

SENATE JOURNAL

EIGHTY-THIRD LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

SIXTY-EIGHTH DAY

(Monday, May 27, 2013)

The Senate met at 11:02 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.

Pastor Bernard Buhl, One Way Baptist Church, Round Rock, offered the invocation as follows:

Dear heavenly Father, I come to Thee invoking the power of Your presence and spirit upon this 83rd legislature session. I pray for each Senate representative that is present and ask that Your sovereign wisdom rest upon their minds and hearts and that their ears be attentive to Your godly counsel. I pray that You allow every statewide leader, both woman and man, to conduct this session with Your integrity for Your glory. I believe and trust that as Your power and presence illuminate this meeting with Your spirit, that skillfulness and godly wisdom would reign supreme. I pray that You navigate their hearts that every word, every decision, and every action will represent unity and be designed to administer positive change throughout the State of Texas. We give You thanks in advance for what will come as a result of this session, their time and their fellowship one with another. In Your holy name, I pray. 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.

PHYSICIAN OF THE DAY

Senator Schwertner was recognized and presented Dr. Lamia Kadir of Austin as the Physician of the Day.

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

SENATE RESOLUTION 1096
(Caucus Report)

Senator Whitmire offered the following resolution:

BE IT RESOLVED BY THE SENATE OF THE STATE OF TEXAS:

SECTION 1. CAUCUS REPORT. At a caucus held on May 27, 2013, and attended by 30 members of the senate, the caucus made the recommendations for the operation of the senate contained in this resolution.

SECTION 2. EMPLOYEES. (a) The lieutenant governor may employ the employees necessary for the operation of the office of the lieutenant governor from the closing of this session and until the convening of the next session. The lieutenant governor and the secretary of the senate shall be furnished postage, telegraph, telephone, express, and all other expenses incident to their respective offices.

(b) The secretary of the senate is the chief executive administrator and shall be retained during the interval between adjournment of this session and the convening of the next session of the legislature. The secretary of the senate may employ the employees necessary for the operation of the senate and to perform duties as may be required in connection with the business of the state from the closing of this session and until the convening of the next session.

(c) Each senator may employ secretarial and other office staff for the senator's office.

(d) The chairman of the administration committee is authorized to retain a sufficient number of staff employees to conclude the work of the enrolling clerk, calendar clerk, journal clerk, and sergeant-at-arms. The administration committee shall establish the salaries for the senate staff.

SECTION 3. SENATE OFFICERS. (a) The following elected officers of the 83rd Legislature shall serve for the interval between adjournment of this session and the convening of the next session of the legislature:

- (1) Secretary of the Senate—Patsy Spaw;
- (2) Calendar Clerk—Linda Tubbs;
- (3) Doorkeeper—Austin Osborn;
- (4) Enrolling Clerk—Patience Worrel;
- (5) Journal Clerk—Polly Emerson; and
- (6) Sergeant-at-Arms—Rick DeLeon.

(b) All employees and elected officers of the senate shall operate under the direct supervision of the secretary of the senate during the interim.

(c) Officers named in this section serve at the will of the senate.

SECTION 4. DUTIES OF CHAIRMAN OF ADMINISTRATION COMMITTEE. (a) The chairman of the administration committee shall place the senate chamber in order and purchase supplies and make all necessary repairs and improvements between the adjournment of this session and the convening of the next session of the legislature.

(b) The chairman shall make an inventory of all furniture and fixtures in the senate chamber and in the private offices of the members, as well as of the supplies and equipment on hand in the purchasing and supply department and shall close the books for the Regular Session of the 83rd Legislature.

(c) The chairman shall not acquire any equipment on a rental/purchase plan unless the equipment is placed on the senate inventory at the termination of the plan.

(d) The chairman shall examine records and accounts payable out of the contingent expense fund as necessary to approve all claims and accounts against the senate, and no claim or account shall be paid without the consent and approval of the chairman.

(e) The chairman and any member of the administration committee shall be entitled to receive actual and necessary expenses incurred during the interim.

(f) In addition to the duties of the administration committee expressly imposed by this resolution, the committee shall take actions necessary to ensure that the administrative operations of the senate comply with applicable law and are conducted effectively and efficiently.

SECTION 5. JOURNAL. (a) The secretary of the senate shall have 225 volumes of the Senate Journal of the Regular Session of the 83rd Legislature printed. Two hundred and twenty-five copies shall be bound in buckram and delivered to the secretary of the senate who shall forward one volume to each member of the senate, the lieutenant governor, and each member of the house of representatives on request.

(b) The printing of the journals shall be done in accordance with the provisions of this resolution under the supervision of the chairman of the administration committee. The chairman shall refuse to receive or receipt for the journals until corrected and published in accordance with the preexisting law as finally approved by the chairman of the administration committee. When the accounts have been certified by the chairman of the administration committee, the accounts shall be paid out of the contingent expense fund of the 83rd Legislature.

SECTION 6. PAYMENT OF SALARIES AND EXPENSES. (a) Salaries and expenses authorized by this resolution shall be paid out of the per diem and contingent expense fund of the 83rd Legislature as provided by this section.

(b) The senate shall request the comptroller of public accounts to issue general revenue warrants for:

(1) payment of the employees of the lieutenant governor's office, the lieutenant governor, members of the senate, employees of the senate committees, and employees of the senate, except as provided by Subchapter H, Chapter 660, Government Code, upon presentation of the payroll account signed by the chairman of the administration committee and the secretary of the senate; and

(2) the payment of materials, supplies, and expenses of the senate, including travel expenses for members and employees, upon vouchers signed by the chairman of the administration committee and the secretary of the senate.

SECTION 7. EXPENSE REIMBURSEMENT AND PER DIEM. (a) In furtherance of the legislative duties and responsibilities of the senate, the administration committee shall charge to the individual member's office budget:

(1) the reimbursement of all actual expenses incurred by the members when traveling in performance of legislative duties and responsibilities or incident to those duties; and

(2) the payment of all other reasonable and necessary expenses for the operation of the office of the individual senator during any period the legislature is not in session. Expenditures for these services by the administration committee are authorized as an expense of the senate and shall not be restricted to Austin but may be incurred in individual senatorial districts. Such expenses shall be paid from funds appropriated for the use of the senate on vouchers approved by the chairman of the administration committee and the secretary of the senate in accordance with regulations governing such expenditures.

(b) Each senator shall be permitted a payroll of \$38,000 per month to employ secretarial and other office staff and for intrastate travel expenses for staff employees. This payroll amount accrues on the first day of the month and may not be expended prior to the month in which it accrues, but any unexpended portion for a month may be carried forward from month to month until the end of the fiscal year. An unexpended amount remaining at the end of each fiscal year, not to exceed \$10,000, may be carried forward to the next fiscal year. Other expenses, including travel expenses or other reasonable and necessary expenses incurred in the furtherance and performance of legislative duties or in operation of the member's office or incident thereto, shall be provided in addition to the maximum salary authorized.

(c) The secretary of the senate may order reimbursement for legislative expenses consistent with this resolution and the establishment by the Texas Ethics Commission of per diem rates.

(d) Any member of the senate and the lieutenant governor are eligible to receive such reimbursement on application of the member or the lieutenant governor to the secretary of the senate.

(e) On the application of a member of the senate or the lieutenant governor, the applicant shall be entitled to reimbursement for legislative expenses for each legislative day.

(f) For purposes of this section, a legislative day includes each day of a regular or special session of the legislature, including any day the legislature is not in session for a period of four consecutive days or less, and all days the legislature is not in session if the senator or lieutenant governor attends a meeting of a joint, special, or legislative committee as evidenced by the official record of the body, and each day, limited to 12 days per month for non-chairs or 16 days per month for chairs and the lieutenant governor, the senator or the lieutenant governor, including those living within a 50-mile radius, is otherwise engaged in legislative business as evidenced by claims submitted to the chairman of the administration committee.

SECTION 8. MEMBER'S EMPLOYEE LEAVE POLICY. (a) An employee of a senator accrues vacation leave, compensatory leave, or sick leave in accordance with policies adopted by the senator consistent with the requirements of this section.

(b) An employee may accrue vacation leave, compensatory leave, or sick leave only if the employee files a monthly time record with the senate human resources office. Time records are due not later than the 10th day of the following month.

(c) Compensatory time must be used not later than the last day of the 12th month following the month in which the time was accrued.

(d) An employee is not entitled to compensation for accrued but unused compensatory time.

SECTION 9. DESIGNATION FOR ATTENDANCE AT MEETINGS AND FUNCTIONS. (a) The lieutenant governor may appoint any member of the senate, the secretary of the senate, or any other senate employee to attend meetings of the National Conference of State Legislatures and other similar meetings. Necessary and actual expenses are authorized upon the approval of the chairman of the administration committee and the secretary of the senate.

(b) The lieutenant governor may designate a member of the senate to represent the senate at ceremonies and ceremonial functions. The necessary expenses of the senator and necessary staff for this purpose shall be paid pursuant to a budget approved by the administration committee.

SECTION 10. MEETINGS DURING INTERIM. (a) Each of the standing committees and subcommittees of the senate of the 83rd Legislature may continue to meet at such times and places during the interim as determined by such committees and subcommittees and to hold hearings, recommend legislation, and perform research on matters directed either by resolution, the lieutenant governor, or as determined by majority vote of each committee.

(b) Each continuing committee and subcommittee shall continue to function under the rules adopted during the legislative session where applicable.

(c) Expenses for the operation of these committees and subcommittees shall be paid pursuant to a budget prepared by each committee and approved by the administration committee.

(d) The operating expenses of these committees shall be paid from the contingent expense fund of the senate, and committee members shall be reimbursed for their actual expenses incurred in carrying out the duties of the committees.

