

SENATE JOURNAL

EIGHTY-FOURTH LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

SIXTY-FOURTH DAY

(Monday, June 1, 2015)

The Senate met at 10:30 a.m. pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Bettencourt, Birdwell, Burton, Campbell, Creighton, Ellis, Eltife, Estes, Fraser, Garcia, Hall, Hancock, Hinojosa, Huffines, Huffman, Kolkhorst, Lucio, Menéndez, Nelson, Nichols, Perry, Rodríguez, Schwertner, Seliger, L. Taylor, V. Taylor, Uresti, Watson, West, Whitmire, Zaffirini.

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

Senator Estes offered the invocation as follows:

Sovereign Lord, we give You great thanks for a successful session. Thank You for these men and women gathered for the last day of it. You alone determine the destinies of Your children. Today, You will allow Your servant Kevin Eltife to ascend to the office of President Pro Tempore of the Texas Senate. Give him wisdom and knowledge to govern the people of Texas in this office. Bless his going out and his coming in. Protect him from evil and grant him every success. Bless his family during this time, and may all he sets his hand to do bring glory and honor to Your holy name. Help him to be a great blessing to the people of Texas. 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.

MOTION IN WRITING

Senator Whitmire offered the following Motion In Writing:

Mr. President:

I move that a committee of five Members of the Senate be appointed by the President to notify the Governor that the Senate has completed its legislative duties and is preparing to adjourn Sine Die.

WHITMIRE

The Motion In Writing was read and prevailed without objection.

Accordingly, the President appointed the following Committee to Notify the Governor: Senators Whitmire, Chair; Nelson, Schwertner, Birdwell, and L. Taylor.

MOTION IN WRITING

Senator Whitmire offered the following Motion In Writing:

Mr. President:

I move that a committee of five Members of the Senate be appointed by the President to notify the House of Representatives that the Senate has completed its legislative duties and is preparing to adjourn Sine Die.

WHITMIRE

The Motion In Writing was read and prevailed without objection.

Accordingly, the President appointed the following Committee to Notify the House of Representatives: Senators Hancock, Chair; Menéndez, Kolkhorst, Uresti, and Bettencourt.

PHYSICIAN OF THE DAY

Senator Nelson was recognized and presented Dr. Linda Ball of Fort Worth as the Physician of the Day.

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

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 55, SB 108, SB 142, SB 202, SB 207, SB 287, SB 459, SB 630, SB 652, SB 740, SB 825, SB 866, SB 907, SB 995, SB 1004, SB 1034, SB 1073, SB 1309, SB 1317, SB 1364, SB 1367, SB 1369, SB 1459, SB 1510, SB 1574, SB 1593, SB 1624, SB 1750, SB 1812, SB 1824, SB 1867, SB 1913, SB 1928, SB 2002, SCR 49, SJR 5.

HB 7, HB 12, HB 20, HB 30, HB 74, HB 77, HB 211, HB 463, HB 530, HB 583, HB 751, HB 786, HB 839, HB 910, HB 923, HB 1170, HB 1171, HB 1184, HB 1265, HB 1334, HB 1378, HB 1424, HB 1446, HB 1491, HB 1583, HB 1621, HB 1624, HB 1633, HB 1681, HB 1690, HB 1783, HB 1949, HB 1969, HB 1982, HB 2076, HB 2123, HB 2186, HB 2206, HB 2255, HB 2259, HB 2286, HB 2349, HB 2381, HB 2475, HB 2486, HB 2489, HB 2684, HB 2696, HB 2826, HB 2950, HB 2974, HB 3078, HB 3121, HB 3163, HB 3193, HB 3212, HB 3302, HB 3310, HB 3387, HB 3424, HB 3511, HB 3519, HB 3523, HB 3579, HB 3603, HB 3605, HB 3888, HB 4059, HB 4099, HB 4154, HB 4155, HB 4156, HB 4168, HCR 134, HCR 137, HCR 139, HCR 142.

SENATE RESOLUTION 1073

Senator Hancock offered the following resolution:

WHEREAS, It is with great pride that the Texas Senate has selected both a very special employee, Sharon Scarborough, and the outstanding staff of Senate Media Services as the 2015 administrative recipients of the Betty King Public Service Award; and

WHEREAS, One of the Senate's most loyal and respected employees, Sharon exemplifies the best in Senate service, and during her long and productive tenure of more than 22 years, she has earned the admiration and affection of the senators and her Capitol colleagues; and

WHEREAS, In 1993, she joined the proofing department of Senate Engrossing and Enrolling, where she served with distinction and was the assistant proofing supervisor; she became interim director of Senate Media Services in 2001 and was named director in 2002, and she has been in charge of a dedicated team that has portrayed the story of the Texas Senate through photographs and videos of the highest quality; and

WHEREAS, Known for their high standards and attention to detail, Sharon and the media staff members produce the Senate's audio and video news releases and photograph senators and action on the Senate floor; they maintain the video recording systems in the Senate Chamber and committee rooms, and they have a long-established reputation for carrying out their duties proficiently and with dedication and enthusiasm; and

WHEREAS, As head of the department, Sharon has distinguished herself as an effective team leader who is known as much for the courtesy with which she treats others as for her organizational and professional strengths, and she and the Media Services staff have faced difficult and demanding hours with remarkable composure and focus on task; and

WHEREAS, Sharon is a much-cherished and highly respected Senate employee, and she and all of the staff members of Media Services are most deserving of their selection as administrative recipients of the prestigious Betty King Public Service Award; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 84th Legislature, hereby commend Sharon Scarborough and the entire staff of Senate Media Services on their invaluable contributions to the Texas Senate and extend to them congratulations on earning a 2015 Betty King Public Service Award; and, be it further

RESOLVED, That a copy of this Resolution be prepared as a tribute to their excellent work.

SR 1073 was read and was adopted without objection.

All Members are deemed to have voted "Yea" on the adoption of the resolution.

SENATE RESOLUTION 1074

Senator Hancock offered the following resolution:

WHEREAS, It is a pleasure for the Texas Senate to honor a treasured staff member, Elizabeth "Bitsy" Rice, by naming her the 2015 legislative recipient of the Betty King Public Service Award; and

WHEREAS, Bitsy Rice joined Senator Nelson's staff in 2009; she serves as the senator's scheduler, a position that entails a wide variety of responsibilities; and

WHEREAS, Noted for her kindness and her gracious manner, Bitsy is beloved by her colleagues, and during her six years of employment, she has served the Senate with distinction; Bitsy handles her responsibilities with dedication and skill, and she is held in highest regard by legislators and by staff members throughout the Capitol; and

WHEREAS, She is a true team leader who approaches her duties with a positive attitude and a cheerful spirit; during the 2015 session, she has given invaluable assistance to the novice schedulers in other Senate offices by helping them to understand the details of the scheduling process and the scope of their responsibilities; she addressed their concerns with respect and the utmost patience, and she became a cherished mentor who helped them to gain confidence in facing the challenges of their new positions; and

WHEREAS, A role model for anyone in public service, Bitsy is known for her warm and genial personality and her ability to accomplish whatever mission is set before her; her high standards and commitment to excellence represent the finest qualities of this institution; and

WHEREAS, Bitsy's ready smile and her ability to maintain composure, even in the midst of the turmoil of a legislative session, endear her to all who know and work with her; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 84th Legislature, hereby extend to Elizabeth "Bitsy" Rice sincere appreciation for her outstanding service to the Texas Senate and congratulations on earning a 2015 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 1074 was read and was adopted without objection.

All Members are deemed to have voted "Yea" on the adoption of the resolution.

