

# SENATE JOURNAL

**EIGHTY-THIRD LEGISLATURE — REGULAR SESSION**

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**AUSTIN, TEXAS**

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**PROCEEDINGS**

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**TWENTY-FIRST DAY**

(Monday, March 4, 2013)

The Senate met at 2:13 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, Carona, 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.

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

The Reverend John Johnson, Saint John's Episcopal Church, Silsbee, offered the invocation as follows:

O God, source of all wisdom, whose will is good and gracious and whose law is truth: We still our minds for a moment to call to mind the things for which we are thankful both in our individual lives and in our common life, for all who have committed themselves to public service, and particularly those You have called to leadership as Senators in this great state. We beseech You to give them a spirit of wisdom and understanding, to guide and bless them in their deliberations, that their actions would please You, to the glory of Your name and for the welfare of Your people. 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.

## **MESSAGE FROM THE HOUSE**

HOUSE CHAMBER

Austin, Texas

Monday, March 4, 2013 - 1

The Honorable President of the Senate  
Senate Chamber  
Austin, Texas



To be members of the Texas Commission on Fire Protection for terms to expire February 1, 2019:

Joseph "Jody" Gonzalez  
Krugerville, Texas  
(Chief Gonzalez is being reappointed)

Joseph R. Gutheinz, Jr.  
Houston, Texas  
(replacing Arthur Pertile, III of Katy whose term expired)

John T. McMakin  
LaRue, Texas  
(Chief McMakin is being reappointed)

Leonardo L. Perez  
Brownsville, Texas  
(Chief Perez is being reappointed)

To be members of the Texas Juvenile Justice Board for terms to expire as indicated:

To Expire February 1, 2017:

Rebecca "Becky" Gregory  
Dallas, Texas  
(replacing Rob Kyker of Richardson who resigned)

To Expire February 1, 2019:

Carol Bush  
Waxahachie, Texas  
(Judge Bush is being reappointed)

Scott W. Fisher  
Bedford, Texas  
(Reverend Fisher is being reappointed)

D. Scott Matthew  
Georgetown, Texas  
(replacing Michael Meade of Simonton whose term expired)

Mary Lou Mendoza  
San Antonio, Texas  
(Ms. Mendoza is being reappointed)

To be members of the State Pension Review Board for terms to expire January 31, 2019:

Andrew Cable  
Wimberley, Texas  
(Judge Cable is being reappointed)

Robert M. May  
Austin, Texas  
(replacing Norman Parrish of The Woodlands whose term expired)

Richard E. McElreath  
Amarillo, Texas  
(Mr. McElreath is being reappointed)

To be members of the Texas School Safety Center Board for terms to expire February 1, 2015:

Barbara Ann Beto  
Round Rock, Texas  
(replacing Amy Clapper of Georgetown whose term expired)

Daniel F. Gilliam  
Victoria, Texas  
(Judge Gilliam is being reappointed)

Carl A. Montoya  
Brownsville, Texas  
(Dr. Montoya is being reappointed)

Adelaida "Laila" Olivarez  
Austin, Texas  
(Ms. Olivarez is being reappointed)

James R. Pendell  
Clint, Texas  
(Mr. Pendell is being reappointed)

To be members of the State Securities Board for terms to expire January 20, 2019:

Beth Ann Blackwood  
Dallas, Texas

E. Wallace "Wally" Kinney  
Dripping Springs, Texas

The individuals listed above are being reappointed.

To be presiding officer of the Central Texas Regional Mobility Authority for a term to expire February 1, 2015:

Ray A. Wilkerson  
Austin, Texas

Mr. Wilkerson is being reappointed.

To be presiding officer of the Sulphur River Regional Mobility Authority for a term to expire February 1, 2015:

E. Delbert Horton, III  
Cooper, Texas

Dr. Horton is being reappointed.

To be a member of the Commission on Law Enforcement Officer Standards and Education for a term to expire August 30, 2015:

Robert "Rob" Kyker  
Richardson, Texas

Mr. Kyker is replacing J. Randall Watson of Burses who resigned.

To be presiding officer of the Camino Real Regional Mobility Authority for a term to expire February 1, 2015:

Scott A. McLaughlin  
El Paso, Texas

Mr. McLaughlin is being reappointed.