SECTION 11. SENATE OFFICES. Members not returning for the 84th Legislature shall vacate their senate offices by December 1, 2014.

SECTION 12. FURNISHING OF INFORMATION BY SENATE EMPLOYEE. An employee of the senate may not furnish any information to any person, firm, or corporation other than general information pertaining to the senate and routinely furnished to the public.

SECTION 13. OUTSIDE EMPLOYMENT. An employee of the senate may not be employed by and receive compensation from any other person, firm, or corporation during the employee's senate employment without the permission of the employee's senate employer.

SECTION 14. REMOVAL OF SENATE PROPERTY. The secretary of the senate is specifically directed not to permit the removal of any of the property of the senate from the senate chamber or the rooms of the senate except as authorized by the chairman of the administration committee.

SR 1096 was read and was adopted by the following vote: Yeas 31, Nays 0.

ELECTION OF PRESIDENT PRO TEMPORE AD INTERIM EIGHTY-THIRD LEGISLATURE

The President announced that the time had arrived for the election of President Pro Tempore Ad Interim of the 83rd Legislature.

Senator Whitmire placed in nomination the name of Senator Craig Estes for the office of President Pro Tempore Ad Interim of the 83rd Legislature.

On motion of Senator Ellis and by unanimous consent, the nominating speech by Senator Whitmire and the remarks made to second the nomination were ordered reduced to writing and printed in the *Senate Journal* as follows:

President: Members, the next order of business is the election of the President Pro Tempore. Chair recognizes Senator Whitmire.

Senator Whitmire: Thank you, Mr. President and Members and guests. Senator Estes has asked me to place his name in nomination as President Pro Tempore of the State Senate for the period in which we leave today and for the important matters of whether it be a special or the management of the state in the absence of the Governor and Lieutenant Governor, being out of the state. We want to, on behalf of all Senators, welcome his wife, Jennifer, his three children, Abby, Andrew, and Mark, and their grandchildren, which I'm certain we'll hear more description of by Senator Estes later this morning. I rise, Members, very aware that today is Memorial Day where we honor our fallen heroes of our Armed Services, the men and women who have given the ultimate sacrifice to our country so that we can have this process today. And as we recognize one of our colleagues with a very special recognition, I would like to, Craig, recognize you for two facets, for being our colleague. Obviously, I will get to your legislative accomplishments, your protection of property rights, and other legislative matters, but, Members, I want to make this nomination in the context of 31 Senators having what I believe, in my 30 years of service in this body, is the best environment, the most respectful working relationship of any session I've seen in 30 years. It hasn't always been as respectful as we enjoy today. In years past, Senator Nelson, there have been bullies that we had to deal with. I could name them. In years past, as a freshman, I was expected to be seen and not heard. And if you stood up to introduce a bill, senior Members would point out that you had not fully considered your entire bill. They would ask you for a line on a distant page. Those days are long gone. As I said, this is as good a climate of respect, in accomplishment of any in my 30 years of service. Many reasons I could describe, as been pointed out previously, we have excellent freshmen Members that their chemistry, experience, and knowledge has blended in with all of us. I would suggest the two-thirds rule has required us to keep working and talking and building consensus. Senator Patrick, your accomplishments with charter schools, testing, would not have been possible but for that rule. And I could give other examples. But as I recognize our colleague and place his name in nomination, Craig, you are right up at the top of one of the elements and reasons why we do so well and respect each other so much, why we are truly a family. If someone was to tell me they heard Craig Estes raise his voice in a committee room or in a back meeting, I wouldn't believe it. Craig sets the tone, he regularly comes by my desk and says, Senator, so and so is not having a good day. He regularly tries to make each and

every one of us be a better Senator and better represent our district. He is a gentleman. He is a colleague. He regularly invokes his faith when we are in deliberations and we hit an impasse. I cannot more state how I want Craig Estes to be recognized, not only for his legislation and his statutes but what he does for this legislative body. We are all better Senators, we are better people because of Craig Estes. You know what I'm talking about, he knows what I'm talking about. He brings us together, he sets the example. I literally look forward, Senator Carona, to go in to Business and Commerce, because every Tuesday morning I get to start my day sitting next to Craig. He will share his concerns about this body, about me, about the committee, and we all benefit from that. And, in fact, as I move into his legislative accomplishments, he is a part of all of our legislation that becomes law, because he helps us have such a good environment to work. He regularly gets us together to share our faith. He lives his Senate service, recognizing, honoring his God, his family, his country. He makes us a better body. He also has shown leadership. Let me digress for a moment, one of the pleasures of being the Dean of the Senate is, I have had the honor and the pleasure of watching each and every one of you get here. I recall when Craig got here in 2001. He was elected in a special election. He got here, he has developed into an outstanding Senator, a Chairman of Agriculture and Homeland Security during a most challenging time for our state and our country in terms of security. I can remember session before last, he passed legislation protecting property rights to control the abuses of the eminent domain. That was a challenge that he met and accomplished, almost got the Houston port commission out of the eminent domain business. And he was a very tough adversary, along with Senator Duncan. He is a standing protector of the Second Amendment, as we all are. He is very effective in his committee. Senators, I could go on and on describing the legislative accomplishments. I could talk about how this man never lets us forget who we represent, how we got here, what our purpose is. Craig, I'm honored that you would allow me to publicly call you a colleague, a friend, and to let you know that your service has made me a better Senator and probably more importantly, a better person. You have allowed me to learn about my faith through your leadership and your mentoring, as you have so many other Senators. Members, it is a great honor to yield the floor to not only recognize Craig Estes as an outstanding Senator but an outstanding human being, who actually on a daily basis makes this Senate a more collegiate, a more outstanding body of lawmakers, working together for the common good. And I hope we will continue to look to Senator Estes for leadership in that regard. When we get into a stalemate or controversy, Craig can show us the pathway to building a consensus. Thank you, Mr. President.

President: Dean, thank you, I think all of us agree. Chair recognizes Senator Fraser to second the nomination.

Senator Fraser: Thank you, Mr. President. Members, I am both pleased and extremely honored to rise to second the nomination of my extremely good friend, Craig Estes, for President Pro Tempore of the Texas Senate. Craig, as we know, was elected in a special election in 2001, and since then he's continued to make a lasting impression on every Member of the body that has served with him. As a former Rotarian, Craig embodies the Rotarian motto of service above self but actually takes a step further. With those of you that are Rotarians, you know that Rotarians live by what we call the Rotarians' four-way test. And at the start of every meeting, you stand

up and you quote the four-way test. Is it the truth? Is it fair to all concerned? Will it build goodwill and better friendships? And will it be beneficial to all concerned? Craig Estes embodies the four-way test, and I have to say as a former Rotarian, as a young businessman come to the Legislature, that must have made a big impression on your life, because if I was describing the way you govern, that would be, I think, the way that I would describe Craig Estes. Any time we have a crisis, I'm going to call those of you that have been here for a while, things get a little testy. We end up going back trying to work it out, things will get a little off-centered, and Craig is always the first one to stand up and say, guys, can't we just get along, you know, we are in this together. And I don't know how many times I've heard you say that statement that He is the ultimate peacemaker among us. I remember very clearly my first conversation with Craig Estes. I had heard about this businessman from Wichita Falls. I knew that he was in the agricultural business, so it was going to be a good agricultural vote. I'd heard that he was likely to be a strong conservative, and so I called him, picked up the phone, called. We exchanged some words, I was asking a few questions about himself, and 30 seconds into the conversation, he asked me for money. He said, Senator, I know you got a lot of money in your campaign account, I'd really appreciate it if you write me a good check. I said at that point I knew he was likely to get elected. This guy understood the drill, and that first conversation, but I also recognized at that point that we had a lot in common. We are both business people. We, there was going to have a loyalty to the agriculture community because where we are from. We had married way over our head and had a wonderful wife. We both had three children, one of which children, both of us have an Andrew. Today, Craig has four grandchildren, one girl, three boys, exactly the same as us, has one in the oven, a girl on the way, same as us. So, it's not uncommon or it's not unusual that you and I would've chosen through our most entire career, that we have sat next to each other on the Senate floor. In Business And Commerce, you served because I chaired that. You're my Vice-chair of Natural Resources, sitting beside me. Craig Estes has been a friend, an ally, a true conservative. I've watched him vote for his whole time here and those 811,000 people that he represents. He has done a wonderful job voting the interest of the people in his district. Craig has a lot of legislation that he can be proud of. But, I think, probably the first, the thing that you'd be most proud of is legislation which, I think, was Senate Bill 18, landmark legislation last year that was it, to address eminent domain and the personal property rights legislation. I watched you shepherd that through, and even today the impact of that still ripples through the Legislature. Craig, outside the Legislature, he, all of you see him here, sitting here, but outside, you don't realize that he is an avid outdoorsman. He was a mountain climber prior to, in a prior life, I guess, before coming to the Legislature. He told me he could snow ski. I challenged him on that, and the big guy can snow ski. He can get down the mountain. He is a world-class fly fisherman. You think that's stretching? The other thing I think a lot of you all recognize, you probably wouldn't realize it unless you've sat next to him in a committee for years, but Craig Estes is a world-class doodler. Little he did realize that in my committee as he was sitting or listening, that he's always doodling, I would pick up his doodles. This one is particularly good. I believe this is the day we were doing the shark fin legislation. This was his doodle that day. This one, I'm not sure what that one was. And this one, I think he may have

been troubled the day that he did this one, that he, every day as he sits there, he continues to do it. Craig, I'm extremely honored that you've allowed me to do this. And if you let me, I'll wrap up with a quote of Albert Schweitzer that maybe best described Craig. You must give some time to your fellow man, even if it's just a little thing, do something for others. All of us recognize the fact that Craig is an extremely religious person. Through your career here, you have just become the honorary chaplain of this group. And even though you are deeply religious, you don't wear it on your sleeves, but you have a way that when we have a crisis, losing another Senator, losing a parent, a friend, or even this year, losing a grandchild, you are always the one that steps forward and helps us move forward and leads in prayer. And we both understand and respect and thank you for that. As your friend, as a fellow conservative, as a committee, working together, and as your deskmate, I'm extremely honored that you would allow me to place your name in nomination for President Pro Tempore. Thank you, Craig.