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 11, SB 20, SB 313, SB 507, SB 523, SB 551, SB 632, SB 776, SB 1007, SB 1071, SB 1139, SB 1191, SB 1316, SB 1338, SB 1465, SB 1630, SB 1756, SB 1882, SB 1964, SB 1999, SCR 52.

HB 6, HB 26, HB 32, HB 100, HB 189, HB 200, HB 311, HB 382, HB 483, HB 743, HB 824, HB 991, HB 1295, HB 1305, HB 1396, HB 1454, HB 1559, HB 1585, HB 1905, HB 1915, HB 1919, HB 2019, HB 2150, HB 2162, HB 2187, HB 2205, HB 2291, HB 2398, HB 2404, HB 2633, HB 2641, HB 2645, HB 2804, HB 2968, HB 3106, HB 3123, HB 3535, HB 3615, HB 3736, HB 4175, HCR 118, HCR 135, HCR 138, HCR 143, HCR 144.

SENATE RESOLUTION 1075

(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 June 1, 2015, and attended by 29 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 84th 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—Tracy Ortiz;
- (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 84th 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 84th 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 84th 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 84th 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 84th 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 85th Legislature shall vacate their senate offices by December 1, 2016.

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 1075 was read and was adopted by the following vote: Yeas 31, Nays 0.

ELECTION OF PRESIDENT PRO TEMPORE AD INTERIM EIGHTY-FOURTH LEGISLATURE

The President announced that the time had arrived for the election of President Pro Tempore Ad Interim of the 84th Legislature.

Senator Whitmire placed in nomination the name of Senator Kevin Eltife for the office of President Pro Tempore Ad Interim of the 84th Legislature.

On motion of Senator West 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:

Senator Whitmire: Thank you, Mr. President and Members. I rise to nominate Senator Kevin Eltife from Tyler as the Senate's President Pro Tempore for the interim of the 84th legislative session. I want to first thank my close friend for asking me because it is an honor and an opportunity each of our Members could fulfill because, Kevin, to serve with you is to like you and respect you even when we disagree. Senator Eltife, you show us how to disagree without being disagreeable. I'm pleased, honored to nominate Senator Eltife because he's a Senator's Senator, the ultimate compliment we can give a colleague. What makes him a Senator's Senator? Let me put a face on it. First, he is a man of strong faith in God. Senator Campbell, he knows we serve God through our public service. He has God with him every day he enters the Capitol. And he knows the ultimate judgment is not the next election, Members, but when we are judged by our heavenly Father, and we better be ready to be able to show that we left this place a better place than we found it. And Senator Eltife, Members, will be ready for that judgment day. Another reason he's a Senator's Senator is his devotion to his family. His love and devotion to his wife, Kelly, his sons, Walker and Jack, shows every day of his life. To be with this family, to see their love and closeness, just demonstrates what a great family and how blessed they are. When we adjourn during the session, at the end of the week, I know where to find Senator Eltife. He's headed home. He's a Senator's Senator because of his commitment to his district, our state, and nation. And just to note, Members, it did not begin when he was elected to the State Senate. To digress a moment, I will mention his service on the Tyler City Council where he ran because he was disgusted as a businessman that he couldn't get a permit. Probably the ultimate or the beginning of a tea party attitude, I would suggest. He was fed up with government. And he ran and got elected and then he saw its inefficiencies, and he ran for Mayor, cut property taxes, did away with debt. And to this day, Tyler is one of the safest, cleanest places in the state to live because of the service and vision of Mayor Eltife. And, of course, to be a Senator's Senator you cannot just represent your district, you have to remember first, obviously, who sent you to Austin, which Kevin does, but you also have to help your colleagues and other Senators represent their district. I've never seen anyone in my 32 years that goes about daily helping other Senators be effective in representing their districts. Members, I know that Senator Eltife regularly works with our Presiding Officer, Governor Patrick, the Speaker, and Governor Abbott, not for his legislative agenda or his priorities, but for all our priorities and the good of the Senate and the State of Texas. Let me close by giving you a real example of leadership. His second session, the week before we were leaving, a weekend that we were going to be in session, we were in caucus and a Member approached the caucus that she needed to go out of state to her daughter's graduation ceremony. And she asked that the caucus members, the Members of the Senate, not take up any subject that her vote might make the deciding vote. Senator rose and said, I respect your request, but I've got to go forward with my legislation. One vote was going to make the difference, Senator Birdwell, on a very serious issue. I did not know Kevin well, but he always sat at the back of the caucus, like he currently does, and here came a

young man springing to his feet and said, that's wrong. You go ahead and attend your daughter's graduation over the weekend, even if I have to change my vote. I said, wow, wow. He's a keeper. He was exercising his faith, Senator Hancock, his family value conviction and his dedication to public service. Members, the media and other groups regularly rank Members and come up with their top 10 for the session. I would tell anyone that can hear my voice that Senator Eltife should be one of our top 10 of this session. And let me say, also, because he's in my top 10 for all-time best Senators that I've served with. And that's a pretty good list, a sizeable list. Senator Eltife, I look forward to many, many more years of your public service because your district needs you, the state needs you, and this Senate needs you. Mr. President, I proudly and confidently place in nomination as President Pro Tempore for the interim of the 84th Legislature, the Honorable Kevin Eltife from Tyler, Texas. Thank you.

Senator Seliger: Thank you, Mr. President, Members. I figuratively rise to second the nomination of my fellow Member of the Class of 2004 to be President Pro Tempore of the Texas Senate. We'll go back to about 1980 or 1981, a party at the SAE house at The University of Texas attended by Senator Eltife and my wife. Was not the only party at that house that either one of them went to that year. And Kevin came back to a group of his fellow students and said, I've met Kelly Walker and I think I'm going to marry her. And eventually he did and showed the sort of vision of the future and the determination that translated to everything else he has done during his life. During the time that he was Mayor, he took his life experience, losing his father at a very young age and realizing that government has a role to play in the lives of people, a valuable one. And it is not out of character for elected officials to feel compassion while they drive the machinery of government, which is cold and machine-like. And he took, he felt that cities can run like businesses, responsibly and economically. And that people who live in a city are like customers of a business, and they will determine what kind of job they do. And to this day, as the Dean pointed out, the City of Tyler is a better place because Kevin Eltife was the Mayor. And those of us who were Mayors at that time realize that he was a role model for all the nation's Mayors. For somebody who really cares about people and realizes that you've got to make government work for people, it is that sincere feeling that government must be the servant of the people that when he ran against sitting Members of the House of Representatives, he was elected to the Senate. And today, if you ask any Member of this body if they had a really tough legislative experience, who would they most want on their side, at the top of everyone's list is Kevin Eltife. Because he will fight and he will help and he will use imagination and if he disagrees with you, it will be very quiet and it will always be gentlemanly, a role model for people who are dissident as well as proponents. A few times in the next 18 or 19 months, when the Lieutenant Governor and the Governor are out of the state, Kevin Eltife will be, for those periods of days, only be a few of them, he will be the Governor of Texas. And while this is a largely ceremonial job, it's also very, very symbolic. And everybody has their list of people who were model Governors and ideals, and for all of us around this room, it may be Coke Stevenson or John Connally or George W. Bush, but the story of Texas, the reason Texas shines like it does today is the story of leadership. And could there be anyone more representative of that extraordinary and special leadership in the State of Texas than Kevin Eltife? I second that nomination very, very proudly.

