

HOUSE JOURNAL

EIGHTIETH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

FIFTY-THIRD DAY — WEDNESDAY, APRIL 11, 2007

The house met at 10 a.m. and, at the request of the speaker, was called to order by Representative Geren.

The roll of the house was called and a quorum was announced present (Record 366).

Present — Mr. Speaker; Allen; Alonzo; Anchia; Ayccock; Bailey; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Eissler; Elkins; England; Escobar; Farabee; Farias; Farrar; Flores; Flynn; Frost; Gallego; Garcia; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Haggerty; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hill; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Isett; Jackson; Jones; Keffer; King, P.; King, S.; King, T.; Kolkhorst; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; Mowery; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Puente; Raymond; Riddle; Ritter; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

Absent, Excused — Moreno.

Absent — Anderson; Delisi; Quintanilla.

The invocation was offered by Reverend Paul Goodrich, pastor, First United Methodist Church, Wichita Falls, as follows:

Almighty, gracious, and loving God, once again you have blessed us with another day of life, another day filled with opportunities to serve you and to serve others. For these and your countless other blessings, including living in this great nation and great state, we give you thanks.

As this body begins its work today, we pray that these individuals who are stewards of the people's trust and power, that they might keep their minds clear, their motives pure, their judgments keen, and their sense of justice and fairness

noble. You have always called each of us to be unselfish and righteous, and we pray that these things will be clearly evident in the work that is done here, not just today, but every day.

O God, help us to always remember that as we have gathered here this morning, there are those who are in harm's way who are serving the citizens of our state, nation, and even our world, seeking to bring peace. We pray that you would watch over them and that you would bless their families for the service they are performing.

As always, may your will be done, in our work and in our lives. Amen.

The chair recognized Representative Farabee who led the house in the pledges of allegiance to the United States and Texas flags.

(Anderson and Quintanilla now present)

CAPITOL PHYSICIAN

The chair recognized Representative Naishtat who presented Dr. Mark Chassay of Austin as the "Doctor for the Day."

The house welcomed Dr. Chassay and thanked him for his participation in the Physician of the Day Program sponsored by the Texas Academy of Family Physicians.

REGULAR ORDER OF BUSINESS SUSPENDED

On motion of Representative Farabee and by unanimous consent, the reading and referral of bills was postponed until just prior to adjournment.

LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence for today because of illness:

Moreno on motion of Escobar.

HR 799 - READ (by Aycock)

The chair laid out and had read the following previously adopted resolution:

HR 799, Congratulating the Wednesday Review Club of Killeen on the 100th anniversary of its founding.

(Delisi now present)

HR 1450 - ADOPTED (by Anderson)

Representative Anderson moved to suspend all necessary rules to take up and consider at this time **HR 1450**.

The motion prevailed.

The following resolution was laid before the house:

HR 1450, Recognizing April 11, 2007, as West Day at the State Capitol.

HR 1450 was read and was adopted.

INTRODUCTION OF GUESTS

The chair recognized Representative Anderson who introduced a delegation from the city of West.

HR 914 - ADOPTED (by Parker)

Representative Parker moved to suspend all necessary rules to take up and consider at this time **HR 914**.

The motion prevailed.

The following resolution was laid before the house:

HR 914, Recognizing Robin Fry of Lewisville ISD as the 2006 Texas Education Agency Region XI Teacher of the Year.

HR 914 was read and was adopted.

INTRODUCTION OF GUESTS

The chair recognized Representative Parker who introduced Robin Fry and Sharon Burres.

HR 958 - READ (by F. Brown)

The chair laid out and had read the following previously adopted resolution:

HR 958, Congratulating Loupot's Bookstore of College Station on its 75th anniversary.

HR 958 - MOTION TO ADD NAMES

On motion of Representative Homer, the names of all the members of the house were added to **HR 958** as signers thereof.

POSTPONED BUSINESS

The following bills were laid before the house as postponed business:

HB 1392 ON SECOND READING (by Turner and Chavez)

HB 1392, A bill to be entitled An Act relating to the right of an employee who is a parent of a child enrolled in a special education program to time off from work to meet with certain persons affecting the education of the child.

HB 1392 was read second time on April 3 and was postponed until 8 a.m. today.

Amendment No. 1

Representative Turner offered the following amendment to **HB 1392**:

Amend **HB 1392** as follows:

(1) On page 1, lines 23-24, strike "six consecutive months" and substitute "one year".