President: Thank you, Senator Fraser, well said. Chair recognizes Senator Lucio to second the nomination.

Senator Lucio: Thank you, Mr. President. Members, it is my privilege to rise today and second the nomination of my dear friend, Senator Craig Estes, as President Pro Tempore. I finally remember Senator Estes' first session, 2001, and I was very happy to help a freshman legislator support his district and hometown of Wichita Falls. It was a great session for him, and it was a wonderful opportunity for me to meet someone that I knew God wanted me to meet. Today, he is a seasoned veteran, a skilled legislator, a man of incredible faith, and I'll repeat that, because that is important to me, and I know it's important to each one of us. He is a man of incredible faith, conviction, and, most of all, a trusted friend. The Texans of District 30 have elected wisely in Senator Craig Estes, and I applaud them for the good sense to continue to send to this distinguished body a man of integrity and outstanding character. Congratulations to you, Senator. I proudly nominate you to lead our body and to do so with the providence of our Lord, the faith of Abraham, the forgiveness of Joseph, the leadership of Moses, the confidence of Joshua, the strength of Samson, the fidelity of Ruth, the courage of David, the wisdom of Solomon, the patience of Job, and, most of all, the resilience of Craig. I hope that we can continue to come together as you have always advocated, Senator, come together as one people, a body of Senators that, and look at what the needs of our great state are, and then work hard to achieve those needs. I know that God gave you a big frame of a body because he knew you were going to have a big heart. And you've shown that continuously over the last 12 years. To this, Senator, for that reason, I proudly rise to second your nomination as President Pro Tempore. And now, I want to ask God to bless you, I want to ask God to bless Texas. And I want to ask you to keep Texas great and strong. Thank you.

President: Thank you, Senator Lucio. Members, if I may, sometimes, as we are selecting our Pro, our President Pro Tempore, a number of people stand, 5, 10, 15. But Senator Estes didn't want this to be about him and just asked that two people that could've seconded it, an insight, he wants to focus on the job. Members, the question is on the election of the Senator from Wichita County, Senator Craig Estes, to the

office of President Pro Tempore of the Texas Senate during the interim 83rd Legislature. All those in favor, please rise. It being a unanimous motion, is unanimously adopted, and Senator Estes is elected President Pro Tempore Ad Interim.

On motion of Senator Whitmire, Senator Estes was elected President Pro Tempore Ad Interim by acclamation.

The President declared that the Honorable Craig Estes had been duly elected President Pro Tempore Ad Interim of the 83rd Legislature by acclamation.

The President appointed the following committee to escort Senator Estes and his family to the President's Rostrum: Senators Nelson, Zaffirini, and Patrick.

Senator Estes and his party were then escorted to the President's Rostrum by the committee.

OATH OF OFFICE ADMINISTERED

The President administered the Oath of Office to Senator Estes as follows:

I, Craig Estes, do solemnly swear, that I will faithfully execute the duties of the office of President Pro Tempore Ad Interim of the Senate of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this state, so help me God.

ADDRESS BY PRESIDENT PRO TEMPORE AD INTERIM

President Pro Tempore Ad Interim Estes addressed the Senate as follows:

Thank all of you for your kind words. Wow, it's a great feeling to be up here addressing all of you after what I think has been a very successful session. It's been enjoyable and productive one, I think, and I'm proud to have had the privilege to be a part of this distinguished body. When I first got here, I didn't even know what a President Pro Tempore was, now, I'm it. A few days ago, I was reading Colonel Travis' letter from the Alamo. It's Senator Van de Putte's festivities for Governor for a Day. And as I got finished doing that, I went back to my office, and I just thought, what kind of mighty men were these that laid the foundations of this great state. And here we are today, we are custodians of what they bled and died to create. What an awesome responsibility we have, Senators. But, first of all, I want to thank my family, all of whom are here today except my dad and his wife, Willie Mae, and Emily and her husband, Roy, in Connecticut. So, I just want to give a shout out. Hi, Dad and Willie Mae, Emily and Roy. Maybe one of these days, I'll get home to see you and visit with you again. And to my wonderful wife, Jennifer, I would not be here without your love and support. Why, I remember your prayers years ago about me finding an exciting challenge in my line of work. And the good Lord really answered that one, didn't He? My three children, Abby, Andrew, and Mark are here in the back. And Robert and Summer, my son-in-law, my daughter-in-law, my four and a half grandchildren are here. I say one-half, because Summer is expecting. I love you all. Thanks for being here. And let me mention the Sheltons, Jennifer's sister, Lacey, my nephew, Ben. Thank you, too. I know

you, my colleagues, want to hear me opine for an hour or so on the issues of the day, but we got little ones in the back, and they might, they're going to get fidgety after a while, fact, they probably already are. So, let me be brief. First thing I want to do is also thank my staff. In my opinion, I've got the best staff under the pink dome. Starting with Noe Barrios, my chief of staff, and my staff back home is top notch also. Really want to thank y'all. You know, I've always tried to hire people that were smarter than myself, and for some reason, it's never been a problem. I don't know why. But all of you endeavor to make me look good every day, and I know that's no easy task. But I really do admire your dedication and your professionalism. When I was first sworn in back in December of 2001, I was more than a little bit nervous. I was really wondering if I had the right stuff to do this job. And I was a little bit intimidated by the incredible group of talented people who occupied this Chamber. Well, most them have left by now, and I feel right at home with all the rest of you that remain. But seriously, I did discover that Senators do just put on their pants one leg at a time, like everyone else. And the day I was sworn in, I quoted from the Hebrew scriptures, from Micah, and it goes, to do justice and love mercy and walk humbly with your God. And I really thought I was bringing some new thinking to the body politic. But after a few years in public service, I realize that reading that scripture out of Micah was akin to reading I Corinthians 13, the love chapter, at a wedding, almost everybody seems to do it. But I still do maintain that the part of, about walking humbly, can be a real challenge for those of us in the Texas Senate. But one of the things I love about this place is that we come together most of the time for the common good of Texas. I've often wondered what makes us so much less partisan in this great deliberative body than our counterparts in Washington, D.C. We're all as passionate about our beliefs as they are, and we all more or less love our political parties. But I would suggest to you, there's three things that are different about us in the Texas Senate, and really these three things are absurdly simple. Number one, we sit together, intermingle on the Senate floor. So, that term that you hear all the time, across the aisle, has no meaning here. Secondly, we eat lunch together. In Washington, I'm told lunchrooms are separated by party. Thirdly, we fellowship together. Now, whether it's an evening dinner out on the town, usually organized by Senator Eltife, or just getting together early on Thursday mornings in the Dean's office for a cup of coffee, you know people that sit together and eat together and fellowship together usually don't stay mad at each other for very long. And I'm convinced that we all care for each other personally and professionally. And I hope we never lose that mutual respect, that, because it helps us to do a better job for all Texans. You know, a lot has been said in this last decade about the recent history of our state, about our huge population growth and our impressive economic growth. I won't recite the statistics because you all know them too well. But I do just want to say that during that time period, it's been my privilege to play a small part in that. And I also want to acknowledge the leadership during this period of time of Governor Perry,

Lieutenant Governor Dewhurst, Speakers Craddick and Straus. If you think about it, it's been a remarkably few number of people in leadership during this time of extraordinary growth. And I know that's much to the chagrin of those who feel politically upward, upwardly mobile. But one wonders what the next 10 years will bring. Time will only tell, but I predict that our state will continue to lead the nation in job growth and economic vitality. Incidentally, I do want to take a moment to honor the men and women who have made the ultimate sacrifice for our nation, on this Memorial Day. They are the true reason we have the safety and the security to prosper. But I do want to briefly share my thoughts on a couple of public policy matters that I feel are vitally important to our future. First, we all know that we have made some great strides on water issues this session. And I will promise you, I will do my best in the months ahead to convince voters to approve the constitutional amendment that will be on the ballot to draw some of the money from the state's rainy day fund to build out our water infrastructure. But being mindful of the old Chinese proverb, the journey of a thousand miles begins with the first step, let us firmly commit to building one new reservoir in this state. Just one to start out with within the next five years. Now, which one will it be? That's really a hard question. It's not easy, but let me try to offer a suggestion. This new reservoir should be the one that, first, is the most politically feasible, that in turn has the largest amount of water storage in recharge rate. And preferably, it should be uphill from the greatest number of people, for the obvious reasons. So, I say, let's figure it out, and let's generate the political will to do it. Secondly, I was disappointed that we were not able to pass SJR 1 as it came out of the Senate this session. We all know a vote of 31 to nothing is a very strong indication of our seriousness on this three issues. So, in the future, let's find the best way to fund our transportation needs. And there's already some interesting ideas to, one or two ideas out there, already percolating. Folks, it doesn't have to be that hard. Our vibrant state will not continue to thrive without this critical investment in our transportation infrastructure. So, in conclusion, I do thank you for the incredible honor of being your President Pro Tempore. I will fulfill the duties of this high office to the best of my ability. What a great country we live in, the United States of America. What a great state we live in, Texas. What great shoulders we are standing upon, Travis, Crockett, Bowie, Houston, Whitmire, Lamar. Wait a minute. Who put that in my speech? It is my privilege to serve her people, Texas, one state, under God, one and indivisible. I want to thank you all. That's about all I have to say. See you tomorrow. God bless Texas.