Senator Zaffirini: Thank you, Mr. President. What a pleasure and privilege it is to rise to second the President Pro Tempore nomination of the Senate's most popular Member and who is on every Senator's 10 best list, Senator Kevin Eltife. Denis Waitley so wisely wrote, The greatest gifts you can give your children are the roots of responsibility and the wings of independence. Senator Eltife's mother, Mollie, gave him those great gifts, and that is why in the Texas Senate we know and love him for his deeply rooted responsibility in bringing people together and solving problems and for his inimitable independence in forcing others to face those problems, not sugarcoat them. Why do I bring up Mrs. Eltife? Because you may think you know Senator Eltife very well, but you probably didn't know he is a good old-fashioned mama's boy and proud of it. Kevin was only one when his father died, and his mother never remarried. His single mother brought up her three children with minimal financial resources, mostly from Social Security income and veterans' benefits. He lovingly credits her for his compassion for the less fortunate, his belief in the power of education, his impatience with hypocrites, and, of course, his reliable responsibility and spirited independence. You may know that Senator Eltife is a highly successful businessperson in Tyler, owner of Eltife Properties, but you may not know that he is a self-made man who started his first business when he was nine. Those mean little bullies who initially picked on him because he was small, because he was Catholic, because he was poor, soon loved him for his candy. From them he learned not to back down simply because the opposition was bigger or richer or more powerful, a lesson learned that prepared him to deal with bullies in the Texas Legislature. You may know Senator Eltife for his honesty, integrity, and kindness, but you may not know that he is a proud and fervent Catholic. He goes to mass with his family every Sunday, believes in the power of prayer, and personifies the Catholic traditions of compassion, forgiveness, and social justice. His mother may have given him the roots of responsibility and his wings of independence, but today his family keeps him grounded and inspired. His beautiful, talented, and intelligent wife, Kelly, and their beloved sons, Walker and Jack, are the loves of his life, his pride and joy. What he wishes for them is what he wishes for all Texas families. Bolstered by them, he strives to improve the quality of life of others, for example, by fighting to allow patients with epilepsy to be soothed with cannabis oil. A conservative Republican who works with anyone interested in solving problems, he also is the Senate's Mr. Fix-It, our go-to man. Regardless of title or position, he has the ultimate power based on the personality and character that cause us not only to like and respect him, but also to accept and trust him as our leader. He listens respectfully, tells the truth, never panders for votes, and refuses to compromise his principles. Those who describe him as courageous are wrong, for he is fearless, not brave. Who would have thought that the little mama's boy who befriended bullies by selling them candy would grow up to be revered as one of the Texas Senate's all-time most effective leaders for always doing what is right and suffering the consequences. That is why he reminds me of those beautiful words from William Ernest Henley's "Invictus," It matters not how strait the gate, How charged with punishment the scroll, I am the master of my fate. I am the captain of my soul. To paraphrase Henley, we thank whatever gods may be for his unconquerable soul. Senator Eltife, your passionate independence and unconquerable soul clearly are the foundation from which you will

be an outstanding President Pro Tempore and Governor of Texas when the Governor and Lieutenant Governor are out of state. I am proud to second your nomination. Thank you, Mr. President and Members.

Senator Uresti: Thank you, Mr. President and Members. Good morning. Distinguished guests, it is my honor to rise and nominate my dear friend, Kevin Eltife, to be President Pro Tempore. When I first walked onto the Senate floor, eight years ago, I met and made 30 new friends. But there was one Senator in particular whose charisma and demeanor stood apart from the rest and that Senator, of course, was Kevin Eltife. He had a firm handshake, a warm smile, and a type of confidence that told you he was the real deal. I came to know Kevin over the course of that session, and I've been proud to call him my friend ever since. During the course of my first session, I learned a great deal. And among the lessons that I learned was to emulate those Senators who represent their district tactfully, respectfully, and are able to disagree without ever being disagreeable. That was what Kevin Eltife did, and I wanted to be like him. No, not short and funny and making Rick Perry mad all the time, that was a joke, but smart, witty, respectful, strategic, effective, and most of all, a statesman. You can't help but like Kevin. Sure, he can get fired up once in a while, and he's passionate about the issues that he supports, but it's impossible to get mad at him even if you disagree with him, and it's even more difficult to say no when he asks for your support on a bill. He has the demeanor and the appeal that draws you in, and it's then that you notice how just effective he is with his easygoing nature. I'm not here to paint a rosy picture of Kevin Eltife just because it sounds good, it's because it's true. Every Member in this Chamber has paid witness to these characteristics. And given Senator Eltife's pedigree, I'm confident that his constituents know that it's true, as well. We have had some challenging sessions filled with divisive issues over the years, and they have led to some very rough days and long nights. When things looked daunting, as if a particular bill was about to blow up or die, Kevin would often become the go-to guy. His ability to bring a calm and a balance to the most delicate of issues is what makes him so effective. Sometimes solving a problem means bringing very passionate and ideologically opposed Members together. Sometimes it means bringing various stakeholders to the table that would rather remain in the shadows. But regardless of the topic or the nature or the parties involved, Kevin can find a way to bring people together. Countless times per session, the go-to guy stepped up and found the middle ground by diffusing the situation. We saw that just this session with the tax issues between the House and the Senate. Now, for the audience that may not know, the President Pro Tempore steps up and serves as the Governor when Governor Abbott and Lieutenant Governor Patrick are out of Texas at the same time. So, knowing Kevin, he'll probably arrange for a 30-day cruise for both gentlemen and their families to be out of the state and try to pass some of the bills that didn't quite make it through this session. In closing, Members, Kevin is a man who loves his family and he puts them first. He's a man of integrity, principle, common sense, discipline, and honor. Kevin Eltife demonstrates political courage. Who else could have taken on the cannabinoid issue, an issue that at the beginning of the session was characterized as legalizing marijuana and after methodically setting the record straight, Kevin's bill will be signed by Governor Abbott this afternoon. That tenacity was found in many of the Texans whose portraits hang in this very Chamber. Senator

Eltife embodies those principles, and we have all benefited from his service to our state. In fact, I think his portrait would look pretty good right over there with other icons like Barbara Jordan, Lyndon B. Johnson, and Henry B. Gonzales. Kevin Eltife is the go-to guy that we all want to be like, but above all, he is my friend and I love him like a brother. And for these reasons, Mr. President and Members, I second the nomination of Senator Kevin Eltife as the President Pro Tempore.

Senator Nelson: Mr. President, I rise to second the nomination of Senator Kevin Eltife as President Pro Tempore of the Senate. This is one of the great traditions of this body and, Senator Eltife, your nomination is so well-deserved. You know, you were sworn in a month before my Governor for a Day ceremony, and I was very appreciative that you took the time to come to that event. And I remember thinking to myself, this is a smart freshman and a very thoughtful one, Senator. As has been stated several times, you are actually third in line to be Governor, should the occasion present itself, and I know it will. I think you will be a great Governor, the state will be in very good hands. From the beginning, Senator, it was clear that you are here to represent your district, to stand up for your principles, and that is something I love about you, we all love about you. You have brought such an important voice to our discussions, and you have been our conscience on many issues. I think back to our first Finance Committee hearing of the session, and you were very, very outspoken about several items that we needed to pay attention to. Pensions comes to mind, one of several, and at our first Finance Committee hearing you made a very strong case for addressing the needs of our state employees and their retirement benefits. We've taken major steps this session because of your persistence. And I have no doubt in my mind that we will continue to look at that issue because of your persistence. Debt was another issue that you kept reminding us we needed to address. My dad always comes to mind when you talk about debt because, you know, he was of that generation that believed that you should not take on debt, and, boy, did you remind us of that. My dad would wholeheartedly agree with your concerns about our state debt. You've taken on so many tough issues over the years, and because of that, you have our utmost respect. I know how much you care about your constituents. Senator Eltife invited me to come to his district, to Tyler, to go to a fundraising event. And I went and, you know, we all know his heart is always in the right place, but it was really fun to watch his constituents line up to thank him for what he did. And you know, all of us know how they line up to, want to talk to us about just one thing. And he listens, he listens, and he brings that back to this Chamber, and he represents his constituents. He loves them and they love him. Another thing, Senator, I just love about you is how much you love your family. Kelly, he tells story, you cannot believe the stories he tells about your courtship and your dating years and how much he misses you, and it's so obvious how much he loves you and his family. And I know, Senator, when your son was hurt and I called you and talked to you, you were telling me that you wish you were the one that would experience that pain, and you meant it. That's another thing we love about you, is how much you love your family. You are not just a good Senator, you are a good person. You are a good Senator, and I am proud to serve alongside you and call you not only my colleague but my friend. I am very proud to second your nomination for President Pro Tempore. Thank you, Mr. President.