To be members of the Texas Municipal Retirement System for terms to expire February 1, 2019:

Bill Philibert  
Pasadena, Texas  
(replacing Ben Gorzell, Jr. of Helotes whose term expired)

Julie Oakley  
Spicewood, Texas  
(Ms. Oakley is being reappointed)

Respectfully submitted,

/s/Rick Perry  
Governor

March 1, 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 members of the Texas State Affordable Housing Corporation Board of Directors for terms to expire February 1, 2019:

William H. Dietz, Jr.  
Waco, Texas  
(Mr. Dietz is being reappointed)

Alejandro G. "Alex" Meade, III  
Mission, Texas  
(replacing Jo Van Hovel of Temple whose term expired)

To be a member of the Cancer Prevention and Research Institute of Texas Oversight Committee for a term to expire January 31, 2019:

Angelos G. Angelou  
Austin, Texas

Mr. Angelou is replacing Walker Moody of Houston whose term expired.

To be the Injured Employee Public Counsel for a term to expire February 1, 2015:

Norman Darwin  
Benbrook, Texas

Mr. Darwin is being reappointed.

Respectfully submitted,

/s/Rick Perry  
Governor

### PHYSICIAN OF THE DAY

Senator Deuell was recognized and presented Dr. Charlie Risinger of Terrell as the Physician of the Day.

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

### SENATE RESOLUTION 330

Senator Hancock offered the following resolution:

**SR 330**, Recognizing March 4, 2013, as Texas Young Republican Legislative Day.

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 was recognized and introduced to the Senate a Texas Young Republican Federation delegation.

The Senate welcomed its guests.

### GUESTS PRESENTED

Senator Hegar was recognized and introduced to the Senate a City of Hempstead delegation, joined by Michael S. Wolfe, Sr., Hempstead Mayor, and City Councilmembers: Patricia Chernosky, Ben Tibbs, Charles Hegemeyer, and Emma Washington.

The Senate welcomed its guests.

### SENATE RESOLUTION 333

Senator Van de Putte offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to recognize the Texas Coalition for Quality Arts Education, an organization dedicated to the advancement of arts education in this state; and

WHEREAS, Texas is a state with a rich supply of natural resources, and one of the greatest among those resources is the artistic talent and creativity of our citizens; and

WHEREAS, More than 1.5 million middle school and high school students are enrolled in fine arts courses, and more than 2.3 million elementary school students are receiving fine arts instruction; and

WHEREAS, Hundreds of students from across the state are coming to Austin on March 4 and 5, 2013, to share their talents through performances and displays throughout the Capitol in celebration of Arts Education Days at the Capitol; and

WHEREAS, Art, music, theater, and dance offer unsurpassed opportunities for self-expression, and early exposure to the arts through educational programs greatly increases the quality of a child's education and development; and

WHEREAS, Studying fine arts gives students a unique opportunity to learn about our cultural heritage and the culture of others; and

WHEREAS, Countless studies have found that students who participate in fine arts courses in school perform better in other academic courses, especially math and science, and achieve higher scores on standardized tests; and

WHEREAS, Studies of Texas public school enrollment have found that campuses with a higher percentage of student enrollments in fine arts courses achieved higher academic ratings, and campuses showing academic rating improvement from 2006 to 2010 reported increases in fine arts course enrollments; campuses with a higher percentage of student enrollments in fine arts courses also reported higher graduation rates; and

WHEREAS, Fine arts education promotes creativity and innovative thinking that benefits all students, regardless of their field of study, and provides all students with skills that make them better prepared for college and for the 21st-century workforce; and

WHEREAS, Businesses and industries have identified creativity and innovation as the keys to our nation's continued success and leadership in the world economy; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 83rd Legislature, hereby commend the students enrolled in fine arts courses in Texas public schools and the more than 10,000 fine arts educators in Texas for their dedication and their contributions to the quality of life and future prosperity of our state; and, be it further

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

**SR 333** was read and was adopted without objection.

#### **GUESTS PRESENTED**

Senator Van de Putte was recognized and introduced to the Senate a Texas Coalition for Quality Arts Education delegation, accompanied by Robert Floyd, Chair, and Joe Weir, President of the Texas Music Educators Association.

The Senate welcomed its guests.

#### **GUESTS PRESENTED**

Senator Patrick was recognized and introduced to the Senate students with the Woodcreek Junior High School Chamber Orchestra in Katy.

The Senate welcomed its guests.

**MOTION IN WRITING**

Senator Watson offered the following Motion In Writing:

Mr. President:

I ask unanimous consent for suspension of the Senate's admission rules to permit guests on the floor for **SR 262**.

WATSON

The Motion In Writing was read and was adopted without objection.