VIDEO RELEASE POLICY WAIVED
(Motion In Writing)

Senator Eltife submitted a Motion In Writing for the Senate policy that governs the release of recordings of the Senate proceedings to be waived in order to grant the request of Senator Estes for a DVD of today's session.

The Motion In Writing prevailed without objection.

BILLS SIGNED

The President announced the signing of the following enrolled bills in the presence of the Senate after the captions had been read: **SB 163, HB 97.**

**SENATE RULE 7.25 SUSPENDED
(Limitation on Vote)**

Senator Seliger moved to suspend Senate Rule 7.25 that prohibits a vote on a bill during the last 24 hours of a session in order to consider the Conference Committee Report on **HB 29.**

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

**CONFERENCE COMMITTEE REPORT ON
HOUSE BILL 29 ADOPTED**

Senator Seliger called from the President's table the Conference Committee Report on **HB 29.** The Conference Committee Report was filed with the Senate on Saturday, May 25, 2013.

On motion of Senator Seliger, the Conference Committee Report was adopted by the following vote: Yeas 31, Nays 0.

RECESS

On motion of Senator Whitmire, the Senate at 11:51 a.m. recessed until 1:30 p.m. today.

AFTER RECESS

The Senate met at 1:50 p.m. and was called to order by Senator Eltife.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER
Austin, Texas
Monday, May 27, 2013 - 1
(Revised Message)

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 198 Farney

Directing the governor of the State of Texas to posthumously award the Texas Legislative Medal of Honor to Second Lieutenant Darryn Deen Andrews.

HCR 212 Frullo

Instructing the enrolling clerk of the house to make corrections in H.B. 2268.

HCR 215 Naishtat
Instructing the enrolling clerk of the house to make corrections in H.B. No. 1741.

HCR 217 Gooden
Instructing the enrolling clerk of the house to make corrections to H.B. No. 912.

HCR 218 Flynn
Instructing the enrolling clerk of the house to make corrections in H.B. No. 12.

SCR 38 Rodríguez
Instructing the enrolling clerk of the house to make corrections in H.B. No. 2975.

SCR 39 Zaffirini
Instructing the enrolling clerk of the senate to make corrections in S.B. No. 1116.

SCR 43 Williams
Instructing the enrolling clerk of the senate to make corrections in S.J.R. No. 1.

SCR 44 Hinojosa
Instructing the enrolling clerk of the senate to make corrections to S.B. No. 8.

SCR 46 Hinojosa Sponsor: Muñoz, Jr.
Commending the City of Pharr, South Texas College, the Pharr Police Department, and the Pharr-San Juan-Alamo Independent School District for their collaborative efforts to develop the Regional Center for Public Safety Excellence.

THE HOUSE HAS ADOPTED THE FOLLOWING CONFERENCE COMMITTEE REPORTS:

HB 500 (131 Yeas, 14 Nays, 1 Present, not voting)

HB 680 (146 Yeas, 1 Nays, 2 Present, not voting)

HB 2741 (135 Yeas, 9 Nays, 3 Present, not voting)

HB 2836 (142 Yeas, 0 Nays, 2 Present, not voting)

HB 3169 (143 Yeas, 0 Nays, 2 Present, not voting)

HB 3390 (138 Yeas, 6 Nays, 2 Present, not voting)

SB 211 (144 Yeas, 0 Nays, 3 Present, not voting)

SB 1017 (145 Yeas, 0 Nays, 2 Present, not voting)

SB 1158 (146 Yeas, 1 Nays, 2 Present, not voting)

SB 1747 (133 Yeas, 10 Nays, 2 Present, not voting)

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

**MOTION TO ADOPT
SENATE CONCURRENT RESOLUTION 47**

The Presiding Officer laid before the Senate the following resolution:

WHEREAS, Senate Bill No. 2 has been adopted by the senate and the house of representatives and is being prepared for enrollment; and

WHEREAS, The bill contains technical errors that should be corrected; now, therefore, be it

RESOLVED by the 83rd Legislature of the State of Texas, That the enrolling clerk of the senate be instructed to correct Senate Bill No. 2 as follows:

(1) Add the following appropriately numbered SECTION to the bill and renumber subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter D, Chapter 33, Education Code, is amended by adding Section 33.088 to read as follows:

Sec. 33.088. PARTICIPATION IN LEAGUE CONTESTS BY SPECIALTY HIGH SCHOOL. (a) In this section:

(1) "Division" includes academics, athletics, or music divisions of league contests.

(2) "Specialty high school" means the high school of an open-enrollment charter school that:

(A) enrolls students without regard to the attendance zones of the school district in which the high school is located; and

(B) is determined by the University Interscholastic League to specialize in a division of league contests.

(3) "League" means the University Interscholastic League.

(b) To ensure fair competition, the league shall adopt rules governing participation in league contests by students attending a specialty high school.

(c) The league rules adopted under Subsection (b) must require that, for any division of league contests that a specialty high school emphasizes, the school will be assigned to the conference with the largest student enrollment, except that the rules may provide for reasonable exceptions from that requirement based on travel, availability of participant schools, or other criteria.

(d) League rules adopted under Subsection (b) must apply beginning with the 2013-2014 school year. This subsection expires August 31, 2014.

(2) Strike SECTION 48 of the bill (page 46, lines 16-23), repealing provisions of the Education Code, and substitute the following appropriately numbered SECTION:

SECTION _____. The following provisions of the Education Code are repealed:

(1) Subsection (b), Section 12.1055;

(2) Subsection (b), Section 12.113; and

(3) Subsection (b), Section 12.1161.

PATRICK

SCR 47 was read.

Senator Patrick withdrew further consideration of SCR 47.

SENATE CONCURRENT RESOLUTION 48

The Presiding Officer laid before the Senate the following resolution:

WHEREAS, Senate Bill No. 1678 has been adopted by the senate and the house of representatives and is being prepared for enrollment; and

WHEREAS, The bill contains technical errors that should be corrected; now, therefore, be it

RESOLVED by the 83rd Legislature of the State of Texas, That the enrolling clerk of the senate be instructed to make the following correction:

Add the following appropriately numbered SECTION to the bill and renumber subsequent SECTIONS of the bill accordingly:

SECTION ____ . Section 5A(a)(5), Chapter 1507 (S.B. 456), Acts of the 76th Legislature, Regular Session, 1999 (Article 5190.14, Vernon's Texas Civil Statutes), is amended to read as follows:

(5) "Site selection organization" means:

(A) the National Football League, the National Collegiate Athletic Association, the National Basketball Association, ESPN or an affiliate, the National Hockey League, Major League Baseball, the Federation Internationale de Football Association (FIFA), the International World Games Association, the National Association for Stock Car Auto Racing (NASCAR), or the United States Olympic Committee;

(B) the national governing body of a sport that is recognized by the United States Olympic Committee, the National Thoroughbred Racing Association, Formula One Management Limited, or the Federation Internationale de l'Automobile;

(C) the Academy of Country Music;

(D) the National Cutting Horse Association; or

(E) the Republican National Committee or the Democratic National Committee.

DEUELL

SCR 48 was read.

On motion of Senator Deuell, the resolution was considered immediately and was adopted by the following vote: Yeas 31, Nays 0.

BILLS SIGNED

The Presiding Officer announced the signing of the following enrolled bills in the presence of the Senate after the captions had been read:

SB 21, SB 44, SB 59, SB 64, SB 66, SB 107, SB 126, SB 146, SB 148, SB 149, SB 176, SB 200, SB 227, SB 268, SB 320, SB 321, SB 345, SB 392, SB 396, SB 414, SB 421, SB 429, SB 454, SB 492, SB 511, SB 534, SB 549, SB 578, SB 644, SB 1214, SB 1216, SB 1226, SB 1234, SB 1265, SB 1285, SB 1289, SB 1292, SB 1317, SB 1356, SB 1365, SB 1368, SB 1388, SB 1390, SB 1398, SB 1411, SB 1419, SB 1430, SB 1512, SB 1525, SB 1536, SB 1546, SB 1599, SB 1601, SB 1606, SB 1610, SB 1620, SB 1623, SB 1630, SB 1643, SB 1702, SB 1720, SB 1729, SB 1730.

HOUSE CONCURRENT RESOLUTION 212

The Presiding Officer laid before the Senate the following resolution:

WHEREAS, House Bil No. 2268 has been adopted by the house of representatives and the senate and is being prepared for enrollment; and

WHEREAS, The bill contains technical errors that should be corrected; now, therefore, be it

RESOLVED by the 83rd Legislature of the State of Texas, That the enrolling clerk of the house of representatives be instructed to correct House Bill No. 2268, in the SECTION of the bill added by Senate Amendment No. 1 by Carona, in amended Subsection (b), Section 4, Article 18.21, Code of Criminal Procedure, by striking "only the following electronic customer data: (i) information revealing the identity of customers of the applicable service; (ii) information about a customer's use of the applicable service;" and substituting the following:
only electronic customer data that is information revealing the identity of customers of the applicable service or information about a customer's use of the applicable service,

WATSON

HCR 212 was read.

On motion of Senator Watson, the resolution was considered immediately and was adopted by the following vote: Yeas 31, Nays 0.

