

SENATE JOURNAL

EIGHTY-THIRD LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

THIRD DAY

(Monday, January 14, 2013)

The Senate met at 1:45 p.m. pursuant to adjournment and was called to order by the President.

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

Absent-excused: Carona.

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

Pastor A. W. Anthony Mays, Mount Sinai Missionary Baptist Church, Austin, offered the invocation as follows:

Dear Lord, our God, maker and ruler over all things, giver of every good and perfect gift from above, I ask You to hear this prayer, as You have heard our prayers before. I ask You to hear this prayer which I pray in the name of Jesus the Christ, who is Lord. Please look down upon this gathering of public servants and grant us Your spiritual presence. For our sins, which are many, please do not turn us away. We thank You, dear Lord, for all You do, and we thank You simply for who You are. You have caused Your blessings in great abundance to fall upon the State of Texas in so many ways, in resources and population, and for all these things we offer You both thanksgiving and praise. Now, dear Lord, bless this assembly of elected servants, appointed officials, and support persons, which are charged with representing the best interests of such a diverse and large population as this State of Texas. Bless each Member, male and female, collectively and individually, with Your divine wisdom. Grant them Your benevolent spirit along with a sense of humble stewardship of all this state's resources, knowing that all stewards must one day give an account of their stewardship. Help them to both speak and listen with Your heart of love. I ask You to protect each one and their family members from danger from all who would seek to do them harm. Please grant them Your favor for righteous judgments, and that their work will result in what is right and

good for all the citizens of this State of Texas. Fortify them with strong courage and guiding convictions of truth and justice for all. I ask these things for them and for all of us in Jesus' name. 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.

LEAVE OF ABSENCE

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

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Monday, January 14, 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:

SCR 4

Whitmire

Sponsor: Geren

Granting the legislature permission to adjourn for more than three days during the period beginning on Wednesday, January 9, 2013, and ending on Monday, January 14, 2013.

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

PHYSICIAN OF THE DAY

Senator Estes was recognized and presented Dr. Max Latham of Bowie as the Physician of the Day, accompanied by his wife.

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

SENATE CONCURRENT RESOLUTION 5

The President laid before the Senate the following resolution:

BE IT RESOLVED by the 83rd Legislature, Regular Session, That the Senate and House of Representatives of the State of Texas meet in Joint Session in the Hall of the House of Representatives on Tuesday, January 29, 2013, at 11:00 a.m.; and, be it further

RESOLVED, That the Honorable Rick Perry, Governor of the State of Texas, be, and is hereby, invited to address the Regular Session of the 83rd Legislature in Joint Session at that time.

ELTIFE

SCR 5 was read.

On motion of Senator Eltife, the resolution was considered immediately and was adopted by the following vote: Yeas 29, Nays 0.

Absent-excused: Carona.

**SENATE RULE 2.02 SUSPENDED
(Restrictions on Admission)**

On motion of Senator Eltife and by unanimous consent, Senate Rule 2.02 was suspended to grant floor privileges to Senator Whitmire's family during the deliberation of **SR 9**.

SENATE RESOLUTION 9

Senator Eltife offered the following resolution:

WHEREAS, The Senate of the State of Texas takes great pride in extending sincere congratulations to Senator John Whitmire, Dean of the Texas Senate and one of its most respected members, on his 40 years of outstanding service in the Texas Legislature; and

WHEREAS, Among our state's longest-serving legislators, Senator Whitmire began his career in public service when he was elected to the Texas House of Representatives in 1972; he served in the House for 10 years, from the 63rd Legislature through the 67th Legislature; he was elected Democratic state senator for District 15 in 1982 and began serving in the 68th Legislative Session; he has served in 16 Senate legislatures, and as of January of this year, he has been a Texas state senator for 30 years; and

WHEREAS, Over the course of his exceptional career, Senator Whitmire has worked with 369 legislators; he is one of the six longest-serving lawmakers in Texas history, and by the end of the 83rd Legislature, he will be tied for having the third-longest legislative tenure; and

WHEREAS, A legendary political figure, Senator Whitmire has served his state with distinction under seven governors, six lieutenant governors, and six speakers of the House; as both a representative and a senator, he has worked tirelessly on behalf of his state, and as Dean of the Senate, he has provided steadfast leadership and guidance and has been a role model in upholding legislative standards and decorum; and

WHEREAS, Well known for his many accomplishments as chair of the Senate Criminal Justice Committee, Senator Whitmire has worked hard to bring about needed changes to the adult and juvenile criminal justice systems and has stressed the need to be tough, but smart, on crime; he is noted for spearheading reform in the treatment and rehabilitation of offenders, making Texas a national example for criminal justice reform; he was named one of *Governing Magazine's* 2010 Public Officials of the Year; and

WHEREAS, Senator Whitmire also serves on the Senate Government Organization Committee and the Senate Administration and Senate Finance Committees; in addition to his legislative service, he is a member of the Pension Review Board, which oversees all public retirement systems in Texas, and of the Texas Sunset Commission; and

WHEREAS, A native of Hillsboro and a longtime Houston resident, Senator Whitmire is the proud father of two daughters, Whitney and Sarah, and has delighted in watching them grow up to become beautiful, intelligent young women and treasured members of the Senate family; and

WHEREAS, Senator Whitmire was admitted to the Texas State Bar in 1981 and is an attorney of counsel to the law firm of Locke Lord Bissell and Liddell; he was named one of *Texas Monthly's* Best Texas Legislators in 1993, 2003, 2005, and 2011; and

WHEREAS, An insightful and highly effective lawmaker, Senator Whitmire is respected for both his forthrightness and his political expertise; during his 40-year legislative career, his many accomplishments have earned him widespread admiration throughout the state and the enduring esteem of his colleagues; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 83rd Legislature, hereby pay tribute to Senator John Whitmire for his 40 years of legislative service and honor him for his innumerable contributions and boundless dedication to our state; and, be it further

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

SR 9 was read.

On motion of Senator Lucio and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Eltife, the resolution was adopted without objection.

VIDEO RELEASE POLICY WAIVED

On motion of Senator Eltife and by unanimous consent, the Senate policy that governs the release of recordings of the Senate proceedings was waived in order to grant the request of Senator Whitmire for a DVD of today's session.

REMARKS ORDERED PRINTED

On motion of Senator Eltife and by unanimous consent, all remarks regarding **SR 9** were ordered reduced to writing and printed in the *Senate Journal*.

The remarks will be printed in an addendum to this day's Journal.

RESOLUTION OF RECOGNITION

The following resolution was adopted by the Senate:

Congratulatory Resolution

SR 5 by Huffnan, Recognizing Milton T. Wright on the occasion of his retirement as Sheriff of Fort Bend County.

ADJOURNMENT

On motion of Senator Whitmire, the Senate at 3:26 p.m. adjourned, in memory of Joseph Emanuel Horn, father of former Representative Jim Horn, until 11:00 a.m. tomorrow.

APPENDIX

RESOLUTION ENROLLED

January 9, 2013

SR 4





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