**SENATE RESOLUTION 262**

Senator Watson offered the following resolution:

**SR 262**, Commending Susan Paynter for her work in behalf of the Baptist General Convention of Texas.

The resolution was again read.

The resolution was previously adopted on Monday, February 20, 2013.

**GUESTS PRESENTED**

Senator Watson was recognized and introduced to the Senate Suzii Paynter, accompanied by Roger Paynter, husband; Grayson Paynter, son; Mary Kathryn Paynter, daughter; and Carolee Youngblood, mother.

The Senate welcomed its guests.

**BIRTHDAY GREETINGS EXTENDED**

The President, on behalf of the Senate, extended birthday greetings to Senator Eltife.

(Senator Eltife in Chair)

**SENATE RESOLUTION 382**

Senator Williams offered the following resolution:

**SR 382**, Recognizing March 4 and 5, 2013, as Golden Triangle Days at the State Capitol.

WILLIAMS  
NICHOLS

The resolution was read and was adopted without objection.

**GUESTS PRESENTED**

Senator Williams, joined by Senator Nichols, was recognized and introduced to the Senate a Golden Triangle Days delegation, accompanied by Jeff Branick, Jefferson County Judge; Carl Thibodeaux, Orange County Judge; Becky Ames, Beaumont Mayor; Jimmy Sims, Orange Mayor; and Deloris Prince, Port Arthur Mayor.

The Senate welcomed its guests.



**BIRTHDAY GREETINGS EXTENDED**

Senator Watson was recognized and, on behalf of the Senate, extended birthday greetings to Senator Rodriguez.

**SENATE RESOLUTION 344**

Senator Deuell offered the following resolution:

**SR 344**, Recognizing March 4, 2013, as Kaufman County Day at the State Capitol.

The resolution was read and was adopted without objection.

**GUESTS PRESENTED**

Senator Deuell was recognized and introduced to the Senate a Kaufman County delegation, accompanied by Cody Frazier, Crandall Mayor; Darren Rozell, Forney Mayor; William Fortner, Kaufman Mayor; Hal Richards, Terrell Mayor; and Bruce Wood, Kaufman County Judge.

The Senate welcomed its guests.

**SENATE BILLS ON FIRST READING**

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

**SB 944** by Nelson

Relating to criminal history record checks for certain employees of facilities licensed by the Department of State Health Services.  
To Committee on Health and Human Services.

**SB 945** by Nelson

Relating to the identification requirements of certain health care providers associated with a hospital.  
To Committee on Health and Human Services.

**SENATE RESOLUTION 377**

Senator Deuell offered the following resolution:

**SR 377**, In memory of Mark Hasse.

On motion of Senator Deuell, the resolution was read and was adopted by a rising vote of the Senate.

In honor of the memory of Mark Hasse, the text of the resolution is printed at the end of today's *Senate Journal*.

Senator Deuell was recognized and introduced to the Senate Mike McLelland, Kaufman County District Attorney.

The Senate welcomed its guest and extended its sympathy.

**(President in Chair)**

**SENATE RESOLUTION 315**

Senator Birdwell offered the following resolution:

**SR 315**, In memory of Christopher Scott Kyle of Midlothian.

The resolution was read.

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

On motion of Senator Birdwell, **SR 315** was adopted by a rising vote of the Senate.

In honor of the memory of Christopher Scott Kyle, the text of the resolution is printed at the end of today's *Senate Journal*.

#### **ACKNOWLEDGMENT**

Senator Eltife was recognized and acknowledged the birth of Senator Williams' first grandchild, George Milton Williams.

#### **CO-AUTHOR OF SENATE BILL 28**

On motion of Senator Zaffirini, Senator Seliger will be shown as Co-author of **SB 28**.

#### **CO-AUTHOR OF SENATE BILL 170**

On motion of Senator West, Senator Hinojosa will be shown as Co-author of **SB 170**.

#### **CO-AUTHOR OF SENATE BILL 190**

On motion of Senator Huffman, Senator Campbell will be shown as Co-author of **SB 190**.

#### **CO-AUTHOR OF SENATE BILL 827**

On motion of Senator Whitmire, Senator Huffman will be shown as Co-author of **SB 827**.

#### **CO-AUTHORS OF SENATE JOINT RESOLUTION 8**

On motion of Senator Ellis, Senators Hinojosa, Uresti, and Van de Putte will be shown as Co-authors of **SJR 8**.