BILLS SIGNED

The Presiding Officer announced the signing of the following enrolled bills in the presence of the Senate after the captions had been read:

SB 646, SB 652, SB 656, SB 692, SB 700, SB 709, SB 745, SB 839, SB 841, SB 872, SB 894, SB 918, SB 950, SB 971, SB 993, SB 997, SB 1023, SB 1031, SB 1058, SB 1090, SB 1106, SB 1150, SB 1159, SB 1192, SB 1210, HB 232, HB 315, HB 431, HB 585, HB 866, HB 894, HE 1050, HB 1090, HB 1193, HB 1206, HB 1357, HB 1366, HB 1372, HB 1678, HB 1726, HB 1790, HB 1803, HB 1847, HB 2000, HB 2080, HB 2388, HB 2550, HB 2562, HB 2612, HB 2825, HB 2859, HB 2912, HB 2978, HB 3103, HB 3188 (signed subject to Sec. 49-a, Art. III, Texas Constitution), **HB 3357, HB 3433, HB 3511, HB 3556.**

HOUSE CONCURRENT RESOLUTION 215

The Presiding Officer laid before the Senate the following resolution:

WHEREAS, House Bill No. 1741 has been adopted by the house of representatives and the senate and is being prepared for enrollment; and

WHEREAS, The bill contains technical errors that should be corrected; now, therefore, be it

RESOLVED by the 83rd Legislature of the State of Texas, That the enrolling clerk of the house of representatives be instructed to correct House Bill No. 1741 by striking SECTION 2 of the bill and renumbering subsequent SECTIONS of the bill as appropriate.

WEST

HCR 215 was read.

On motion of Senator West, the resolution was considered immediately and was adopted by the following vote: Yeas 31, Nays 0.

HOUSE CONCURRENT RESOLUTION 218

The Presiding Officer laid before the Senate the following resolution:

WHEREAS, House Bill No. 12 has been adopted by the house of representatives and the senate and is being prepared for enrollment; and

WHEREAS, The bill contains technical errors that should be corrected; now, therefore, be it

RESOLVED by the 83rd Legislature of the State of Texas, That the enrolling clerk of the house of representatives be instructed to correct House Bill No. 12 (conference committee report) as follows:

(1) On page 2, line 10, between "agency" and "is" insert "for the purpose of a salary supplement".

(2) On page 2, line 27, strike "to identity" and substitute "to identify".

ZAFFIRINI

HCR 218 was read.

On motion of Senator Zaffirini, the resolution was considered immediately and was adopted by the following vote: Yeas 31, Nays 0.

SENATE RESOLUTION 1061

Senator West offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to pay tribute to a beloved and highly regarded longtime staff member, Myrtis Evans Griffin, who is retiring after 20 years of loyal service in the office of Senator Royce West; and

WHEREAS, Myrtis Griffin joined the staff of Senator West on January 12, 1993, and she is now retiring from her position as the lead constituent caseworker in his office; in that capacity, Mrs. Griffin has long held a reputation for carrying out her duties in a flawless manner and for always demonstrating an eagerness to help constituents in whatever way possible; and

WHEREAS, She has also been noted for her cheerful disposition, her warmth, and her graciousness and for managing her responsibilities with enthusiasm and professionalism; and

WHEREAS, As the lead constituent caseworker, she has played a major role in helping to meet the needs and addressing the concerns of the people of District 23; her valuable assistance has included answering the many questions that came her way regarding governmental processes and such programs and initiatives as social security, Medicare, and Medicaid; and

WHEREAS, Prior to joining the Senate staff, Mrs. Griffin worked for Dallas County Judge Gary Weber, Congressman Martin Frost, and Representative Jerald Larry, and over the course of her lengthy career in public service, she has had an impact on numerous matters of social import; her service has involved work related to nursing home family councils, mental health programs, child support and senior citizens issues, and a variety of other social concerns and initiatives; and

WHEREAS, Active for many years in community affairs, Mrs. Griffin has served as a precinct chair and an election judge and has attended many county, state, and national conventions; she is an honorary life member of the Texas Parent-Teacher

Association and a member of the Dallas Chapter of the Coalition of Black Democrats; she is devoted to her family and has been blessed with three children and several grandchildren and great-grandchildren, and she looks forward to spending more time with them upon her retirement; and

WHEREAS, An exemplary Senate employee, Mrs. Griffin has been an invaluable team member in the office of Senator West, where her high standards and commitment to excellence have long been appreciated; she is beloved and respected by her co-workers and legislative colleagues, and her presence in the Texas Capitol will be greatly missed; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 83rd Legislature, hereby commend Myrtis Evans Griffin on her exceptional career and on her loyal service as an employee in the office of Senator Royce West and extend to her best wishes for the retirement years ahead; and, be it further

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

SR 1061 was read and was adopted without objection.

GUEST PRESENTED

Senator West was recognized and introduced to the Senate Myrtis Evans Griffin, his longtime staff member.

The Senate welcomed its guest.

SENATE CONCURRENT RESOLUTION 49

The Presiding Officer laid before the Senate the following resolution:

WHEREAS, Senate Bill No. 2 has been adopted by the senate and the house of representatives and is being prepared for enrollment; and

WHEREAS, The bill contains technical errors that should be corrected; now, therefore, be it

RESOLVED by the 83rd Legislature of the State of Texas, That the enrolling clerk of the senate be instructed to correct Senate Bill No. 2 as follows:

Strike SECTION 48 of the bill (page 46, lines 16-23), repealing provisions of the Education Code, and substitute the following appropriately numbered SECTION:

SECTION _____. The following provisions of the Education Code are repealed:

- (1) Subsection (b), Section 12.1055;
- (2) Subsection (b), Section 12.113; and
- (3) Subsection (b), Section 12.1161.

PATRICK

SCR 49 was read.

On motion of Senator Patrick, the resolution was considered immediately and was adopted by the following vote: Yeas 31, Nays 0.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER
Austin, Texas
Monday, May 27, 2013 - 2

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 211 Miller, Doug
Instructing the enrolling clerk of the house to make corrections in H.B. No. 3941.

HCR 221 Hilderbran
Instructing the enrolling clerk of the house to make corrections in H.B. No. 500.

SCR 40 Seliger
Instructing the enrolling clerk of the senate to make corrections in S.B. No. 347.

SCR 41 Deuell
Instructing the enrolling clerk of the senate to make corrections in S.B. No. 1727.

SCR 45 Uresti
Instructing the enrolling clerk of the senate to make corrections to S.B. No. 1747.

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

HOUSE CONCURRENT RESOLUTION 217

The Presiding Officer laid before the Senate the following resolution:

WHEREAS, House Bill No. 912 has been adopted by the house of representatives and the senate and is being prepared for enrollment; and

WHEREAS, The bill contains technical errors that should be corrected; now, therefore, be it

RESOLVED by the 83rd Legislature of the State of Texas, That the enrolling clerk of the house of representatives be instructed to correct House Bill No. 912, in SECTION 2 of the bill, as follows:

(1) In added Section 423.002(a), Government Code, strike "It is lawful to capture an image by an unmanned aircraft" and substitute "It is lawful to capture an image using an unmanned aircraft".

(2) In added Section 423.002(a)(4), Government Code, between "(4)" and "by", insert "if the image is captured".

(3) In added Section 423.002(a)(5), Government Code, between "(5)" and "by", insert "if the image is captured".

(4) In added Section 423.002(a)(8), Government Code, between "(8)" and "by", insert "if the image is captured".

(5) In added Section 423.002(a)(9), Government Code, between "(9)" and "by", insert "if the image is captured".

(6) In added Section 423.002(a)(13), Government Code, between "(13)" and "by", insert "if the image is captured".

(7) In added Section 423.002(a)(17), Government Code, between "(17)" and "by", insert "if the image is captured".

(8) In added Section 423.002(a)(17), Government Code, immediately following "related facilities,", strike "if the image" and substitute "and".

(9) In added Section 423.002(a)(18), Government Code, following the underlined semicolon, insert "or".

(10) In added Section 423.002(a)(19), Government Code, strike the underlined semicolon and substitute an underlined period.

(11) Strike added Section 423.008, Government Code, and substitute the following:

Sec. 423.008. REPORTING BY LAW ENFORCEMENT AGENCY. (a) Not earlier than January 1 and not later than January 15 of each odd-numbered year, each state law enforcement agency and each county or municipal law enforcement agency located in a county or municipality, as applicable, with a population greater than 150,000, that used or operated an unmanned aircraft during the preceding 24 months shall issue a written report to the governor, the lieutenant governor, and each member of the legislature and shall:

(1) retain the report for public viewing; and

(2) post the report on the law enforcement agency's publicly accessible website, if one exists.

(b) The report must include:

(1) the number of times an unmanned aircraft was used, organized by date, time, location, and the types of incidents and types of justification for the use;

(2) the number of criminal investigations aided by the use of an unmanned aircraft and a description of how the unmanned aircraft aided each investigation;

(3) the number of times an unmanned aircraft was used for a law enforcement operation other than a criminal investigation, the dates and locations of those operations, and a description of how the unmanned aircraft aided each operation;

(4) the type of information collected on an individual, residence, property, or area that was not the subject of a law enforcement operation and the frequency of the collection of this information; and

(5) the total cost of acquiring, maintaining, repairing, and operating or otherwise using each unmanned aircraft for the preceding 24 months.

ESTES

HCR 217 was read.

On motion of Senator Estes, the resolution was considered immediately and was adopted by the following vote: Yeas 31, Nays 0.