(2) On page 2, line 10, strike "24" and substitute "48".

(3) On page 2, line 16, strike "may" and substitute "must".

(4) Strike page 2, line 18, through page 3, line 14, and substitute the following:

(b) An employee entitled to leave under this chapter who has existing vacation leave time, personal leave time, compensatory leave time, or other appropriate paid leave time must use that leave time for a planned absence authorized by this chapter.

(5) On page 3, line 15, strike "Sec. 83.005." and substitute "Sec. 83.004.".

(6) Strike page 3, line 21, through page 4, line 2 (SECTION 2 of the bill).

(7) Renumber the subsequent SECTION of the bill accordingly.

Amendment No. 1 was adopted.

HB 1392, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Berman, B. Brown, F. Brown, Flynn, Harper-Brown, Laubenberg, Paxton, and Talton recorded voting no.)

HB 965 ON SECOND READING
(by Guillen)

HB 965, A bill to be entitled An Act relating to excusing a member of the legislature from being compelled to testify or give a deposition in a civil suit when the legislature is in session.

HB 965 was read second time, passed to engrossment, and vote reconsidered on March 19, was postponed until March 26, and was again postponed until 10 a.m. today.

Representative Guillen moved to postpone consideration of **HB 965** until 10 a.m. Friday, June 1.

The motion prevailed.

SB 462 ON SECOND READING
(Harper-Brown - House Sponsor)

SB 462, A bill to be entitled An Act relating to the allocation of revenue from the municipal hotel occupancy tax for the arts for certain municipalities.

SB 462 was considered in lieu of **CSHB 1109**.

SB 462 was read second time.

Amendment No. 1

Representative Harper-Brown offered the following amendment to **SB 462**:

Amend **SB 462** as follows:

(1) On page 1, line 10, strike "and".

(2) Strike line 13 and substitute:

predominately located; and

(3) issued bonds before January 1, 2007, for the construction of a municipal arts center payable from and secured by revenue from the tax imposed under this chapter.

Amendment No. 1 was adopted.

SB 462, as amended, was passed to third reading. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Y. Davis recorded voting no.)

CSHB 1109 - LAID ON THE TABLE SUBJECT TO CALL

Representative Harper-Brown moved to lay **CSHB 1109** on the table subject to call.

The motion prevailed.

**MAJOR STATE CALENDAR
HOUSE BILLS
THIRD READING**

The following bills were laid before the house and read third time:

HB 1892 ON THIRD READING

(by W. Smith, Dutton, Hartnett, Creighton, C. Howard, et al.)

HB 1892, A bill to be entitled An Act relating to the authority of certain counties and other entities with respect to certain transportation projects.

A record vote was requested.

HB 1892 was passed by (Record 367): 137 Yeas, 2 Nays, 3 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Bailey; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; Crownover; Darby; Davis, J.; Davis, Y.; Delisi; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Eissler; Elkins; England; Escobar; Farabee; Farias; Farrar; Flores; Flynn; Frost; Gallego; Garcia; Gattis; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Haggerty; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Isett; Jackson; Keffer; King, P.; King, T.; Kolkhorst; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; Mowery; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Ritter; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

Nays — Hill; Krusee.

Present, not voting — Mr. Speaker; Geren(C); Jones.

Absent, Excused — Moreno.

Absent — Crabb; Creighton; Herrero; King, S.; Martinez Fischer; Pierson; Riddle.

STATEMENTS OF VOTE

When Record No. 367 was taken, I was in the house but away from my desk. I would have voted yes.

Creighton

When Record No. 367 was taken, I was in the house but away from my desk. I would have voted yes.

Herrero

When Record No. 367 was taken, my vote failed to register. I would have voted yes.

S. King

When Record No. 367 was taken, my vote failed to register. I would have voted yes.

Pierson

When Record No. 367 was taken, I was in the house but away from my desk. I would have voted yes.

Riddle

HR 1280 - ADOPTED (by Menendez)

Representative Menendez moved to suspend all necessary rules to take up and consider at this time **HR 1280**.

The motion prevailed.

The following resolution was laid before the house:

HR 1280, Commemorating the 59th annual Fiesta Flambeau Parade in San Antonio.

HR 1280 was read and was adopted.

On motion of Representative Puente, the names of all the members of the house were added to **HR 1280** as signers thereof.