On motion of Senator Whitmire, Senator Eltife was elected President Pro Tempore Ad Interim by a rising vote of the Senate.

The President declared that the Honorable Kevin Eltife had been duly elected President Pro Tempore Ad Interim of the 84th Legislature.

The President appointed the following committee to escort Senator Eltife and his family to the President's Rostrum: Senators Hancock, Hinojosa, Huffman, Watson, and West.

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

OATH OF OFFICE ADMINISTERED

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

I, Kevin Eltife, 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 Eltife addressed the Senate as follows:

I want to thank my colleagues for their kind words, five individuals whom I trust and admire and who have helped me grow during my time in the Senate. To all my fellow Senators, I cannot adequately express to you my thanks for bestowing this honor upon me. Governor Patrick, I want to thank you for your great leadership this session and for allowing me to serve in various capacities in this great body. I want to thank the eight members of the liberty caucus for advancing my seniority in the Senate in such a short period of time. As we all know, our success on the floor is really due to the hard work of our staff. I would like my staff to stand and let me publicly thank you for your incredible work on my behalf. Cheryl, Chuck, Nancy, Connie, Ryan, Travis, Dee, Stacey, Mattie, Pete, Brady, JW, Ruth, Madeline, and Joseph. Every one of my staff members do so much for me and the citizens of Texas. Thank you very much. As former Chair of Administration, I was fortunate to work hand-in-hand with the Senate staff, and we can never thank them enough. Patsy, Karina, Colby, Austin, Rick, Mary who takes such good care of us in the Senate lounge, and as you all know the list goes on, but I wanted to take time to express my appreciation to all of them for making this place run so effectively and efficiently and making sure every Senator looks good and succeeds at our work here in the Texas Senate.

There is nothing more important to me than my faith, my family, and my friendships. To my wife, Kelly, who has put up with me for 29 years, I love you and appreciate all the support you have given me over the years. As all of us know, the real sacrifice made by those of us in public office is made by our families, and I am so blessed to have an incredible family that has

supported me for the 20-plus years I have spent in public office. I have two incredible sons I am very proud of, Walker and Jack. Walker could not be with us today as he starts summer school at Texas Tech. With us here today is Jack, someone many of you may have never met, but every Senator has asked me about. On March 5, Jack had an accident which landed him in the hospital in ICU for seven days. I have never felt as much heartache and worry in my life as I did seeing him laying in his hospital bed with very little I could do to help. By the grace of God and the prayers of so many, I am proud he is with us here today. We talk about the Senate being a family, and I felt it during our time of need. Every Senator at some point called, texted, or came by expressing concern and offering prayers. I will never forget your concern and will forever be grateful.

My grandparents immigrated to this country from Lebanon for a better life and to pursue the American dream. They could not read or write English when they settled in Tyler. The good people of Tyler welcomed them and helped them succeed, a lesson I have never forgotten.

The one person in my life most responsible for me standing before you today as President Pro Tem is my mother. She passed away nine years ago, and not a day goes by that I do not think about her and miss her. Every one of you would have loved my mother. My father died when I was a year and a half old, leaving my mother with three children ages one and a half, four, and nine years old to raise on her own. She never remarried, dedicating the rest of her life to raising her three children. We had very little, raised on Social Security and veterans' benefits. To this day, I have never figured out how she made it all work. If you showed up at our house, no matter what time of day, you were going to sit down and eat one of her incredibly cooked meals. If you showed up at Christmas, she would walk to the back room and return with a wrapped Christmas present for you. Every Christmas it was my job to wrap something up to give the sanitation workers. She taught me no matter how little you have, there are always others with less and it's our job to help those in need and treat everyone with dignity and respect. She was simply an amazing person, and so much of my everyday life revolves around what she taught me. Philippians 2:4 tells us, Each of you should look not only to your own interests but also to the interest of others. That scripture describes how my mother lived her life and what she instilled in me. She made it very clear to me, if you're going to serve in public office, you stand up for the less fortunate and stay true to yourself. I believe I have stayed true to my mother's advice and she would be very proud of my service in the Texas Senate.

Politically, I stand before you as an accident. I have never really understood politics, and I have a voting record to prove it. I ran for Tyler City Council as a result of being denied a variance on a construction project. It was not that I was told no but how that I was told. I felt like city hall needed to treat anyone that walked through the door as a customer. I filed for city council and once there realized our city relied on debt and ever-increasing property taxes to fund city government. After four years on the council, I worked

with city management and councilmembers to develop a pay-as-you-go plan. I championed the election to raise the sales tax with a promise to eliminate general obligation bond debt, lower property taxes, and only pay cash for capital improvements. Much has not changed as back then the taxpayer groups called me a tax and spend liberal and fought hard to defeat my plan at the ballot box. We won that sales tax increase election over the objection of the taxpayers group. Months later I ran for Mayor to fully implement the plan. When I took office as Mayor, the Tyler city property tax rate was .54 cents. When I left office as Mayor six years later, it was cut in half to .24 cents. We have totally eliminated Tyler's general obligation bond debt and pay cash for all our improvements, building roads, water infrastructure, parks, drainage, fire stations, and the list goes on, all paid for in cash. Label me whatever you want, there is no city in the State of Texas run more conservatively than Tyler, Texas. When you are willing to use your political capital to govern, great things can happen for those you represent.

I share my family and political history with you only so you will understand my position on issues and my desire to see us solve problems in state government. As Dean Whitmire would say, I wanted to put a face on it. Just like me, each one of you has a story to tell. It is our differences that make us stronger as a body. We should celebrate and embrace our diversity. Every single Member brings so much to the table, working together we can solve our state's most pressing problems.

My service in the Texas Senate began with a special election in 2004 and then a special session on school finance. Since my election, I have served in six regular sessions and too many special sessions to count. I campaigned in 2004 on issues I felt needed to be addressed in state government, which included funding for roads, water infrastructure, pension funds, school finance reform, and putting the state on a pay-as-you-go plan like we had implemented in city government. Some 10 years later we still are confronted by the same problems. What I have seen over the last 10 years is a doubling of the state's debt, a growing pension liability. We have built roads with bond debt and toll roads, some owned by the private sector. Toll roads have a place, but the state should own them, and when the debt is paid off, either eliminate the toll or create cash flow for future state projects. I have argued since getting here it would have been much more conservative to have raised the gas tax 10 years ago, indexed it to inflation, and paid cash for these projects instead of incurring the debt. Our state facilities have been neglected to the point our deferred maintenance grew from 400 million to 1.5 billion over the last 10 years. We are back in the courthouse on school finance. We must solve problems. We must govern.