(President in Chair)

SENATE RESOLUTION 1094

Senator Eltife offered the following resolution:

WHEREAS, It is with great pride that the Texas Senate honors one of its most loyal and respected staff members, Linda Tubbs, by naming her the 2013 administrative recipient of the Betty King Public Service Award; and

WHEREAS, During her long and productive tenure as a legislative employee and as an officer of the Texas Senate, Linda has exemplified the best in Senate service, and she has earned the enduring admiration and affection of the senators and her Capitol colleagues; and

WHEREAS, Linda began her Senate employment in 1993 when she became an administrative aide for Senator Florence Shapiro; she joined the Senate Calendar Clerk's office in 1994 as a bill clerk, became Assistant Calendar Clerk in 1996, and was elected to the position of Calendar Clerk in 2005; and

WHEREAS, As Calendar Clerk, Linda has been the custodian of all legislative documents awaiting action in the Senate, and she has been in charge of the accurate endorsement of all legislation that passes through the Senate in the course of the legislative process; she has also been responsible for preparing the Notice of Intent Calendar and the Senate Agenda for each legislative day; and

WHEREAS, A trusted employee who is known for her high standards and attention to detail, she has deftly handled the many responsibilities of her position, and she has a long-established reputation for carrying out her duties with dedication and proficiency; and

WHEREAS, Throughout her tenure, Linda has demonstrated remarkable composure and perseverance while facing long hours and demanding deadlines; she has distinguished herself as an effective team leader who is known for her convivial personality, as well as for her many organizational and professional strengths; and

WHEREAS, Linda is a much-cherished and highly regarded Senate staff member, and she is most deserving of her selection for the prestigious Betty King Public Service Award; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 83rd Legislature, hereby express appreciation to Linda Tubbs for her valuable contributions to the Texas Senate and extend congratulations to her on earning a 2013 Betty King Public Service Award; and, be it further

RESOLVED, That a copy of this Resolution be prepared as a tribute to Linda Tubbs.

SR 1094 was read and was adopted by a rising vote of the Senate.

GUEST PRESENTED

Senator Eltife was recognized and introduced to the Senate Linda Tubbs, Senate Calendar Clerk and 2013 administrative recipient of the Betty King Public Service Award.

The Senate welcomed its guest.

SENATE RESOLUTION 1095

Senator Eltife offered the following resolution:

WHEREAS, It is a pleasure for the Texas Senate to honor a respected and longtime staff member, Lara Wendler, by naming her the 2013 legislative recipient of the Betty King Public Service Award; and

WHEREAS, The chief of staff for Senator John Whitmire, Lara is noted for handling her wide-ranging responsibilities with the utmost professionalism; she is highly regarded by the legislators and the many Capitol staff members with whom she works, and she is an indispensable member of the senator's staff; and

WHEREAS, Lara joined the Senate in 1992 as a legislative assistant for Senator Steve Carriker and went on to serve for five years in the office of Senator Gonzalo Barrientos; she transferred to Redistricting as a policy analyst in 2000, and later that same year, she began working as a policy analyst for Senator Whitmire; and

WHEREAS, She became Senator Whitmire's chief of staff in 2005, and due to her superior organizational skills and her thorough understanding of policy issues and the legislative process, she has become an invaluable asset to the senator's office; and

WHEREAS, Lara is noted for the dedication with which she approaches her work and the enthusiasm with which she faces challenging tasks, no matter how daunting they may be; she is a team leader whose ability to maintain composure in any given situation is inspiring to all who know and work with her; and

WHEREAS, Lara Wendler is a role model for anyone in public service, and through her high standards and commitment to excellence, she exemplifies the legislature's finest traditions; she is an exceptional Senate employee who is respected for her unparalleled work ethic, and the Texas Senate takes pride in honoring her with a 2013 Betty King Public Service Award; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 83rd Legislature, hereby commend Lara Wendler for her outstanding service to the Texas Senate and extend to her congratulations on earning a 2013 Betty King Public Service Award; and, be it further

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

SR 1095 was read and was adopted by a rising vote of the Senate.

GUEST PRESENTED

Senator Eltife was recognized and introduced to the Senate Lara Wendler, Chief of Staff for Senator John Whitmire and 2013 legislative recipient of the Betty King Public Service Award.

The Senate welcomed its guest.

HOUSE CONCURRENT RESOLUTION 221

The President laid before the Senate the following resolution:

WHEREAS, House Bill No. 500 has been adopted by the house of representatives and the senate and is being prepared for enrollment; and

WHEREAS, The bill contains a technical error that should be corrected; now, therefore, be it

RESOLVED by the 83rd Legislature of the State of Texas, That the enrolling clerk of the house of representatives be instructed to correct House Bill No. 500, in SECTION 2 of the bill, by striking added Section 171.0023(d), Tax Code, and substituting the following:

(d) A taxable entity may elect to compute the tax at the rate provided by Subsection (a) or (b), as applicable, on a report specified by Subsection (c) only if the comptroller certifies, on or after September 1, 2014, that probable revenue for the state fiscal biennium ending August 31, 2015, is estimated to exceed probable revenue as stated in the comptroller's Biennial Revenue Estimate for the 2014-2015 fiscal biennium, as adjusted for estimates of revenue and disbursements associated with legislation enacted by the 83rd Legislature, including any contingent appropriations certified before September 1, 2014, by an amount sufficient to offset the loss in probable revenue that will result if taxable entities elect to compute the tax at the rates provided by Subsections (a) and (b). If the comptroller does not make the certification described by this subsection, a taxable entity may not elect to pay the tax at the rate provided by Subsection (a) or (b) and shall pay the tax at the rates provided by Section 171.002.

HEGAR

HCR 221 was read.

On motion of Senator Hegar, the resolution was considered immediately and was adopted by the following vote: Yeas 31, Nays 0.

HOUSE CONCURRENT RESOLUTION 211

The President laid before the Senate the following resolution:

WHEREAS, House Bill No. 3941 has been adopted by the house of representatives and the senate and is being prepared for enrollment; and

WHEREAS, The bill contains technical errors that should be corrected; now, therefore, be it

RESOLVED, by the 83rd Legislature of the State of Texas, That the enrolling clerk of the house of representatives be instructed to correct the enrolled version of House Bill No. 3941 as follows:

- (1) On page 29, line 19, strike "East" and substitute "West".
- (2) On page 29, line 22, strike "East" and substitute "West".

CAMPBELL

HCR 211 was read.

On motion of Senator Campbell, the resolution was considered immediately and was adopted by the following vote: Yeas 31, Nays 0.

RECESS

On motion of Senator Whitmire, the Senate at 2:48 p.m. recessed until 3:00 p.m. today.

AFTER RECESS

The Senate met at 3:38 p.m. and was called to order by Senator Eltife.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Monday, May 27, 2013 - 3

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 222** Patrick, Diane

Instructing the enrolling clerk of the senate to make corrections in S.B. No. 1159.

SCR 42 Patrick

Instructing the enrolling clerk of the senate to make corrections to S.B. No. 217.

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

BILLS SIGNED

The Presiding Officer announced the signing of the following enrolled bills in the presence of the Senate after the captions had been read:

SB 58, SB 213, SB 270, SB 281, SB 358, SB 359, SB 460, SB 484, SB 690, SB 901, SB 910, SB 949, SB 1003, SB 1173, SB 1373, SB 1458, SB 1681, SB 1773, SB 1795, SB 1853, SB 1871, SB 1877, SB 1906, SB 1907, SB 1908, SB 1910, SB 1914, SB 1916, SB 1921, HB 6, HB 7 (signed subject to Sec. 49-a, Art. III, Texas Constitution), **HB 194, HB 396, HB 429, HB 489, HB 586, HB 630, HB 680, HB 752, HB 773, HB 870, HB 1534, HB 1675, HB 1768, HB 1897, HB 1926, HB 1951, HB 2012, HB 2152, HB 2305, HB 2741, HB 2818, HB 2935, HB 2982, HB 3093, HB 3106, HB 3142, HB 3153, HB 3169, HB 3361, HB 3390, HB 3447, HB 3459, HB 3520, HB 3569, HB 3572, HB 3648, HB 3903.**

HOUSE CONCURRENT RESOLUTION 222

The Presiding Officer laid before the Senate the following resolution:

WHEREAS, Senate Bill No. 1159 has been adopted by the senate and the house of representatives and is being prepared for enrollment; and

WHEREAS, The bill contains technical errors that should be corrected; now, therefore, be it

RESOLVED by the 83rd Legislature of the State of Texas, That the enrolling clerk of the senate be instructed to make the following correction:

Add the following appropriately numbered SECTION to the bill and renumber subsequent SECTIONS of the bill accordingly:

SECTION _____. This Act shall be known as Andrew's Law.

VAN DE PUTTTE

HCR 222 was read.

On motion of Senator Van de Putte, the resolution was considered immediately and was adopted by the following vote: Yeas 31, Nays 0.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Monday, May 27, 2013 - 4

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 219

Muñoz, Jr.

Commending the City of Pharr, South Texas College, the Pharr Police Department, and the Pharr-San Juan-Alamo Independent School District for collaborative efforts to develop the Regional Center for Public Safety Excellence.

HCR 223

Coleman

Instructing the enrolling clerk of the house to make corrections in H.B. No. 3793.

SCR 49

Patrick

Instructing the enrolling clerk of the senate to make corrections to S.B. No. 2.

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

(President in Chair)

BILL SIGNED

The President announced the signing of the following enrolled bill in the presence of the Senate after the caption had been read: **HB 1025** (signed subject to Sec. 49-a, Art. III, Texas Constitution).

HOUSE CONCURRENT RESOLUTION 223

The President laid before the Senate the following resolution:

WHEREAS, House Bill No. 3793 has been adopted by the house of representatives and the senate and is being prepared for enrollment; and

WHEREAS, The bill contains technical errors that should be corrected; now therefore, be it

RESOLVED by the 83rd Legislature of the State of Texas, That the enrolling clerk of the house of representatives be instructed to correct House Bill No. 3793, in the SECTION of the bill that adds Section 533.051, Health and Safety Code, by inserting a new Subdivision (8) to Section 533.051(c) to read as follows and renumbering subdivisions accordingly:

(8) two representatives designated by the Texas Hospital Association, including one representative who is a physician;

HINOJOSA

HCR 223 was read.

