRENT RESOLUTION 33

The President laid before the Senate the following resolution:

WHEREAS, Senate Bill No. 346 has passed the Texas Senate and is now in the Texas House of Representatives; and

WHEREAS, Further consideration of the bill by the senate is necessary; now, therefore, be it

RESOLVED by the Texas Senate, the Texas House of Representatives concurring, That the senate hereby respectfully request that the Chief Clerk of the House of Representatives be authorized to return Senate Bill No. 346 to the senate for further consideration.

PATRICK

SCR 33 was read.

On motion of Senator Patrick, the resolution was considered immediately and was adopted by the following vote: Yeas 21, Nays 10.

Yeas: Birdwell, Campbell, Carona, Davis, Ellis, Estes, Fraser, Garcia, Hancock, Hegar, Hinojosa, Huffman, Nelson, Patrick, Paxton, Rodríguez, Taylor, Uresti, Watson, West, Whitmire.

Nays: Deuell, Duncan, Eltife, Lucio, Nichols, Schwertner, Seliger, Van de Putte, Williams, Zaffirini.

(Senator Eltife in Chair)

**COMMITTEE SUBSTITUTE
SENATE BILL 219 ON SECOND READING**

On motion of Senator Huffman and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 219** at this time on its second reading:

CSSB 219, Relating to ethics of public servants, including the functions and duties of the Texas Ethics Commission; the regulation of political contributions, political advertising, lobbying, and conduct of public servants; and the reporting of political contributions and expenditures and personal financial information; providing civil and criminal penalties.

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.

**COMMITTEE SUBSTITUTE
SENATE BILL 219 ON THIRD READING**

Senator Huffman moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 219** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

SENATE BILL 834 ON SECOND READING

On motion of Senator Estes and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 834** at this time on its second reading:

SB 834, Relating to the confidentiality of certain grand juror information.

The bill was read second time.

Senator Rodríguez offered the following amendment to the bill:

Floor Amendment No. 1

Amend **SB 834** (Senate committee printing) as follows:

(1) Strike the recital in SECTION 1 of the bill, amending Article 19.42(a), Code of Criminal Procedure, (page 1, lines 19-20), and substitute "Subsections (a) and (b), Article 19.42, Code of Criminal Procedure, are amended to read as follows:".

(2) In SECTION 1 of the bill, immediately following amended Article 19.42(a), Code of Criminal Procedure (page 1, between lines 27-28), insert the following:

(b) On a showing of good cause, or for the purpose of a United States Constitutional challenge to the array after indictment, the court shall permit disclosure of necessary information sought to an attorney representing a party to the proceeding. Upon disclosure, the court shall order the attorney not to disclose the information to any other person, unless the third party is an investigator, expert, consulting legal counsel, or other agent for the attorney. The nondisclosure requirements shall apply to any third party receiving information under this article.

The amendment to **SB 834** was read.

Senator Estes moved to postpone further consideration of **SB 834**.

The motion prevailed.

Question—Shall Floor Amendment No. 1 to **SB 834** be adopted?

COMMITTEE SUBSTITUTE
SENATE BILL 583 ON SECOND READING

Senator Carona moved to suspend the regular order of business to take up for consideration **CSSB 583** at this time on its second reading:

CSSB 583, Relating to eligibility for support from the universal service fund.

The motion prevailed.

Senators Campbell, Fraser, and Patrick asked to be recorded as voting "Nay" on suspension of the regular order of business.

The bill was read second time.

Senator Duncan offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 583** (senate committee printing) as follows:

(1) Strike the recital to Section 1 of the bill (page 1, lines 24-26), and substitute the following:

SECTION 1. Section 56.023, Utilities Code, is amended by amending Subsection (b) and adding Subsections (f), (g), (h), (i), (j), (k), (l), (m), (n), and (o) to read as follows:

(2) In Section 1 of the bill strike the added Sections 56.023(f) through (p), Utilities Code (page 1, line 42 through page 2, line 60), and substitute:

(f) Except as provided by Subsection (g), for an incumbent local exchange company or cooperative that served greater than 31,000 access lines in this state on September 1, 2013, or a company or cooperative that is a successor to such a company or cooperative, the support that the company or cooperative is eligible to receive on December 31, 2016, under a plan established under Section 56.021(1)(A) is reduced:

(1) on January 1, 2017, to 75 percent of the level of support the company or cooperative is eligible to receive on December 31, 2016;

(2) on January 1, 2018, to 50 percent of the level of support the company or cooperative is eligible to receive on December 31, 2016; and

(3) on January 1, 2019, to 25 percent of the level of support the company or cooperative is eligible to receive on December 31, 2016.