INTRODUCTION OF GUESTS

The chair recognized Representative Menendez who introduced members of the Fiesta Flambeau Parade Association.

HB 1332 ON THIRD READING (by Chisum, Geren, Ritter, Keffer, and Krusee)

HB 1332, A bill to be entitled An Act relating to a credit or refund for taxes paid on diesel fuel used in certain manufacturing or production processes.

A record vote was requested.

HB 1332 was passed by (Record 368): 145 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Bailey; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Delisi; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Eissler; Elkins; England; Escobar; Farabee; Farias; Farrar; Flores; Flynn; Frost; Gallego; Garcia; Gattis; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Haggerty; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hill; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Isett; Jackson; Jones; Keffer; King, P.; King, S.; King, T.; Kolkhorst; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; Mowery; Murphy; Naishtat; Noriega; O'Day; Oliveira; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Puente; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

Present, not voting — Mr. Speaker; Geren(C).

Absent, Excused — Moreno.

Absent — Martinez Fischer; Olivo.

STATEMENT OF VOTE

When Record No. 368 was taken, I was in the house but away from my desk. I would have voted yes.

Olivo

HB 1180 ON THIRD READING (by Flores)

HB 1180, A bill to be entitled An Act relating to the continuation of the Texas Lottery Commission and certain laws administered by the commission.

A record vote was requested.

HB 1180 was passed by (Record 369): 105 Yeas, 39 Nays, 2 Present, not voting.

Yeas — Alonzo; Anchia; Anderson; Berman; Bohac; Branch; Brown, B.; Burnam; Callegari; Castro; Chavez; Coleman; Cook, B.; Cook, R.; Creighton; Darby; Davis, J.; Davis, Y.; Delisi; Deshotel; Driver; Dukes; Dunnam; Dutton; Eissler; England; Escobar; Farabee; Farias; Farrar; Flores; Frost; Gallego; Garcia; Gattis; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Haggerty; Hamilton; Hancock; Hardcastle; Hartnett; Heflin; Hilderbran; Hill; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Jackson; Jones; King, S.;

King, T.; Kolkhorst; Krusee; Kuempel; Latham; Laubenberg; Lucio; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Morrison; Mowery; Naishtat; Noriega; Oliveira; Olivo; Ortiz; Parker; Paxton; Peña; Pickett; Pitts; Puente; Quintanilla; Raymond; Ritter; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Strama; Straus; Swinford; Thompson; Turner; Veasey; Villarreal; Vo; West; Woolley.

Nays — Allen; Aycock; Bolton; Bonnen; Brown, F.; Chisum; Christian; Cohen; Corte; Crabb; Crownover; Elkins; Flynn; Harless; Harper-Brown; Hernandez; Herrero; Hughes; Isett; Keffer; Leibowitz; Macias; Miller; Murphy; O'Day; Orr; Otto; Patrick; Phillips; Pierson; Riddle; Solomons; Talton; Taylor; Truitt; Van Arsdale; Vaught; Zedler; Zerwas.

Present, not voting — Mr. Speaker; Geren(C).

Absent, Excused — Moreno.

Absent — Bailey; Eiland; King, P.

STATEMENTS OF VOTE

I was shown voting yes on Record No. 369. I intended to vote no.

B. Brown

When Record No. 369 was taken, I was in the house but away from my desk. I would have voted yes.

P. King

I was shown voting yes on Record No. 369. I intended to vote no.

Parker

I was shown voting yes on Record No. 369. I intended to vote no.

T. Smith

GENERAL STATE CALENDAR HOUSE BILLS THIRD READING

The following bills were laid before the house and read third time:

HB 1380 ON THIRD READING (by McCall)

HB 1380, A bill to be entitled An Act relating to court security and the use of money in courthouse security and municipal court building security funds.

A record vote was requested.

HB 1380 was passed by (Record 370): 145 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Bailey; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Delisi; Deshotel; Driver;

Dukes; Dunnam; Dutton; Eiland; Eissler; Elkins; England; Escobar; Farabee; Farias; Farrar; Flores; Flynn; Frost; Gallego; Garcia; Gattis; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Haggerty; Hamilton; Hancock; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hill; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Isett; Jackson; Jones; Keffer; King, P.; King, S.; King, T.; Kolkhorst; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; Mowery; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Puente; Quintanilla; Raymond; Riddle; Ritter; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

Present, not voting — Mr. Speaker; Geren(C).