On motion of Senator Hinojosa, the resolution was considered immediately and was adopted by the following vote: Yeas 31, Nays 0.

SENATE RESOLUTIONS

Senator Zaffirini offered the following resolution:

SR 1097, In memory of Rex Neal Van de Putte.

The resolution was read.

Senator Nelson offered the following resolution:

SR 1098, In memory of Remarcus Larry West.

The resolution was read.

Senator Eltife offered the following resolution:

SR 1099, In memory of Gregory Steven Spaw.

The resolution was read.

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

On motion of Senator Whitmire, **SR 1097**, **SR 1098**, and **SR 1099** were adopted by a rising vote of the Senate.

In honor of the memory of Rex Neal Van de Putte, Remarcus Larry West, and Gregory Steven Spaw, the text of the resolutions are printed at the end of today's *Senate Journal*.

AT EASE

The President at 4:49 p.m. announced the Senate would stand At Ease subject to the call of the Chair.

IN LEGISLATIVE SESSION

The President at 5:04 p.m. called the Senate to order as In Legislative Session.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER
Austin, Texas
Monday, May 27, 2013 - 5

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 224 Aycocck

Instructing the enrolling clerk of the house of representatives to make corrections in H.B. No. 5.

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

BILLS AND RESOLUTIONS SIGNED

The President announced the signing of the following enrolled bills and resolutions in the presence of the Senate after the captions had been read:

SB 1 (signed subject to Sec. 49-a, Art. III, Texas Constitution), **SB 7**, **SB 215**, **SB 219**, **SB 347**, **SB 1596**, **SJR 1**, **SB 2**, **SB 8**, **SB 211**, **SB 217**, **SB 1017**, **SB 1116**, **SB 1158**, **SB 1678**, **SB 1727**, **SB 1747**, **SCR 38**, **SCR 39**, **SCR 40**, **SCR 41**, **SCR 42**, **SCR 43**, **SCR 44**, **SCR 45**, **SCR 46**, **SCR 49**.

HOUSE CONCURRENT RESOLUTION 224

The President laid before the Senate the following resolution:

House Bill No. 5 has been adopted by the house of representatives and the senate and is being prepared for enrollment; and

WHEREAS, The bill contains technical errors that should be corrected; now, therefore, be it

RESOLVED by the 83rd Legislature of the State of Texas, That the enrolling clerk of the house of representatives be instructed to correct House Bill No. 5 as follows:

(1) In SECTION 16 of the bill, in amended Section 28.025(c-3), Education Code, strike "(c-2)(1)(B)" and substitute "(c-2)(1)(B)(ii)".

(2) In SECTION 77 of the bill, strike added Section 130.008(f) and substitute the following:

(f) Except as provided by this section, a student may not enroll in more than three courses under this section at a junior college if the junior college does not have a service area that includes the student's high school. A student enrolled at an early college high school may enroll in a greater number of courses to the extent approved by the commissioner of education.

PATRICK

HCR 224 was read.

On motion of Senator Patrick, the resolution was considered immediately and was adopted by the following vote: Yeas 31, Nays 0.

BILLS AND RESOLUTIONS SIGNED

The President announced the signing of the following enrolled bills and resolutions in the presence of the Senate after the captions had been read:

HB 5, HB 12, HB 29, HB 500, HB 912, HB 1741, HB 2268, HB 2836, HB 2975, HB 3509, HB 3605, HB 3793, HCR 198, HCR 212, HCR 215, HCR 217, HCR 218, HCR 219, HCR 221, HCR 222, HCR 223, HCR 224.

SPECIAL COMMITTEE APPOINTED

The President announced the appointment of the following committee:

REDISTRICTING, SELECT

Seliger, Chair; Uresti, Vice-chair; Carona, Duncan, Eltife, Estes, Fraser, Garcia, Hinojosa, Huffman, Lucio, Patrick, West, Williams, Zaffirini.

MOTION TO ADJOURN SINE DIE

On motion of Senator Whitmire, the Senate of the 83rd Legislature, Regular Session, at 5:17 p.m. agreed to adjourn sine die, in memory of Rex Neal Van de Putte, Remarcus Larry West, Gregory Steven Spaw, and the men and women of the U.S. Armed Forces who have given the ultimate sacrifice, subject to the completion of administrative duties and Messages from the House.

CO-SPONSOR OF HOUSE CONCURRENT RESOLUTION 219

On motion of Senator Lucio, Senator Hinojosa will be shown as Co-sponsor of **HCR 219**.

RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

Memorial Resolution

SR 1101 by Paxton, In memory of Elizabeth Ojerholm Roberts.

Congratulatory Resolutions

SR 1100 by Hinojosa and Lucio, Recognizing Guadalupe Treviño for his public service.

HCR 219 (Lucio), Commending the City of Pharr, South Texas College, the Pharr Police Department, and the Pharr-San Juan-Alamo Independent School District for collaborative efforts to develop the Regional Center for Public Safety Excellence.

Official Designation Resolution

SR 378 by West, Recognizing March 6, 2013, as Cedar Hill Day.

Legislative Policy Resolution

HCR 198 (Schwertner), Directing the governor of the State of Texas to posthumously award the Texas Legislative Medal of Honor to Second Lieutenant Darryn Deen Andrews.

ADJOURNMENT SINE DIE

The President announced that the hour for final adjournment of the Regular Session of the 83rd Legislature had arrived and, in accordance with a previously adopted motion, declared the Regular Session of the 83rd Legislature adjourned sine die, in memory of Rex Neal Van de Putte, Remarcus Larry West, Gregory Steven Spaw, and the men and women of the U.S. Armed Forces who have given the ultimate sacrifice, at 5:18 p.m.

APPENDIX

BILLS AND RESOLUTIONS ENROLLED

May 26, 2013

SB 21, SB 44, SB 58, SB 64, SB 107, SB 126, SB 149, SB 163, SB 176, SB 200, SB 227, SB 268, SB 270, SB 320, SB 321, SB 345, SB 392, SB 396, SB 414, SB 421, SB 429, SB 454, SB 492, SB 511, SB 534, SB 549, SB 578, SB 644, SB 646, SB 652, SB 656, SB 692, SB 700, SB 709, SB 745, SB 839, SB 841, SB 872, SB 894, SB 918, SB 950, SB 971, SB 993, SB 997, SB 1023, SB 1031, SB 1058, SB 1090, SB 1106, SB 1150, SB 1192, SB 1210, SB 1214, SB 1216, SB 1226, SB 1234, SB 1265, SB 1285, SB 1289, SB 1292, SB 1317, SB 1356, SB 1365, SB 1368, SB 1388, SB 1390, SB 1398, SB 1411, SB 1419, SB 1430, SB 1512, SB 1525, SB 1536, SB 1546, SB 1599, SB 1601, SB 1606, SB 1610, SB 1620, SB 1623, SB 1630, SB 1643, SB 1702, SB 1720, SB 1729, SB 1730, SB 1773, SB 1795, SB 1853, SB 1871, SB 1877, SB 1906, SB 1908, SB 1910, SB 1914, SB 1916, SB 1921, SR 1063, SR 1066, SR 1068, SR 1073, SR 1074, SR 1075, SR 1076, SR 1077, SR 1078, SR 1079, SR 1080, SR 1081, SR 1082, SR 1083, SR 1084, SR 1085, SR 1086, SR 1087, SR 1088, SR 1089, SR 1090, SR 1091, SR 1092, SR 1093

May 27, 2013

SB 1, SB 2, SB 7, SB 8, SB 211, SB 213, SB 215, SB 217, SB 219, SB 281, SB 347, SB 358, SB 359, SB 460, SB 484, SB 690, SB 901, SB 910, SB 949, SB 1003, SB 1017, SB 1116, SB 1158, SB 1159, SB 1173, SB 1373, SB 1458, SB 1596, SB 1678, SB 1681, SB 1727, SB 1747, SB 1907, SCR 38, SCR 39, SCR 40, SCR 41, SCR 42, SCR 43, SCR 44, SCR 45, SCR 46, SCR 49, SJR 1, SR 378,

SR 1061, SR 1094, SR 1095, SR 1096, SR 1097, SR 1098, SR 1099, SR 1100,
SR 1101

SENT TO GOVERNOR

May 27, 2013

SB 39, SB 67, SB 124, SB 163, SB 168, SB 221, SB 251, SB 306, SB 316, SB 393,
SB 404, SB 443, SB 453, SB 475, SB 482, SB 490, SB 497, SB 498, SB 512,
SB 519, SB 555, SB 585, SB 597, SB 615, SB 624, SB 637, SB 659, SB 662,
SB 680, SB 718, SB 722, SB 724, SB 725, SB 751, SB 752, SB 757, SB 763,
SB 778, SB 809, SB 831, SB 832, SB 837, SB 854, SB 869, SB 906, SB 1009,
SB 1029, SB 1040, SB 1074, SB 1080, SB 1083, SB 1086, SB 1098, SB 1100,
SB 1145, SB 1175, SB 1195, SB 1255, SB 1256, SB 1266, SB 1268, SB 1297,
SB 1313, SB 1322, SB 1376, SB 1393, SB 1394, SB 1400, SB 1404, SB 1413,
SB 1457, SB 1508, SB 1533, SB 1553, SB 1557, SB 1585, SB 1590, SB 1597,
SB 1604, SB 1609, SB 1635, SB 1658, SB 1771, SB 1806, SB 1810, SB 1827,
SB 1833, SB 1842, SB 1863, SB 1867, SB 1873, SB 1879, SB 1891, SB 1899,
SB 1913, SB 1917, SCR 27