(g) After the commission has adopted rules under Subsection (j), an incumbent local exchange company or cooperative that is subject to Subsection (f) may petition the commission to initiate a contested case proceeding as necessary to determine the eligibility of the company or cooperative to receive support under a plan established under Section 56.021(1)(A). A company or cooperative may not file more than one petition under this subsection. On receipt of a petition under this subsection, the commission shall initiate a contested case proceeding to determine the eligibility of the company or cooperative to receive continued support under a plan established under Section 56.021(1)(A) for service in the exchanges that are the subject of the petition. To be eligible to receive support for service in an exchange under this subsection, the company or cooperative must demonstrate that it has a financial need for continued support. The commission must issue a final order on the proceeding not later than the 330th day after the date the petition is filed with the commission. Until the commission issues a final order on the proceeding, the company or cooperative is entitled to receive the total amount of support the company or cooperative was eligible to receive on the date the company or cooperative filed the petition. A company or cooperative that files a petition under this subsection is not subject to Subsection (f) after the commission issues a final order on the proceeding. If the commission determines that a company or cooperative has demonstrated financial need for continued support under this subsection, it shall set the amount of support in the same proceeding. The amount of support set by the commission for an exchange under this subsection may not exceed:

(1) 100 percent of the amount of support that the company or cooperative will be eligible to receive on December 31, 2016, if the petition is filed before January 1, 2016;

(2) 75 percent of the amount of support that the company or cooperative will be eligible to receive on December 31, 2016, if the petition is filed on or after January 1, 2016, and before January 1, 2017;

(3) 50 percent of the amount of support the company or cooperative is eligible to receive on December 31, 2016, if the petition is filed on or after January 1, 2017, and before January 1, 2018; or

(4) 25 percent of the amount of support that the company or cooperative is eligible to receive on December 31, 2016, if the petition is filed on or after January 1, 2018, and before January 1, 2019.

(h) Except as provided by Subsection (i), for an incumbent local exchange company that is an electing company under Chapter 58 or 59 or a cooperative that served greater than 31,000 access lines in this state on September 1, 2013, or a company or cooperative that is a successor to such a company or cooperative, the support that the company or cooperative is eligible to receive on December 31, 2017, under a plan established under Section 56.021(1)(B) is reduced:

(1) on January 1, 2018, to 75 percent of the level of support the company or cooperative is eligible to receive on December 31, 2017;

(2) on January 1, 2019, to 50 percent of the level of support the company or cooperative is eligible to receive on December 31, 2017; and

(3) on January 1, 2020, to 25 percent of the level of support the company or cooperative is eligible to receive on December 31, 2017.

(i) After the commission has adopted rules under Subsection (j), an incumbent local exchange company or cooperative that is subject to Subsection (h) may petition the commission to initiate a contested case proceeding as necessary to determine the eligibility of the company or cooperative to receive support under a plan established under Section 56.021(1)(B). A company or cooperative may not file more than one petition under this subsection. On receipt of a petition under this subsection, the commission shall initiate a contested case proceeding to determine the eligibility of the company or cooperative to receive continued support under a plan established under Section 56.021(1)(B) for service in the exchanges that are the subject of the petition. To be eligible to receive support for service in an exchange under this subsection, the company or cooperative must demonstrate that it has a financial need for continued support. The commission must issue a final order on the proceeding no later than the 330th day after the date the petition is filed with the commission. Until the commission issues a final order on the proceeding, the company or cooperative shall continue to receive the total amount of support it was eligible to receive on the date the company or cooperative filed a petition under this subsection. A company or cooperative that files a petition under this subsection is not subject to Subsection (h) after the commission issues a final order on the proceeding. If the commission determines that a company or cooperative has demonstrated financial need for continued support under this subsection, it shall set the amount of support in the same proceeding. The amount of support set by the commission for an exchange under this subsection may not exceed:

(1) 100 percent of the amount of support that the company or cooperative will be eligible to receive on December 31, 2017, if the petition is filed before January 1, 2017;

(2) 75 percent of the amount of support that the company or cooperative will be eligible to receive on December 31, 2017, if the petition is filed on or after January 1, 2017, and before January 1, 2018;

(3) 50 percent of the amount of support that the company or cooperative is eligible to receive on December 31, 2017, if the petition is filed on or after January 1, 2018, and before January 1, 2019; or

(4) 25 percent of the amount of support that the company or cooperative is eligible to receive on December 31, 2017, if the petition is filed on or after January 1, 2019, and before January 1, 2020.

(j) The commission by rule shall establish the standards and criteria for an incumbent local exchange company or cooperative to demonstrate under Subsection (g) or (i) that the company or cooperative has a financial need for continued support for residential and business lines under a plan established under Section 56.021(1).

(k) Subsections (g) and (i) do not authorize the commission to initiate a contested case hearing concerning a local exchange company that has elected to participate in a total support reduction plan under 16 T.A.C. Section 26.403 that requires the company to forego funding under a plan established under Section 56.021(1) after January 1, 2017. This section does not affect any obligation of a local exchange company subject to such a total support reduction plan.

(l) Subsections (f), (g), (h), and (i) do not apply to an incumbent local exchange company that elects, not later than March 1, 2014, to eliminate, not later than September 1, 2018, the support it receives under a plan established under Section 56.021(1).

(m) Nothing in this chapter relieves any party of an obligation entered into in the commission's Docket No. 40521.

(n) Nothing in this section is intended to affect the rate rebalancing proceeding in the commission's Docket No. 41097.

(o) Notwithstanding the provisions of this chapter, the commission has no authority, except as provided by Subsections (f), (g), (h), (i), (j) (k) (m), and (n) to reduce support provided to an incumbent local exchange company that is an electing company under Chapter 58 or 59 or is a cooperative that served greater than 31,000 access lines in this state on September 1, 2013:

(1) under a plan established under Section 56.021(1)(A) before January 1, 2019; or

(2) under a plan established under Section 56.021(1)(B) before January 1, 2020. This subsection expires on January 2, 2020.

(3) In Section 2 of the bill, in added Section 56.024(d), Utilities Code (page 3, lines 7-8), strike "public information." and substitute "confidential and not subject to disclosure under Chapter 552, Government Code."

(4) Strike Section 5 of the bill (page 3, lines 39-56).

(5) Add a new section to the bill, numbered appropriately, to read as follows:

SECTION ____. The Public Utility Commission of Texas shall adopt rules under Section 56.023(j), Utilities Code, as added by this Act, not later than December 1, 2014. The commission shall initiate the rulemaking proceeding not later than January 1, 2014.

(6) Renumber the sections of the bill accordingly.

The amendment to **CSSB 583** was read.

Senator Duncan offered the following amendment to Floor Amendment No. 1:

Floor Amendment No. 2

Amend Floor Amendment No. 1 by Duncan to **CSSB 583** (senate committee printing) as follows:

(1) In SECTION 2 of the amendment on page 6, line 14, add the following new subsection immediately following proposed section 56.023(o), Utilities Code,

(p) If an incumbent local exchange company or cooperative is ineligible for support under a plan established under Section 56.021(1) for services in an exchange, a plan established under Section 56.021(1) may not provide support to any other telecommunications providers for services in that exchange, except that an eligible telecommunications provider that is receiving support under Section 56.021(1)(A) in that exchange shall continue to receive such support for a forty-eight-month period following the date the incumbent local exchange provider or cooperative ceases receiving support in that exchange. The support received by the eligible telecommunications provider during the forty-eight-month period shall be at the

same monthly per-line support level in effect for that exchange as of the date the incumbent local exchange provider or cooperative ceases receiving funding in that exchange.