Absent, Excused — Moreno.

Absent — Hardcastle; Rodriguez.

HB 2004 ON THIRD READING (by Giddings)

HB 2004, A bill to be entitled An Act relating to requiring that a doctor who reviews a workers' compensation case be certified in a professional specialty appropriate to the care received by the injured employee.

A record vote was requested.

HB 2004 was passed by (Record 371): 147 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Bailey; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Delisi; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Eissler; Elkins; England; Escobar; Farabee; Farias; Farrar; Flores; Flynn; Frost; Gallego; Garcia; Gattis; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Haggerty; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hill; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Isett; Jackson; Jones; Keffer; King, P.; King, S.; King, T.; Kolkhorst; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; Mowery; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Puente; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

Present, not voting — Mr. Speaker; Geren(C).

Absent, Excused — Moreno.

HB 709 ON THIRD READING

(by Puente, Laubenberg, B. Cook, Farrar, Veasey, et al.)

HB 709, A bill to be entitled An Act relating to information regarding umbilical cord blood options.

A record vote was requested.

HB 709 was passed by (Record 372): 145 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Bailey; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Delisi; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Eissler; Elkins; England; Escobar; Farabee; Farias; Farrar; Flores; Flynn; Frost; Gallego; Garcia; Gattis; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Haggerty; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hill; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Isett; Jackson; Jones; Keffer; King, P.; King, S.; King, T.; Kolkhorst; Kruse; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; Murphy; Naishtat; Noriega; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Puente; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

Present, not voting — Mr. Speaker; Geren(C).

Absent, Excused — Moreno.

Absent — Mowery; O'Day.

STATEMENT OF VOTE

When Record No. 372 was taken, my vote failed to register. I would have voted yes.

O'Day

HB 1987 ON THIRD READING

(by Berman)

HB 1987, A bill to be entitled An Act relating to the offense of possessing another person's official ballot or official carrier envelope.

A record vote was requested.

HB 1987 was passed by (Record 373): 145 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycocock; Bailey; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Delisi; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Eissler; Elkins; England; Escobar; Farabee; Farias; Farrar; Flores; Flynn; Frost; Gallego; Garcia; Gattis; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Haggerty; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hill; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Isett; Jackson; Jones; King, P.; King, S.; King, T.; Kolkhorst; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Puente; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

Present, not voting — Mr. Speaker; Geren(C).

Absent, Excused — Moreno.

Absent — Mowery; Ortiz.

(Keffer in the chair)

HB 346 ON THIRD READING

(by Flynn, Zedler, Bailey, Dutton, Eissler, et al.)

HB 346, A bill to be entitled An Act relating to random testing of certain public school students for steroid use.

A record vote was requested.

HB 346 was passed by (Record 374): 137 Yeas, 8 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Bailey; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Castro; Chavez; Chisum; Cohen; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Darby; Davis, J.; Davis, Y.; Delisi; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Eissler; Elkins; England; Escobar; Farabee; Farias; Farrar; Flores; Flynn; Frost; Gallego; Garcia; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Haggerty; Hamilton; Hancock; Hardcastle; Harless; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hill; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Jackson; Jones; King, P.; King, S.; King, T.; Kolkhorst; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Mallory Caraway; Martinez; Martinez Fischer; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; Mowery; Murphy; Naishtat; Noriega; O'Day;

Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Pickett; Pierson; Pitts; Puente; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

Nays — Aycock; Christian; Coleman; Harper-Brown; Isett; Madden; McCall; Phillips.

Present, not voting — Mr. Speaker; Keffer(C).

Absent, Excused — Moreno.

Absent — Anderson; Crownover.

STATEMENT OF VOTE

When Record No. 374 was taken, I was in the house but away from my desk. I would have voted yes.

Anderson

HB 416 ON THIRD READING (by Strama, S. King, D. Howard, et al.)

HB 416, A bill to be entitled An Act relating to providing for restroom access for persons with certain medical conditions; providing a criminal penalty.