#### **RESOLUTIONS OF RECOGNITION**

The following resolutions were adopted by the Senate:

##### **Memorial Resolutions**

**SR 334** by Uresti and Van de Putte, In memory of Frank C. Stecklein of San Antonio.

**SR 340** by Hegar, In memory of Hilmar G. Moore of Richmond.

**SR 369** by Lucio, In memory of Jose Luis Montenegro, Jr., of San Juan.

**SR 371** by Lucio, In memory of Samuel Robert Sparks.

**SR 376** by Uresti, In memory of Karen Martinez of San Antonio.

**SR 380** by Ellis, In memory of Althea Lewis Renfro of Houston.

**SR 383** by Williams, In memory of Nancy Flake.

**SR 384** by Williams and Nichols, In memory of Whitson Etheridge of Conroe.

**SR 389** by Hinojosa, In memory of Christopher George Maloy Gelinas.

**SR 391** by Hinojosa, In memory of Eric Edmundo Farias of McAllen.

### **Welcome and Congratulatory Resolutions**

**SR 331** by Eltife, Congratulating Matthew Draeger of Paris for being named one of our state's top youth volunteers by the Prudential Spirit of Community Awards.

**SR 332** by Eltife, Congratulating Kelly Burnett of Texarkana for being named one of our state's top youth volunteers by the Prudential Spirit of Community Awards.

**SR 335** by Uresti, Congratulating Hector J. Cerna for being named 2012 Citizen of the Year by the Eagle Pass Chamber of Commerce.

**SR 337** by Birdwell, Welcoming the members of the Cleburne Chamber of Commerce and the Cleburne Tuesday Forum to the Capitol.

**SR 347** by Ellis, Commending SER-Niños Charter School on the occasion of the dedication of its new campus.

**SR 348** by Ellis, Recognizing Beatrice Lehman Green of Houston on the occasion of her 100th birthday.

**SR 349** by Watson, Recognizing Pat Crow of Austin on the occasion of her 70th birthday.

**SR 353** by Van de Putte, Commending Susan Stappenbeck for receiving the Presidential Employee Excellence Award from The University of Texas Health Science Center at San Antonio.

**SR 354** by Van de Putte, Commending Rebecca Smith for receiving the Presidential Employee Excellence Award from The University of Texas Health Science Center at San Antonio.

**SR 355** by Van de Putte, Commending Richard Ongkiko for receiving the Presidential Employee Excellence Award from The University of Texas Health Science Center at San Antonio.

**SR 356** by Van de Putte, Commending Gloria Matthews for receiving the Presidential Employee Excellence Award from The University of Texas Health Science Center at San Antonio.

**SR 357** by Van de Putte, Commending Rosanne Fohn for receiving the Presidential Employee Excellence Award from The University of Texas Health Science Center at San Antonio.

**SR 358** by Van de Putte, Commending Mark Soucy for receiving the Presidential Teaching Excellence Award from The University of Texas Health Science Center at San Antonio.

**SR 359** by Van de Putte, Commending Alan Sakaguchi for receiving the Presidential Teaching Excellence Award from The University of Texas Health Science Center at San Antonio.

**SR 360** by Van de Putte, Commending Ridley Ross for receiving the Presidential Teaching Excellence Award from The University of Texas Health Science Center at San Antonio.

**SR 361** by Van de Putte, Commending Alexandra Loffredo for receiving the Presidential Teaching Excellence Award from The University of Texas Health Science Center at San Antonio.

**SR 362** by Van de Putte, Commending Lily Dong for receiving the Presidential Teaching Excellence Award from The University of Texas Health Science Center at San Antonio.

**SR 363** by Van de Putte, Commending Gregory Anstead for receiving the Presidential Teaching Excellence Award from The University of Texas Health Science Center at San Antonio.

**SR 364** by Van de Putte, Commending Randal Robinson for receiving the Presidential Clinical Excellence Award from The University of Texas Health Science Center at San Antonio.

**SR 365** by Van de Putte, Commending Deborah Levine for receiving the Presidential Clinical Excellence Award from The University of Texas Health Science Center at San Antonio.

**SR 366** by Van de Putte, Commending Margaret Finley for receiving the Presidential Clinical Excellence Award from The University of Texas Health Science Center at San Antonio.

**SR 367** by Van de Putte, Commending Ken Hargreaves for receiving the Presidential Distinguished Senior Research Scholar Award from The University of Texas Health Science Center at San Antonio.