(2) Add the following appropriately numbered section to the amendment and renumber subsequent sections of the amendment appropriately:

SECTION _____. (a) The standing committee of the senate that has primary jurisdiction over telecommunications shall conduct an interim study regarding competitive local exchange carriers providing service as eligible telecommunications providers receiving support under Section 56.021(1)(A), Utilities Code.

(b) This section expires on January 1, 2015.

The amendment to Floor Amendment No. 1 to **CSSB 583** 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:

Nays: Lucio.

Question recurring on the adoption of Floor Amendment No. 1 to **CSSB 583**, the amendment as amended was adopted by a viva voce vote.

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

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

CSSB 583 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:

Nays: Fraser.

COMMITTEE SUBSTITUTE SENATE BILL 583 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 **CSSB 583** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Fraser.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 1. (Same as previous roll call)

COMMITTEE SUBSTITUTE SENATE BILL 900 ON SECOND READING

On motion of Senator Fraser and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 900** at this time on its second reading:

CSSB 900, Relating to the amounts of the administrative, civil, and criminal penalties for violating certain statutes under the jurisdiction of, rules or orders adopted by, or licenses, permits, or certificates issued by the Railroad Commission of Texas.

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.

COMMITTEE SUBSTITUTE
SENATE BILL 900 ON THIRD READING

Senator Fraser moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 900** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

SENATE RULE 7.07(b) SUSPENDED
(Permission to Introduce)
(Motion In Writing)

On motion of Senator Whitmire and by unanimous consent, Senate Rule 7.07(b) was suspended to permit the introduction of the following bills:

SB 1894, SB 1895, SB 1896.

SENATE BILLS ON FIRST READING

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

SB 1893 by Birdwell

Relating to the creation of the Chisholm Trails Municipal Utility District No. 1; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes.

To Committee on Intergovernmental Relations.

SB 1894 by Fraser

Relating to the procedure for review by the Texas Commission on Environmental Quality and related entities of environmental flow standards and environmental flow set-asides for river basin and bay systems and related matters.

To Committee on Natural Resources.

SB 1895 by Garcia

Relating to the ability of a nonexempt employee to participate in certain academic, extracurricular, and developmental activities of the employee's child.

To Committee on Business and Commerce.

SB 1896 by Garcia

Relating to the confidentiality of information in ad valorem tax appraisal records that identifies the home address of certain judges.

To Committee on Open Government.

SB 1897 by Garcia

Relating to the territory of the East Aldine Management District.

To Committee on Intergovernmental Relations.

SB 1898 by Garcia

Relating to the dissolution of the Harris County Municipal Utility District No. 213; the creation of the Harris County Municipal Utility District No. 213-A; the creation of the Harris County Municipal Utility District No. 213-B; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes.

To Committee on Intergovernmental Relations.

HOUSE BILLS ON FIRST READING

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

HB 35 to Committee on Intergovernmental Relations.

HB 38 to Committee on Transportation.

HB 115 to Committee on Natural Resources.

HB 150 to Committee on Veteran Affairs and Military Installations.

HB 195 to Committee on State Affairs.

HB 200 to Committee on State Affairs.

HB 232 to Committee on Criminal Justice.

HB 326 to Committee on Intergovernmental Relations.

HB 389 to Committee on Jurisprudence.

HB 468 to Committee on Economic Development.

HB 474 to Committee on Transportation.

HB 525 to Committee on Education.

HB 610 to Committee on Business and Commerce.

HB 616 to Committee on Jurisprudence.

HB 622 to Committee on Natural Resources.

HB 701 to Committee on Administration.

HB 719 to Committee on Transportation.

HB 748 to Committee on Health and Human Services.

HB 752 to Committee on Natural Resources.

HB 753 to Committee on Education.

HB 807 to Committee on Health and Human Services.

HB 838 to Committee on Health and Human Services.

HB 893 to Committee on Administration.

HB 944 to Committee on Business and Commerce.

HB 949 to Committee on Business and Commerce.

HB 984 to Committee on Jurisprudence.

HB 1222 to Committee on Jurisprudence.