SIGNED BY GOVERNOR

May 27, 2013

SB 163

SENT TO COMPTROLLER

May 28, 2013

SB 1

SENT TO GOVERNOR

May 28, 2013

SB 2, SB 7, SB 8, SB 21, SB 44, SB 58, SB 59, SB 64, SB 66, SB 107, SB 126,
SB 146, SB 148, SB 149, SB 176, SB 200, SB 211, SB 213, SB 215, SB 217,
SB 219, SB 227, SB 268, SB 270, SB 281, SB 320, SB 321, SB 345, SB 347,
SB 358, SB 359, SB 392, SB 396, SB 414, SB 421, SB 429, SB 454, SB 460,
SB 484, SB 492, SB 511, SB 534, SB 549, SB 578, SB 644, SB 646, SB 652,
SB 656, SB 690, SB 692, SB 700, SB 709, SB 745, SB 839, SB 841, SB 872,
SB 894, SB 901, SB 910, SB 918, SB 949, SB 950, SB 971, SB 993, SB 997,
SB 1003, SB 1017, SB 1023, SB 1031, SB 1058, SB 1090, SB 1106, SB 1116,
SB 1150, SB 1158, SB 1159, SB 1173, SB 1192, SB 1210, SB 1214, SB 1216,
SB 1226, SB 1234, SB 1265, SB 1285, SB 1289, SB 1292, SB 1317, SB 1356,
SB 1365, SB 1368, SB 1373, SB 1388, SB 1390, SB 1398, SB 1411, SB 1419,
SB 1430, SB 1458, SB 1512, SB 1525, SB 1536, SB 1546, SB 1596, SB 1599,
SB 1601, SB 1606, SB 1610, SB 1620, SB 1623, SB 1630, SB 1643, SB 1678,
SB 1681, SB 1702, SB 1720, SB 1727, SB 1729, SB 1730, SB 1747, SB 1773,
SB 1795, SB 1853, SB 1871, SB 1877, SB 1906, SB 1907, SB 1908, SB 1910,
SB 1914, SB 1916, SB 1921, SCR 38, SCR 39, SCR 40, SCR 41, SCR 42, SCR 43,
SCR 44, SCR 45, SCR 46, SCR 49

SIGNED BY GOVERNORMay 28, 2013**SB 259**May 29, 2013**SB 247****SENT TO SECRETARY OF STATE**May 30, 2013**SJR 1, SJR 18, SJR 42****SENT TO GOVERNOR**June 5, 2013**SB 1****SIGNED BY GOVERNOR**June 10, 2013**SB 441**

In Memory
of
Rex Neal Van de Putte
Senate Resolution 1097

WHEREAS, The Senate of the State of Texas joins citizens across the state in mourning the untimely loss of Rex Neal Van de Putte, who passed away on May 7, 2013, at the age of five and one-half months; and

WHEREAS, Rex Van de Putte was born on November 16, 2012, to Samantha Isaacs and Gregory Rex Van de Putte; he was heartily welcomed into this world by his parents and his brothers, Elliot and Asher, and by his grandparents and many other relatives and friends; and

WHEREAS, Even before his birth, Rex was special and deeply loved, so his arrival was an occasion for great joy on the part of his entire family; and

WHEREAS, An adorable baby boy with beautiful blue eyes and a winsome smile, Rex was a charmer; he had a sweet chuckle and an easy disposition and his own distinctive and engaging personality; and

WHEREAS, Rex was blessed to have the love of two wonderful dedicated and caring parents, and although his time on this earth was tragically short, his love for them and the joy he brought them are gifts they will treasure forever; and

WHEREAS, Rex was an endearing, cherished, special little person, and his brief presence among us reminds us to embrace life's most precious moments and hold them close to our hearts; and

WHEREAS, While he graced this world for only a few months, Rex Van de Putte was beloved by many, and he leaves behind memories that will continue to live in the hearts and minds of all who were blessed to know him; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 83rd Legislature, hereby extend sincerest condolences to our bereaved colleague, Senator Leticia Van de Putte, and the entire family of Rex Neal Van de Putte; 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 of the 83rd Legislature adjourns sine die this day, it do so in memory of Rex Neal Van de Putte.

ZAFFIRINI
WHITMIRE

In Memory
of
Remarcus Larry West
Senate Resolution 1098

WHEREAS, The Senate of the State of Texas joins the citizens of Dallas and Texans across the state in paying tribute to the life of Remarcus Larry West, who died December 26, 2011, at the age of 33; and

WHEREAS, Born in Houston on October 3, 1978, Remarcus West spent his childhood years in Dallas, where he attended Good Street Baptist Church and became a devout Christian at a young age; and

WHEREAS, Remarcus graduated from Duncanville High School in 1997 and went on to pursue his studies at the University of North Texas and at Prairie View A&M University; he was employed for a time at Southwest Airlines, and he took pleasure in his work and was well-liked by his co-workers, who enjoyed his cheerful nature and his sense of humor; and

WHEREAS, Remarcus dreamed of furthering his education by studying photography in New York, but he battled a longtime illness that prevented him from achieving his goal; he nevertheless took time to shadow several well-known photographers as a means of pursuing his interest and cultivating his own talent; and

WHEREAS, Remarcus was beloved by his peers and admired for his talent as a coalition builder who had the ability to bring people together regardless of their differences; he was also noted for his strength and optimism, and his steadfast courage in the face of his illness was inspirational to all who knew him; and

WHEREAS, In spite of the challenges in his life, Remarcus remained undaunted; he was an adventurous, free-spirited man who was quick to laugh, was a bit of a daredevil, and loved to travel; he was also a warm, caring, kindhearted person who was devoted to his parents, siblings, and friends; and

WHEREAS, Remarcus West lived his life to the fullest and never gave up hope; an extraordinarily brave person with high standards and a generous spirit, he will long be remembered with affection and appreciation by all who were privileged to know him; and

WHEREAS, In memory of Remarcus West, the Remarcus L. West Memorial Scholarship Fund has been established at the University of North Texas at Dallas; the scholarship is intended to help students surmount their own obstacles and attain their dreams and educational goals, and it will serve in the years to come as a reminder to all of the exemplary life of Remarcus L. West; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 83rd Legislature, hereby extend sincere condolences to our bereaved colleague, Senator Royce West, and the entire family of Remarcus Larry West; and, be it further

RESOLVED, That a copy of this Resolution be prepared for the family as an expression of deepest sympathy from the Texas Senate, and that when the Senate of the 83rd Legislature adjourns sine die this day, it do so in memory of Remarcus West.

NELSON
WHITMIRE

In Memory
of
Gregory Steven Spaw
Senate Resolution 1099

WHEREAS, The Senate of the State of Texas mourns the untimely passing on November 5, 2012, of Gregory Steven Spaw, the beloved youngest child of Steve Spaw and Secretary of the Senate Patsy Spaw; and

WHEREAS, The death of a child is an unfathomable tragedy that forever alters the family and loved ones left behind; whether the child is four or 40, their premature passing leaves a void in the lives of those near and dear to them that cannot be filled; yet their death can also cause us to remember and reflect—on the cherished memories they created, on the lessons they taught us, and on the influence they still have on our daily lives despite their physical absence; and

WHEREAS, Greg Spaw was born in Austin on April 4, 1972, and when he was five, the family moved to Elgin; he attended Elgin schools and, later, Tarleton State University and Texas A&M University; at Elgin High School, he was a noted all-around athlete, and in his senior year, he was named to the all-state baseball team; and

WHEREAS, For Greg, baseball was a game not just to play but to study and to teach; one of his greatest passions was coaching his children, and he used the game to teach his players life lessons and to instill in them the benefits of teamwork, sacrifice, and camaraderie; Greg was unfailingly positive with his players, preferring to build them up with words of encouragement rather than tear them down with criticism; and

WHEREAS, Greg took the same loving approach with his family, to whom he was steadfastly devoted; in all the things he did, he sought to make his home a safe and joyous one for his family; they were the center of his life, and the happiness he brought them and the memories they shared will live forever in the hearts of his beloved wife, Becky, and their seven children, Tyler, Taylor, Jackie, Caleb, Trinity, Gregory, and Cadie; and

WHEREAS, Greg was a special person, and people were easily drawn to him due to his natural charisma; the twinkle in his eye, his disarmingly quick grin, and his firm handshake and warm "howdy" endeared him to everyone he met; and

WHEREAS, Beloved by his friends and respected by his co-workers, he was a genuine and kindhearted person who truly loved helping others and always made time for them; a true Aggie, he was a man of deep conviction whose word was his bond, and he worked hard to teach his children the value of honesty; and

WHEREAS, Greg had a strong appreciation for the simple things in life; a bear of a man with incredible strength, he enjoyed the outdoors and found great beauty in the natural world—he loved animals, flowers and trees, hay meadows, and the spring rain; and

WHEREAS, Though Greg's time on this earth was too short, he left an imprint on the world that will not be forgotten by his parents, by his wife, children, and grandchildren, by his three siblings and their spouses, and by all those who were blessed to know him and to share in his life; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 83rd Legislature, hereby extend sincerest condolences to our bereaved Secretary of the Senate, Patsy Spaw, and the entire family and other loved ones of Gregory Steven Spaw and join them in grieving his absence and in celebrating his life and legacy; and, be it further

RESOLVED, That a copy of this Resolution be prepared for them as an expression of deepest sympathy from the Texas Senate, and that when the Senate of the 83rd Legislature adjourns sine die this day, it do so in memory of Greg Spaw.

ELTIFE
WHITMIRE