**SR 368** by Van de Putte, Commending Manjeet Rao for receiving the Presidential Distinguished Junior Research Scholar Award from The University of Texas Health Science Center at San Antonio.

**SR 370** by Lucio, Commending Reynaldo L. "Ray" Lopez of Brownsville on the occasion of his retirement.

**SR 374** by Ellis, Welcoming the delegation of citizens from the Republic of Azerbaijan to Texas.

**SR 375** by Uresti, Commending San Antonio Pets Alive! on the occasion of its first anniversary.

**SR 385** by Williams, Commending George Phydias Mitchell for his contributions to Texas A&M University.

**SR 386** by Campbell, Commending the sponsors and students of Youth Leadership New Braunfels.

**SR 390** by Hinojosa, Commending Gustavo "Gus" Barrera of Falfurrias for his legacy of public service.

**SR 392** by Hinojosa, Recognizing Mission City Manager Julio C. Cerda for his service to his community.

**SR 393** by Eltife, Commending the 2013 recipients of the Texas Medal of Arts Awards.

**SR 396** by Rodriguez, Commending Joella Methola of El Paso for receiving a 2013 Prudential Spirit of Community Award.

**SR 397** by Ellis, Commending Encourage, Empower, and Send Ministries for its work in the community.

**SR 398** by Lucio, Recognizing Incarnate Word Academy of Brownsville on the occasion of its 160th anniversary.

#### **Official Designation Resolutions**

**SR 255** by Davis and Birdwell, Recognizing March 6, 2013, as Mansfield Day at the State Capitol.

**SR 336** by Hancock and West, Recognizing March 6, 2013, as Grand Prairie Day at the State Capitol.

**SR 338** by Birdwell, Recognizing March 13, 2013, as West Day at the State Capitol.

**SR 341** by Hegar, Celebrating March 6, 2013, as Austin County Day at the State Capitol.

**SR 342** by Hegar, Recognizing March 5, 2013, as Matagorda County Day at the State Capitol.

**SR 343** by Hegar, Recognizing March 6, 2013, as Victoria County Day at the State Capitol.

**SR 346** by Uresti, Celebrating March 6, 2013, as Brewster County Day at the State Capitol.

**SR 381** by Birdwell, Celebrating March 5, 2013, as Hewitt Day at the State Capitol.

**SR 395** by Hegar, Celebrating March 4, 2013, as Hempstead Day at the State Capitol.

#### **ADJOURNMENT**

On motion of Senator Whitmire, the Senate at 3:09 p.m. adjourned, in honor of George Milton Williams, grandson of Senator Tommy Williams, and in memory of Mary Margaret Farabee, Mark Hasse, and Christopher Scott Kyle, until 11:00 a.m. tomorrow.

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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 4, 2013

AGRICULTURE, RURAL AFFAIRS AND HOMELAND SECURITY — **SCR 6**,  
**SB 157**, **CSSB 166**

**BUSINESS AND COMMERCE — CSSB 259, SB 506, SB 529**

**OPEN GOVERNMENT — CSSB 176**

**JURISPRUDENCE — CSSB 330, CSSB 576, CSSB 353, CSSB 355**

**INTERGOVERNMENTAL RELATIONS — SB 382, SB 359, SB 351, SB 159,  
SB 193, SB 265, SB 273**

**BUSINESS AND COMMERCE — CSSB 499**

**INTERGOVERNMENTAL RELATIONS — CSSB 109**

**BUSINESS AND COMMERCE — CSSB 247**

**INTERGOVERNMENTAL RELATIONS — CSSB 194**

**HEALTH AND HUMAN SERVICES — CSSB 50, CSSB 53, CSSB 63, CSSB 64,  
CSSB 68, SB 126, SB 150, CSSB 227**

#### **RESOLUTIONS ENROLLED**

February 27, 2013

**SR 18, SR 53, SR 240, SR 278, SR 281, SR 293, SR 304, SR 305, SR 310, SR 321,  
SR 322, SR 323, SR 324, SR 325, SR 326, SR 327, SR 328, SR 329**

#### **SENT TO SECRETARY OF STATE**

February 28, 2013

**SCR 16**

**In Memory****of****Mark Hasse****Senate Resolution 377**

WHEREAS, The Senate of the State of Texas honors and commemorates the life of Mark Hasse, who died January 31, 2013; and

WHEREAS, Mark Hasse was born in Carbondale, Illinois, in 1955; he graduated from Thomas Jefferson High School in Dallas and earned a degree in history from Texas A&M University; he received a degree from Southern Methodist University School of Law in 1981; and