I am very proud of our work this session. The first step in solving problems is to admit you have a problem. I am proud of our new leadership who is committed to solving problems. Our Finance Chair, Jane Nelson, did an outstanding job crafting a budget that starts us down the road of addressing our many needs. As she has stated many times, we did not get here

overnight and we will not solve these problems overnight, and she is exactly right. Thanks to Governor Patrick and Senator Nelson and our colleagues in the House, we are tackling our facility needs. Governor Patrick appointed a select committee on facilities and this budget commits over 500 million for improvements. Governor Patrick told us to be bold and we have. Senator Huffman worked tirelessly to put in place a future plan to tackle our pension issues. Senate Finance made clear this is a problem that must be dealt with, and I believe we have a true commitment to work on this problem in the interim. Senator Nichols continues to beat the drum on putting in place a consistent long term revenue source to fund roads. Members, I know from time to time I get frustrated and that frustration spills over into a tirade or two. I know every time I hit my light to speak in Finance, everyone would get a little concerned, but please understand my frustration is a desire to see us all succeed in tackling the state's toughest issues.

I believe that we have leadership in place that is committed to tackling these tough issues. I am not sure how much I have contributed to this body, not sure how much I have helped this state, but I can tell you I have always stood up for what I believe is in the best interest of my district and this state. My life has been enriched by my time in the Texas Senate. This body is about friendship. I have made friendships that will last a lifetime. It's about reaching across the aisle and working together. It's about taking care of each other in time of need. It's treating every Member and all of our staff with respect. Many Members have come and gone since I have been in the Senate, and I have said before I honestly do not remember them for what committee they chaired or what legislation they may have passed. What I do remember them for is how they treated fellow Members and how they treated staff. My hope is when my time in the Senate is complete, you will remember me as someone who was open-minded, fair, and willing to help every Member of this body succeed. This truly is one of the greatest legislative bodies. I am honored to serve with you and honored that you have elected me your President Pro Tem. May God bless each and every one of you, and may He continue to bestow a special blessing on Texas.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Monday, June 1, 2015 - 1

The Honorable President of the Senate
Senate Chamber
Austin, Texas

Mr. President:

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

THE HOUSE HAS PASSED THE FOLLOWING MEASURES:

HCR 149

Isaac

Instructing the enrolling clerk of the house to make corrections in H.B. No. 3405.

SCR 50

West

Instructing the enrolling clerk of the senate to make corrections in S.B. No. 968.

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

SENATE RESOLUTION 1021

Senator Lucio offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to recognize June 1, 2015, as "El Día de la Guayabera" and Guayabera Day in Texas; and

WHEREAS, The guayabera shirt has been a symbol of Latin American fashion since its inception in the 1700s; formerly a white, starched, long-sleeved shirt worn by businessmen, the shirt is now worn by men and women of all ages and backgrounds and is also produced with short sleeves and in an array of colors; and

WHEREAS, This distinctive shirt is characterized by a vertical row of embroidery or tiny pleats on the front panels with two or four patch pockets; it was first introduced as an alternative to traditional business suits in the humid Latin American climate, and in some areas it became traditional wear for ceremonies and weddings; its popularity spread when Cubans migrated to the United States; and

WHEREAS, Because of its comfort and versatility, the guayabera shirt has been adopted as a fashionable standard in countries around the world, yet it remains a testament to the beauty of Latin American fashion and culture; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 84th Legislature, hereby recognize June 1, 2015, as "El Día de la Guayabera" and Guayabera Day in Texas; and, be it further

RESOLVED, That a copy of this Resolution be prepared to commemorate this special day.

SR 1021 was again read.

The resolution was previously adopted on Wednesday, May 27, 2015.

SENATE NOTIFIED

A Committee from the House of Representatives appeared at the Bar of the Senate and notified the President and Members of the Senate that the House had completed its business and was ready to adjourn sine die.

HOUSE CONCURRENT RESOLUTION 149

The President laid before the Senate the following resolution:

WHEREAS, House Bill No. 3405 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 84th Legislature of the State of Texas, That the enrolling clerk of the house of representatives be instructed to make the following correction:

In added Section 8802.1045(g), Special District Local Laws Code, strike "water produced" and substitute "water authorized to be produced".

CAMPBELL

HCR 149 was read.

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

**VIDEO RELEASE POLICY WAIVED
(Motion In Writing)**

Senator Hancock submitted the following Motion In Writing:

Mr. President:

I move that the policy governing the release of videotapes of Senate proceedings be waived in order to allow Senator Eltife to have a videotape of today's session.

HANCOCK

The Motion In Writing was read and prevailed without objection.

**SENATE RULE 8.02 SUSPENDED
(Referral to Committee)**

Senator Uresti moved to suspend Senate Rule 8.02 to take up for consideration **HCR 145** at this time.

The motion prevailed without objection.

All Members are deemed to have voted "Yea" on suspension of Senate Rule 8.02.

HOUSE CONCURRENT RESOLUTION 145

The President laid before the Senate the following resolution:

WHEREAS, The Amistad International Reservoir, situated on the Texas-Mexico border near Del Rio, supplies water to numerous area communities for municipal, industrial, and agricultural purposes; yet, with a salt content near the upper limit of the Texas standard for drinking water, the reservoir may become an unusable resource for all; and

WHEREAS, Two of its main tributaries, the Rio Grande and the Pecos River, are heavily saturated with salt due to the composition of the surrounding land, which was once part of a great inland sea; when dry land emerged, salt from the sea was trapped in the soil and in underground aquifers; originating in New Mexico, the Pecos River, in particular, is one of the most saline waterways in North America and accounts for almost 30 percent of the salt loading of the reservoir; and

WHEREAS, The upper limit of Texas drinking water standards for minerals including salt is 1,000 milligrams per liter; when that limit is exceeded, municipalities that rely on water released into the Rio Grande from the Amistad Reservoir will face costly treatment methods to meet state standards; moreover, the elevated levels of salt may force farmers to discontinue the growth of certain crops; while fresh water inflow from runoff could help alleviate the salinity, the potential for such runoff is limited; and

WHEREAS, The Amistad International Reservoir is shared by the United States and Mexico, in accordance with the terms of a 1944 treaty; for that reason and because the reservoir's holdings derive from multiple states, it is incumbent on the national government to take the lead in addressing this urgent problem; and

WHEREAS, Congress began that process by enacting Section 729 of the Water Resources Development Act (WRDA) of 1986 and by developing a program under Section 5056 of WRDA of 2007, Pub. L. No. 110-114, that directs the secretary of the army to rehabilitate and enhance fish and wildlife habitats and to implement long-term monitoring, data collection and analysis, applied research, and adaptive management within the Rio Grande Basin; and

WHEREAS, Past studies must be evaluated to determine a strategy for moving forward; in addition, it is imperative that funding and continuing authority for Section 5056 of WRDA of 2007, which was extended until 2019 in Section 4006 of the Water Resources Reform and Development Act (WRRDA) of 2014, be fully funded so that efforts to solve the salt problem in the reservoir can continue; now, therefore, be it

RESOLVED, That the 84th Legislature of the State of Texas hereby recognize the secretary of the army for the work on the Amistad International Reservoir and for the effort to continue to find funds to carry out work related to Section 4006 of the Water Resources Reform and Development Act of 2014.

URESTI

HCR 145 was read.

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

GUESTS PRESENTED

Senator Estes was recognized and introduced to the Senate interns Shreya Banerjee and Katrina Smith.

The Senate welcomed its guests.