Amendment No. 1

On behalf of Representative Bohac, Representative Strama offered the following amendment to **HB 416**:

Amend **HB 416** on third reading in SECTION 2 of the bill, in added Section 341.069, Health and Safety Code (page 2, between lines 21 and 22), by inserting a new Subsection (d) and relettering the remaining Subsections of added Section 341.069, Health and Safety Code, as appropriate:

(d) A retail establishment or an employee of a retail establishment is not liable in civil damages for any act or omission in allowing a customer to use an employee toilet facility that is not a public restroom in accordance with this section if the act or omission:

(1) is not willful or grossly negligent;

(2) occurs in an area of the retail establishment that is not accessible to the public; and

(3) results in property damage or bodily injury to or death of the customer or any individual other than an employee accompanying the customer.

Amendment No. 1 was adopted.

A record vote was requested.

HB 416, as amended, was passed by (Record 375): 113 Yeas, 32 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Bailey; Bohac; Bolton; Branch; Brown, B.; Brown, F.; Burnam; Castro; Chavez; Cohen; Coleman; Cook, B.; Cook, R.; Crabb; Creighton; Crownover; Davis, Y.; Delisi; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Eissler; England; Escobar; Farabee; Farias; Farrar; Flores; Frost; Gallego; Garcia; Geren; Giddings; Gonzales; Gonzalez Tourelles; Goolsby; Guillen; Haggerty; Hancock; Hardcastle; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hill; Hochberg; Hodge; Homer; Hopson; Howard, D.; Isett; Jackson; Jones; King, P.; King, S.; King, T.; Krusee; Kuempel; Latham; Leibowitz; Lucio; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Morrison; Mowery; Murphy; Naishtat; Noriega; Oliveira; Olivo; Ortiz; Otto; Parker; Peña; Pickett; Pierson; Pitts; Puente; Quintanilla; Raymond; Ritter; Rodriguez; Rose; Smith, T.; Strama; Straus; Swinford; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zerwas.

Nays — Aycock; Berman; Bonnen; Callegari; Chisum; Christian; Corte; Darby; Davis, J.; Elkins; Flynn; Gattis; Hamilton; Harless; Harper-Brown; Howard, C.; Hughes; Kolkhorst; Laubenberg; Macias; Miller; O'Day; Orr; Paxton; Phillips; Riddle; Smith, W.; Smithee; Solomons; Talton; Taylor; Zedler.

Present, not voting — Mr. Speaker; Keffer(C).

Absent, Excused — Moreno.

Absent — Madden; Patrick.

STATEMENTS OF VOTE

I was shown voting yes on Record No. 375. I intended to vote no.

Hartnett

When Record No. 375 was taken, I was in the house but away from my desk. I would have voted no.

Patrick

GENERAL STATE CALENDAR HOUSE BILLS SECOND READING

The following bills were laid before the house and read second time:

HB 2489 ON SECOND READING (by Berman)

HB 2489, A bill to be entitled An Act relating to categories for reporting compensation or reimbursement paid to registered lobbyists.

Amendment No. 1

Representative Gallego offered the following amendment to **HB 2489**:

Amend **HB 2489** on page 1, after line 24, by inserting the following:

"(g-1) Notwithstanding any other provision of this section, compensation or reimbursement required to be reported under Subsection (f)(6) shall be reported as an exact amount if the compensation or reimbursement received exceeds \$500,000."

Amendment No. 1 was adopted.

HB 2489, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

CSHB 387 ON SECOND READING
(by Callegari and Flynn)

CSHB 387, A bill to be entitled An Act relating to the repeal of the law relating to the Texas National Research Laboratory Commission.

CSHB 387 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

CSHB 973 ON SECOND READING
(by Eissler)

CSHB 973, A bill to be entitled An Act relating to the eligibility of certain educational employees to participate or be enrolled in certain group health benefit programs.

CSHB 973 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

CSHB 518 ON SECOND READING
(by Naishtat)

CSHB 518, A bill to be entitled An Act relating to the detention and examination of certain persons for whom an application for emergency detention or a motion for an order of protective custody has been filed.

CSHB 518 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

HB 1850 ON SECOND READING
(by Flores)

HB 1850, A bill to be entitled An Act relating to an inspection performed by a plumbing inspector for a political subdivision.

HB 1850 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

HB 2819 ON SECOND READING
(by Ritter)

HB 2819, A bill to be entitled An Act relating to the management of coastal public land.

HB 2819 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Garcia recorded voting no.)