WHEREAS, Mark worked for the Dallas County District Attorney's office from 1982 to 1988 and rose to the position of felony chief for organized crime; he then entered the private practice of law, specializing in aviation law, family law, and criminal defense work; and

WHEREAS, Mr. Hasse moved his practice to Rockwall in 1992, and in 2010, he returned to criminal trial work as a member of the district attorney's office in Kaufman; he served as assistant district attorney and was particularly concerned with protecting victims of crime; and

WHEREAS, He was an enthusiastic aviator who had a commercial pilot's license and certifications to fly various types of aircraft, and he owned Intrepid Aircraft Sales, Incorporated, in Rockwall; and

WHEREAS, Mark Hasse was a man of courage, integrity, and generosity; he gave unselfishly to others and was noted for his love of animals, his story-telling ability, and his enthusiasm for living each day to the fullest; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 83rd Legislature, hereby extend sincere condolences to the bereaved family of Mark Hasse; and, be it further

RESOLVED, That a copy of this Resolution be prepared for his family as an expression of deepest sympathy from the Texas Senate, and that when the Senate adjourns this day, it do so in memory of Mark Hasse.

DEUELL

**In Memory**  
**of**  
**Christopher Scott Kyle**  
**Senate Resolution 315**

WHEREAS, The State of Texas and the entire nation are mourning the tragic loss of Christopher Scott Kyle of Midlothian, an American hero who died on February 2, 2013, at the age of 38; and

WHEREAS, Chris Kyle was born in Odessa on April 8, 1974, to Wayne and Deby Kyle; growing up on his parents' ranch, he enjoyed an active life; he learned marksmanship at an early age, hunting deer and pheasant, and when he was older, he challenged himself further as a professional bronco and bull rider; and

WHEREAS, After studying ranch and range management for two years at Tarleton State University and then working as a ranch hand, Mr. Kyle answered his nation's call to duty and joined the U.S. Navy in 1999; his skill and determination quickly led to his transfer to the SEALs, the navy's elite special operations force, where he prevailed throughout the team's strenuous selection process and was chosen to receive sniper training; and

WHEREAS, Throughout four combat tours, Mr. Kyle served with SEAL Team 3 in the thick of battle in such places as Ramadi, Fallujah, and Baghdad, and his exceptional ability as a marksman enabled him to save countless American lives and earned him legendary status as the most successful sniper in U.S. history; his outstanding record was recognized with two Silver Stars and five Bronze Stars with Valor, among many other decorations; following his combat deployments, he served as a chief instructor for training other navy snipers, and he wrote the first Navy SEAL sniper manual; and

WHEREAS, Chris Kyle retired from the navy in 2009 as a chief petty officer and returned to his family in Texas; his combat memoir, *American Sniper*, became a worldwide bestseller, with proceeds from the book going to the families of two fellow SEALs who were killed in battle; in addition, he cofounded Craft International, which trains military, police, and civilian security forces, and he also appeared on the NBC show *Stars Earn Stripes*; and

WHEREAS, More importantly, Mr. Kyle devoted himself to caring for his fellow veterans, and he helped found the FITCO Cares Foundation, which provides at-home fitness equipment to veterans recovering from the emotional and physical wounds of war; his commitment to the support of servicemen and servicewomen and their families was heartfelt, deep, and enduring; and



WHEREAS, Chris Kyle was an outstanding soldier, a humble patriot, a man of strong faith, and a loving husband, father, son, and brother; his generosity, good humor, and compassion encompassed not just those closest to him, but all those men and women who accept, as he did, both the sacrifice and the privilege of serving their nation; now, therefore, be it

RESOLVED, That the Senate of the 83rd Texas Legislature hereby pay tribute to the life of Christopher Scott Kyle and extend heartfelt condolences to the members of his family: to his wife, Taya, and their two children; to his parents, Wayne and Deby Kyle; to his brother, Jeff Kyle, his wife, Amy, and their two daughters; to his grandmothers, Joyce Kyle and Louise Mercer; to his parents-in-law, Kent and Kim Studebaker; to his sister-in-law, Ashley Purvis-Smith, her husband, Stewart, and their four children; and to his other relatives, friends, and many admirers across the Lone Star State and beyond; and, be it further

RESOLVED, That an official copy of this resolution be prepared for his family and that when the Texas Senate adjourns this day, it do so in memory of Chris Kyle.

BIRDWELL