MOTION TO ADJOURN SINE DIE

On motion of Senator Whitmire, the Senate of the 84th Legislature, Regular Session, at 12:21 p.m. agreed to adjourn sine die, subject to the completion of administrative duties.

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 968, SB 1356, SCR 50.

HB 18, HB 408, HB 1842, HB 3184, HB 3405, HB 3994, HCR 126, HCR 132, HCR 145, HCR 146, HCR 147, HCR 149.

RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

Memorial Resolutions

SR 1070 by Watson, In memory of Maria Gonzalez Kennedy.

SR 1076 by Hinojosa, In memory of Pedro Saucedo.

Congratulatory Resolutions

SR 1069 by Uresti, Paying tribute to the natural and historic sites in the Lone Star State.

SR 1072 by Ellis, Recognizing Hudson Bradley and Ben Martinson for their sense of fair play and sportsmanship.

SR 1077 by Hancock, Recognizing staff members of the Legislative Reference Library for their service.

HCR 126 (Seliger), Honoring former Midland mayor Ernest Angelo Jr. for his civic contributions and professional accomplishments.

HCR 146 (Seliger), Congratulating Charles and Margaret Semple of Midland on their 50th wedding anniversary.

Official Designation Resolutions

SR 1071 by Ellis, Recognizing April 23, 2015, as Turkish-American Day in Texas.

HCR 132 (Lucio), Designating Brownsville as the official Bicycling Capital of the Rio Grande Valley for a 10-year period beginning in 2015.

ADJOURNMENT SINE DIE

The President announced that the hour for final adjournment of the Regular Session of the Eighty-fourth Legislature had arrived and, in accordance with a previously adopted motion, declared the Regular Session of the 84th Legislature adjourned sine die at 3:45 p.m.

APPENDIX

BILLS AND RESOLUTIONS ENROLLED

May 31, 2015

SB 11, SB 20, SB 313, SB 507, SB 523, SB 551, SB 632, SB 776, SB 1007, SB 1071, SB 1139, SB 1191, SB 1316, SB 1338, SB 1465, SB 1630, SB 1756, SB 1882, SB 1964, SB 1999, SCR 52, SR 1058, SR 1061, SR 1062, SR 1063, SR 1064, SR 1065, SR 1066, SR 1067, SR 1068

June 1, 2015

SCR 50, SR 1069, SR 1070, SR 1071, SR 1072, SR 1073, SR 1074, SR 1075, SR 1076, SR 1077

SENT TO SECRETARY OF STATE

June 1, 2015

SJR 1, SJR 5

SENT TO GOVERNORJune 1, 2015

SB 1, SB 11, SB 20, SB 55, SB 108, SB 142, SB 202, SB 206, SB 207, SB 208, SB 265, SB 277, SB 287, SB 313, SB 459, SB 496, SB 507, SB 523, SB 551, SB 593, SB 630, SB 632, SB 633, SB 652, SB 684, SB 699, SB 733, SB 740, SB 776, SB 825, SB 866, SB 907, SB 933, SB 968, SB 995, SB 1004, SB 1007, SB 1034, SB 1071, SB 1073, SB 1101, SB 1139, SB 1191, SB 1213, SB 1243, SB 1287, SB 1296, SB 1309, SB 1316, SB 1317, SB 1336, SB 1338, SB 1356, SB 1364, SB 1367, SB 1369, SB 1406, SB 1459, SB 1462, SB 1465, SB 1474, SB 1510, SB 1574, SB 1580, SB 1593, SB 1624, SB 1630, SB 1727, SB 1750, SB 1756, SB 1812, SB 1824, SB 1828, SB 1867, SB 1876, SB 1877, SB 1882, SB 1913, SB 1928, SB 1934, SB 1964, SB 1999, SB 2002, SCR 49, SCR 50, SCR 52

SIGNED BY GOVERNORJune 1, 2015

SB 60, SB 308, SB 339, SB 363, SB 463, SB 540, SB 607, SB 685, SB 853, SB 854, SB 978, SB 1008, SB 1485, SB 1554, SB 1654

VETOED BY GOVERNORJune 1, 2015**SB 359****VETO PROCLAMATION**

The following Veto Proclamation by the Governor was filed in the Office of the Secretary of State:

PROCLAMATION
BY THE
GOVERNOR OF THE STATE OF TEXAS

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Pursuant to Article IV, Section 14, of the Texas Constitution, I, Greg Abbott, Governor of Texas, do hereby disapprove of and veto Senate Bill No. 359 as passed by the Eighty-Fourth Texas Legislature, Regular Session, because of the following objections:

The Fourth, Fifth, and Fourteenth Amendments to the United States Constitution limit the state's authority to deprive a person of liberty. Under our constitutional tradition, the power to arrest and forcibly hold a person against his or her will is generally reserved for officers of the law acting in the name of the people of Texas. By bestowing that grave authority on private parties who lack the training of peace officers and are not bound by the same oath to protect and serve the public, SB 359 raises serious constitutional concerns and would lay the groundwork for further erosion of constitutional liberties.

Medical facilities have options at their disposal to protect mentally ill patients and the public. Many hospitals already keep a peace officer on site at all times. For smaller facilities, law enforcement are always just a phone call and a few minutes away. Medical staff should work closely with law enforcement to help protect mentally ill patients and the public. But just as law enforcement should not be asked to practice medicine, medical staff should not be asked to engage in law enforcement, especially when that means depriving a person of the liberty protected by the Constitution.

Since the Eighty-Fourth Texas Legislature, Regular Session, by its adjournment has prevented the return of this bill, I am filing these objections in the office of the Secretary of State and giving notice thereof by this public proclamation according to the aforementioned constitutional provision.

IN TESTIMONY WHEREOF, I have signed my name officially and caused the Seal of the State to be affixed hereto at Austin, this 1st day of June, 2015.

(Seal)

/s/Greg Abbott
Governor of Texas

ATTESTED BY:

/s/Carlos Cascos
Secretary of State

SIGNED BY GOVERNOR

June 3, 2015

SB 18, SB 239, SB 632

June 4, 2015

SB 20, SB 55, SB 807, SB 1049, SB 1358

June 9, 2015

SB 34, SB 44, SB 306, SB 734, SB 918, SB 1007, SB 1105, SB 1107, SCR 5, SCR 33

VETOED BY GOVERNOR

June 9, 2015

SB 408

VETO PROCLAMATION

The following Veto Proclamation by the Governor was filed in the Office of the Secretary of State:

PROCLAMATION
BY THE
GOVERNOR OF THE STATE OF TEXAS

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Pursuant to Article IV, Section 14, of the Texas Constitution, I, Greg Abbott, Governor of Texas, do hereby disapprove of and veto Senate Bill No. 408 as passed by the Eighty-Fourth Texas Legislature, Regular Session, because of the following objections:

Government has an obligation to spend no more of the taxpayers' money than necessary. All government contracts should be competitively bid, and the vendor who offers the best value to the taxpayers should be chosen every time. Senate Bill 408 would authorize counties to reject the best bid and instead spend 5 percent extra in order to select an in-county vendor. The needs of taxpayers should come before the needs of government or vendors. County governments should focus on protecting the public fisc – not steering business to local vendors who are not offering the value the taxpayers deserve.

Since the Eighty-Fourth Texas Legislature, Regular Session, by its adjournment has prevented the return of this bill, I am filing these objections in the office of the Secretary of State and giving notice thereof by this public proclamation according to the aforementioned constitutional provision.

IN TESTIMONY WHEREOF, I have signed my name officially and caused the Seal of the State to be affixed hereto at Austin, this 9th day of June, 2015.