HB 1272 to Committee on Criminal Justice.
HB 1334 to Committee on Jurisprudence.
HB 1347 to Committee on Transportation.
HB 1513 to Committee on Jurisprudence.
HB 1589 to Committee on Veteran Affairs and Military Installations.
HB 1642 to Committee on Transportation.
HB 1711 to Committee on State Affairs.
HB 1718 to Committee on Natural Resources.
HB 1738 to Committee on Health and Human Services.
HB 1871 to Committee on State Affairs.
HB 1968 to Committee on Government Organization.
HB 2035 to Committee on Administration.
HB 2738 to Committee on Government Organization.

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 Hegar.

Senator Hegar 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 31, Nays 0.

Judge, 357th Judicial District Court, Cameron County: Oscar X. Garcia, Cameron County.

Members, Board of Directors, Brazos River Authority: Richard Lee Ball, Palo Pinto County; Frank LeRoy Bell, Taylor County; Peter Gerrit Bennis, Tarrant County; Paul Joseph Christensen, McLennan County; Chet David Creel, Young County; William A. Masterson, King County; William John Rankin, Washington County; George David Scott, Fort Bend County; Raleigh R. White, Bell County; Salvatore A. Zaccagnino, Burleson County.

Criminal District Attorney, Kaufman County: Erleigh Norville Wiley, Kaufman County.

Members, Health and Human Services Council: James Richard Barajas, Tarrant County; Leon John Leach, Austin County; Thomas Craig Wheat, Dallas County.

Members, Public Safety Commission: Ada Elene Brown, Collin County; John Randall Watson, Johnson County.

Members, Board of Regents, The Texas A&M University System: Anthony Glenn Buzbee, Galveston County; Morris E. Foster, Travis County; Charles Walter Schwartz, Harris County.

Members, Texas Board of Professional Geoscientists: Joseph P. DeWoody, Tarrant County; Charles Thomas Hallmark, Robertson County; Christopher Colville Mathewson, Brazos County; William David Prescott, Potter County.

Members, Texas Crime Stoppers Council: Jorge Edwardo Gaytan, Harris County; Emerson Frederick Lane, Jefferson County; Ernesto Rodriguez, Hidalgo County; Susan Rogers, Ector County.

Members, Governing Board, Texas Department of Housing and Community Affairs: Leslie Bingham Escareno, Cameron County; Lowell Adams Keig, Travis County; John Mark McWatters, Dallas County.

Members, Texas Real Estate Commission: Adrian Aron Arriaga, Hidalgo County; Thomas John Turner, Travis County; Chart Hampton Westcott, Dallas County; Avis Geer Wukasch, Williamson County.

Members, Texas State Library and Archives Commission: Sharon Tully Carr, Fort Bend County; Fenton Lynwood Givens, Collin County.

Members, Board of Regents, Texas State Technical College System: Joe M. Gurecky, Fort Bend County; John Kent Hatchel, McLennan County; Joe K. Hearne, Dallas County.

SENATE RULE 11.13 SUSPENDED
(Consideration of Bills in Committees)
(Motion In Writing)

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

SENATE RULES SUSPENDED
(Posting Rules)

On motion of Senator Deuell and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Economic Development might meet and consider the following bills today: **SB 1647, SB 1678.**

(President in Chair)

SENATE RULE 11.10(a) SUSPENDED
(Public Notice of Committee Meetings)

On motion of Senator Estes and by unanimous consent, Senate Rule 11.10(a) was suspended in order that the Committee on Agriculture, Rural Affairs and Homeland Security might meet today.

NOTICE GIVEN FOR
LOCAL AND UNCONTESTED CALENDAR

Senator Eltife announced that a Local and Uncontested Calendar had been furnished to each Member of the Senate. He then gave notice that the Local and Uncontested Calendar Session would be held at 8:00 a.m. tomorrow and that all bills and resolutions would be considered on second and third reading in the order in which they were listed.

SENATE RULES SUSPENDED
(Posting Rules)

On motion of Senator Zaffirini and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Government Organization might meet and consider **SB 1207** today.