(Seal)

/s/Greg Abbott
Governor of Texas

ATTESTED BY:

/s/Carlos Cascos
Secretary of State

SIGNED BY GOVERNOR

June 10, 2015

SB 367, SB 374, SB 755, SB 1081, SB 1280, SB 1389, SB 1657, SB 1734, SB 1889, SB 2054

June 11, 2015

SB 2065

June 13, 2015

SB 11

June 15, 2015

SB 1, SB 169, SB 481, SB 664, SB 667, SB 757, SB 761, SB 790, SB 795, SB 849, SB 904, SB 1057, SB 1115, SB 1235, SB 1308, SB 1589, SB 1760, SCR 28, SCR 37, SCR 42

FILED WITHOUT SIGNATURE OF GOVERNOR

June 15, 2015

SB 837

SIGNED BY GOVERNOR

June 16, 2015

SB 100, SB 188, SB 273, SB 295, SB 316, SB 332, SB 354, SB 409, SB 460, SB 478, SB 495, SB 512, SB 519, SB 536, SB 565, SB 569, SB 643, SB 662, SB 681, SB 754, SB 808, SB 822, SB 855, SB 858, SB 900, SB 940, SB 955, SB 961, SB 988, SB 991, SB 1051, SB 1202, SB 1210, SB 1214, SB 1267, SB 1301, SB 1326, SB 1339, SB 1341, SB 1351, SB 1396, SB 1420, SB 1463, SB 1467, SB 1714, SB 1725, SB 1737, SB 1776, SB 1844, SB 1878, SB 1918, SB 1987, SB 1989, SB 2030, SB 2038, SB 2049, SB 2055, SCR 26, SCR 39

FILED WITHOUT SIGNATURE OF GOVERNOR

June 16, 2015

SB 432, SB 1005, SB 1563, SB 2027, SB 2028, SB 2032, SB 2033, SB 2039, SB 2043, SB 2053, SB 2056

SIGNED BY GOVERNOR

June 17, 2015

SB 24, SB 46, SB 133, SB 200, SB 202, SB 236, SB 318, SB 462, SB 494, SB 582, SB 724, SB 746, SB 880, SB 881, SB 923, SB 932, SB 1025, SB 1070, SB 1135, SB 1148, SB 1149, SB 1162, SB 1457, SB 1496, SB 1517, SB 1726, SB 1880, SCR 22, SCR 40, SCR 41

FILED WITHOUT SIGNATURE OF GOVERNOR

June 17, 2015

SB 212, SB 789, SB 1129

SIGNED BY GOVERNOR

June 18, 2015

SB 206, SB 207, SB 277, SB 459, SB 633, SB 995, SB 1071, SB 1191, SB 1213, SB 1316, SB 1317, SB 1338, SB 1364, SB 1462, SB 1465, SB 1580, SB 1624, SB 1630, SB 1727, SB 1824, SB 1877, SB 1913, SCR 49, SCR 50, SCR 52

FILED WITHOUT SIGNATURE OF GOVERNOR

June 18, 2015

SB 1001, SB 1002, SB 1315, SB 1362, SB 1453, SB 1461, SB 1716, SB 1852, SB 1908, SB 2007, SB 2008, SB 2009, SB 2013, SB 2025, SB 2026, SB 2037, SB 2044, SB 2057, SB 2064, SB 2074, SB 2075

SIGNED BY GOVERNOR

June 19, 2015

SB 27, SB 37, SB 57, SB 58, SB 59, SB 108, SB 147, SB 158, SB 168, SB 183, SB 189, SB 208, SB 265, SB 267, SB 287, SB 304, SB 382, SB 386, SB 394, SB 453, SB 507, SB 523, SB 530, SB 550, SB 551, SB 610, SB 630, SB 631, SB 638, SB 652, SB 674, SB 699, SB 733, SB 735, SB 740, SB 752, SB 776, SB 791, SB 806, SB 813, SB 818, SB 821, SB 830, SB 833, SB 866, SB 873, SB 876, SB 907, SB 965, SB 968, SB 996, SB 1004, SB 1060, SB 1073, SB 1101, SB 1132, SB 1139, SB 1168, SB 1171, SB 1174, SB 1189, SB 1196, SB 1227, SB 1228, SB 1237, SB 1243, SB 1259, SB 1296, SB 1304, SB 1305, SB 1307, SB 1309, SB 1313, SB 1336, SB 1356, SB 1367, SB 1369, SB 1385, SB 1394, SB 1406, SB 1455, SB 1468, SB 1474, SB 1494, SB 1510, SB 1512, SB 1540, SB 1543, SB 1560, SB 1593, SB 1664, SB 1707, SB 1743, SB 1750, SB 1756, SB 1812, SB 1828, SB 1831, SB 1853, SB 1867, SB 1876, SB 1881, SB 1882, SB 1899, SB 1928, SB 1940, SB 1978, SB 1982, SB 1999, SB 2019, SB 2041, SB 2062

FILED WITHOUT SIGNATURE OF GOVERNOR

June 19, 2015

SB 1459, SB 1964, SB 2002

SIGNED BY GOVERNOR

June 20, 2015

SB 107, SB 142, SB 195, SB 593, SB 684, SB 760, SB 825, SB 917, SB 933, SB 1287, SB 1436, SB 1574, SB 1902, SB 1934

VETOED BY GOVERNOR

June 20, 2015

SB 130, SB 313, SB 496, SB 1032, SB 1034, SB 1408, SB 1655

VETO PROCLAMATIONS

The following Veto Proclamations by the Governor were filed in the Office of the Secretary of State:

PROCLAMATION

BY THE

GOVERNOR OF THE STATE OF TEXAS

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Pursuant to Article IV, Section 14, of the Texas Constitution, I, Greg Abbott, Governor of Texas, do hereby disapprove of and veto Senate Bill No. 130 as passed by the Eighty-Fourth Texas Legislature, Regular Session, because of the following objections:

After convicted criminals complete their sentences and repay their debts to society, their criminal records do not disappear. The reality for some individuals who have been charged with relatively minor crimes is that their records can follow them forever, making it difficult for them to find

employment and reintegrate into society. That is why I previously signed into law Senate Bill 1902, which authorizes courts in limited circumstances to seal the records of certain first-time misdemeanor offenders, to ensure that a minor criminal record is not a road block to an individual becoming a productive member of society even decades later. But the State's interest in reintegrating one-time, petty offenders must be balanced with an employer's right to know what they are getting when they make a hire. Senate Bill 130 goes too far because it would permit individuals who have committed even serious felonies (including crimes like manslaughter, arson, enticing of a child, and improper photography of a minor) to hide their heinous acts from employers. And it places no limits on the number of times repeat offenders can attempt to erase their past.

Since the Eighty-Fourth Texas Legislature, Regular Session, by its adjournment has prevented the return of this bill, I am filing these objections in the office of the Secretary of State and giving notice thereof by this public proclamation according to the aforementioned constitutional provision.

IN TESTIMONY WHEREOF, I have signed my name officially and caused the Seal of the State to be affixed hereto at Austin, this 19th day of June, 2015.

(Seal)

/s/Greg Abbott
Governor of Texas

ATTESTED BY:

/s/Carlos Cascos
Secretary of State

PROCLAMATION
BY THE
GOVERNOR OF THE STATE OF TEXAS

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Pursuant to Article IV, Section 14, of the Texas Constitution, I, Greg Abbott, Governor of Texas, do hereby disapprove of and veto Senate Bill No. 313 as passed by the Eighty-Fourth Texas Legislature, Regular Session, because of the following objections:

While Senate Bill 313 is intended to provide additional flexibility to school districts when purchasing classroom instructional materials, the bill potentially restricts the ability of the State Board of Education to address the needs of Texas classrooms. Portions of Senate Bill 313 may have merit, but serious concerns were raised about other parts of the bill. I look forward to working with the Legislature and other stakeholders to ensure this issue is vigorously evaluated before next Session.

Since the Eighty-Fourth Texas Legislature, Regular Session, by its adjournment has prevented the return of this bill, I am filing these objections in the office of the Secretary of State and giving notice thereof by this public proclamation according to the aforementioned constitutional provision.

IN TESTIMONY WHEREOF, I have signed my name officially and caused the Seal of the State to be affixed hereto at Austin, this 19th day of June, 2015.

(Seal)

/s/Greg Abbott
Governor of Texas

ATTESTED BY:

/s/Carlos Cascos
Secretary of State

PROCLAMATION
BY THE
GOVERNOR OF THE STATE OF TEXAS

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Pursuant to Article IV, Section 14, of the Texas Constitution, I, Greg Abbott, Governor of Texas, do hereby disapprove of and veto Senate Bill No. 496 as passed by the Eighty-Fourth Texas Legislature, Regular Session, because of the following objections:

Currently, a school district can apply to the Texas Education Agency and request permission to offer a flexible school day program for the district's at-risk students. As filed, Senate Bill 496 addressed the financing of these programs. I am supportive of the original intent of the legislation; therefore, I have signed the bill's companion legislation, House Bill 2660.

Unfortunately, an objectionable piece of legislation that did not ultimately pass on its own merit was added to Senate Bill 496 and significantly changed the bill's focus. Senate Bill 496 was amended to allow a school district to establish a flexible school day for entire campuses without approval from the Texas Education Agency. Allowing districts to drastically change the school calendar without TEA approval could cause unanticipated and untenable problems.

Since the Eighty-Fourth Texas Legislature, Regular Session, by its adjournment has prevented the return of this bill, I am filing these objections in the office of the Secretary of State and giving notice thereof by this public proclamation according to the aforementioned constitutional provision.

IN TESTIMONY WHEREOF, I have signed my name officially and caused the Seal of the State to be affixed hereto at Austin, this 19th day of June, 2015.

(Seal)

/s/Greg Abbott
Governor of Texas

ATTESTED BY:

/s/Carlos Cascos
Secretary of State

PROCLAMATION
BY THE
GOVERNOR OF THE STATE OF TEXAS

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Pursuant to Article IV, Section 14, of the Texas Constitution, I, Greg Abbott, Governor of Texas, do hereby disapprove of and veto Senate Bill No. 1032 as passed by the Eighty-Fourth Texas Legislature, Regular Session, because of the following objections:

Under current law, state employees are authorized to maintain flexible work schedules—including work from home, where appropriate—if the head of their state agency provides written approval. This policy provides flexibility for those employees who need it while imposing management controls that minimize the potential for abuse of these privileges.

Senate Bill 1032 takes this process further and would allow an employee's immediate supervisor, rather than the agency head, to authorize flexible schedules and work from home. This would result in reduced accountability, inconsistent application, and greater potential for abuse. The bill's provisions regarding overtime and compensatory time earned away from the office are also problematic. Authorizing employees to earn overtime or compensatory time for work performed at home raises legitimate record-keeping and management concerns.

Since the Eighty-Fourth Texas Legislature, Regular Session, by its adjournment has prevented the return of this bill, I am filing these objections in the office of the Secretary of State and giving notice thereof by this public proclamation according to the aforementioned constitutional provision.

IN TESTIMONY WHEREOF, I have signed my name officially and caused the Seal of the State to be affixed hereto at Austin, this 19th day of June, 2015.

(Seal)

/s/Greg Abbott
Governor of Texas

ATTESTED BY:

/s/Carlos Cascos
Secretary of State

PROCLAMATION
BY THE
GOVERNOR OF THE STATE OF TEXAS

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Pursuant to Article IV, Section 14, of the Texas Constitution, I, Greg Abbott, Governor of Texas, do hereby disapprove of and veto Senate Bill No. 1034 as passed by the Eighty-Fourth Texas Legislature, Regular Session, because of the following objections:

The integrity of the vote-by-mail process must be strengthened, not called into question. Amendments added to Senate Bill 1034 late in the legislative process would create confusion as to how counties should administer mail-in ballot applications. To ensure this important matter is addressed with the clarity it deserves, the Legislature should reconsider the issue and eliminate the uncertainty and ambiguity contained in this bill.

Since the Eighty-Fourth Texas Legislature, Regular Session, by its adjournment has prevented the return of this bill, I am filing these objections in the office of the Secretary of State and giving notice thereof by this public proclamation according to the aforementioned constitutional provision.

IN TESTIMONY WHEREOF, I have signed my name officially and caused the Seal of the State to be affixed hereto at Austin, this 19th day of June, 2015.

(Seal)

/s/Greg Abbott
Governor of Texas

ATTESTED BY:

/s/Carlos Cascos
Secretary of State

PROCLAMATION
BY THE
GOVERNOR OF THE STATE OF TEXAS

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Pursuant to Article IV, Section 14, of the Texas Constitution, I, Greg Abbott, Governor of Texas, do hereby disapprove of and veto Senate Bill No. 1408 as passed by the Eighty-Fourth Texas Legislature, Regular Session, because of the following objections:

Senate Bill 1408 creates new authorities to issue state funds to local units of governments similar to, and in some cases identical to, grants already made under the federal Community Development Block Grant program. The stated intent of the new programs is to offset reductions in federal funding with new state funding. Our federal government's addiction to spending Texas taxpayer dollars must be brought under control, and when it is, the State of Texas should not find ways to tax our citizens to continue funding services our federal elected officials have deemed worthy of curtailing.

Since the Eighty-Fourth Texas Legislature, Regular Session, by its adjournment has prevented the return of this bill, I am filing these objections in the office of the Secretary of State and giving notice thereof by this public proclamation according to the aforementioned constitutional provision.

IN TESTIMONY WHEREOF, I have signed my name officially and caused the Seal of the State to be affixed hereto at Austin, this 19th day of June, 2015.

(Seal)

/s/Greg Abbott
Governor of Texas

ATTESTED BY:

/s/Carlos Cascos
Secretary of State

PROCLAMATION
BY THE
GOVERNOR OF THE STATE OF TEXAS

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Pursuant to Article IV, Section 14, of the Texas Constitution, I, Greg Abbott, Governor of Texas, do hereby disapprove of and veto Senate Bill No. 1655 as passed by the Eighty-Fourth Texas Legislature, Regular Session, because of the following objections:

The Texas Higher Education Coordinating Board already has the legal authority to perform the services described in Senate Bill 1655. The primary purpose of the bill is to raise more revenue for the Board by creating new fees that will ultimately be paid for by students through increased tuition. These fees would be unnecessary burdens on institutions of higher education and their students. The Board should operate within its existing resources.

Since the Eighty-Fourth Texas Legislature, Regular Session, by its adjournment has prevented the return of this bill, I am filing these objections in the office of the Secretary of State and giving notice thereof by this public proclamation according to the aforementioned constitutional provision.

IN TESTIMONY WHEREOF, I have signed my name officially and caused the Seal of the State to be affixed hereto at Austin, this 19th day of June, 2015.

(Seal)

/s/Greg Abbott
Governor of Texas

ATTESTED BY:

/s/Carlos Cascos
Secretary of State