MOTION TO ADJOURN

On motion of Senator Whitmire and by unanimous consent, the Senate at 3:40 p.m. agreed to adjourn, in honor of the employees of ExxonMobil Beaumont, upon conclusion of the Local and Uncontested Calendar Session, until 10:00 a.m. Thursday, April 18, 2013.

CO-AUTHORS OF SENATE BILL 140

On motion of Senator Ellis, Senators Campbell and Rodríguez will be shown as Co-authors of **SB 140**.

CO-AUTHORS OF SENATE BILL 143

On motion of Senator Nelson, Senators Davis and Hinojosa will be shown as Co-authors of **SB 143**.

CO-AUTHOR OF SENATE BILL 315

On motion of Senator Uresti, Senator Van de Putte will be shown as Co-author of **SB 315**.

CO-AUTHOR OF SENATE BILL 433

On motion of Senator Patrick, Senator Garcia will be shown as Co-author of **SB 433**.

CO-AUTHOR OF SENATE BILL 583

On motion of Senator Carona, Senator West will be shown as Co-author of **SB 583**.

CO-AUTHOR OF SENATE BILL 634

On motion of Senator Davis, Senator Garcia will be shown as Co-author of **SB 634**.

CO-AUTHOR OF SENATE BILL 1106

On motion of Senator Schwertner, Senator Hinojosa will be shown as Co-author of **SB 1106**.

CO-AUTHOR OF SENATE BILL 1263

On motion of Senator Taylor, Senator West will be shown as Co-author of **SB 1263**.

CO-AUTHOR OF SENATE BILL 1292

On motion of Senator Ellis, Senator Garcia will be shown as Co-author of **SB 1292**.

CO-AUTHOR OF SENATE BILL 1496

On motion of Senator Davis, Senator Zaffirini will be shown as Co-author of **SB 1496**.

CO-AUTHOR OF SENATE BILL 1792

On motion of Senator Watson, Senator Paxton will be shown as Co-author of **SB 1792**.

CO-AUTHOR OF SENATE JOINT RESOLUTION 12

On motion of Senator Ellis, Senator Rodriguez will be shown as Co-author of **SJR 12**.

CO-AUTHORS OF SENATE RESOLUTION 638

On motion of Senator Birdwell, Senators Eltife, Lucio, and Schwertner will be shown as Co-authors of **SR 638**.

RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

Congratulatory Resolutions

SR 694 by Paxton, Commending Israel for its relationship with the United States.

SR 695 by Birdwell, Hancock, Paxton, Taylor, and Watson, Recognizing the Baylor University Lady Bears basketball team for winning the 2012 national championship.

SR 696 by West, Recognizing Iota Phi Lambda Sorority, Incorporated, on the charter of a new chapter.

RECESS

On motion of Senator Whitmire, the Senate at 3:40 p.m. recessed until 8:00 a.m. tomorrow for the Local and Uncontested Calendar Session.

APPENDIX

COMMITTEE REPORTS

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

April 17, 2013

STATE AFFAIRS — **CSSB 1379, CSSB 1386, CSSB 1795, CSSB 722, CSSB 1630, CSSB 550**

EDUCATION — **CSSB 1403, CSSB 115, CSSB 23**

INTERGOVERNMENTAL RELATIONS — **CSSB 766**

NATURAL RESOURCES — **SB 1612**

JURISPRUDENCE — SB 1827, SB 1620, SB 1240, SB 209, SB 1080, SJR 42
STATE AFFAIRS — CSSB 1812

BILLS AND RESOLUTION ENGROSSED

April 16, 2013

**SB 346, SB 446, SB 489, SB 709, SB 734, SB 772, SB 778, SB 857, SB 895,
SB 992, SB 1224, SB 1265, SB 1390, SB 1409, SB 1541, SB 1546, SB 1584,
SB 1708, SB 1729, SB 1730, SJR 32**

RESOLUTIONS ENROLLED

April 16, 2013

**SR 485, SR 610, SR 639, SR 659, SR 676, SR 677, SR 678, SR 679, SR 680,
SR 681, SR 682, SR 685, SR 687, SR 688, SR 691, SR 692**

SENT TO GOVERNOR

April 17, 2013

SB 398