REASON FOR VOTE

I voted against **HB 2819** because it contains a deprivation of private property rights. Section 5 of the bill deprives bayfront property owners of the right to restore their land lost to erosion. With this repealer, **HB 2819** reverses a measure that was passed as the will of the 79th Legislature only two years ago. That measure, **SB 1044**, was designed to allow certain bayfront property owners to restore their land that has been lost to erosion. Due to an attorney general's opinion, owners of bayfront property in my district and all along the Texas coast have never been able to utilize that provision as it was intended by this body. Now **HB 2819** would again deprive bayfront property owners of the right to restore their own land. I will continue to fight for the rights of private property owners in my district and throughout Texas.

Garcia

SB 112 ON SECOND READING
(Corte, Macias, Herrero, B. Brown, Merritt, et al. - House Sponsors)

SB 112, A bill to be entitled An Act relating to the confiscation of firearms and ammunition during a state of disaster or emergency.

SB 112 was considered in lieu of **HB 258**.

SB 112 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE MENENDEZ: First of all, Chairman Corte, I want you to, I would like to ask if you were aware that I believe you have a very good bill.

REPRESENTATIVE CORTE: Thank you very much, Mr. Menendez.

MENENDEZ: Now, with that having been said, Chairman Corte, you had mentioned that with the Katrina and Rita disasters, and you were aware that the city of San Antonio operated three full-scale public shelters as well as a number of satellite facilities at local churches for evacuees, correct?

CORTE: Yes, I'm very familiar, and I know that a lot of that was in your district. We had, I think, over 12,000 folks, you know, come through different shelters and in fact, my church actually sponsored one of those satellite facilities.

MENENDEZ: Exactly. I think if you're referring to building 171 at Kelly USA in the former Levis Jeans factory, they were located in my district, and yes, you're correct, they did have 12,000. Were you aware that there was a contraband check and confiscation point at each of those facilities and a strict no-weapons policy was in place?

CORTE: Yes, I was very aware of that.

MENENDEZ: Did you know that as a part of the confiscation of weapons, a policy was in place for the return of lawfully-owned weapons once the citizen left the public or privately-sanctioned shelter, and that this policy was administered by local police agencies charged with the security and safety of the shelters?

CORTE: Yes, and I think that was very prudent. Obviously we don't want these firearms in an area where folks have potential for maybe thinking they may need to use them when they really don't and by checking them in and then being able to, I guess, have them returned is very appropriate.

MENENDEZ: Correct, there were over 10 weapons that were collected. So it is not your intention that this bill, or it is your intention that this bill would continue to allow local authorities to implement a no-weapons policy for shelters and evacuation centers established to aid those victims of natural disasters or state-of-emergencies, and that the local police agencies would still be able to establish a temporary storage and return policy in conjunction with those shelters?

CORTE: I think it is the intentions to allow those local law enforcement abilities to keep control of the order in those facilities and the intention of this legislation is to make sure that law-abiding citizens don't have them confiscated in transportation or while they're there at their property, protecting their property.

MENENDEZ: Thank you, Chairman Corte. Once again I think you do have a great bill.

REMARKS ORDERED PRINTED

Representative Menendez moved to print remarks between Representative Corte and Representative Menendez.

The motion prevailed.

(Speaker in the chair)

SB 112 was passed to third reading. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Coleman and Farrar recorded voting no.)

HB 258 - LAID ON THE TABLE SUBJECT TO CALL

Representative Corte moved to lay **HB 258** on the table subject to call.

The motion prevailed.

HB 1840 ON SECOND READING
(by Bonnen, et al.)

HB 1840, A bill to be entitled An Act relating to the punishment for failing to stop following a motor vehicle accident.

Amendment No. 1

Representative Bonnen offered the following amendment to **HB 1840**:

Amend **HB 1840** (House Committee Printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. This Act shall be known as the Sarah Kathryn Thompson Act.

Amendment No. 1 was adopted.

HB 1840, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

(Kolkhorst in the chair)

HB 2130 ON SECOND READING
(by Noriega, Guillen, and Leibowitz)

HB 2130, A bill to be entitled An Act relating to hunting and fishing license fee exemptions for certain members of the armed forces.

Amendment No. 1

Representative Dutton offered the following amendment to **HB 2130**:

Amend **HB 2130** by striking SECTION 2 of the bill (page 1, lines 16-22) and substituting the following:

SECTION 2. Sections 46.004(b) and (c), Parks and Wildlife Code, are amended to read as follows:

(b) The commission may establish a lower fee or waive the fee or license requirement for:

(1) a resident who has a general commercial fisherman's license of this state;

(2) a resident who is blind as defined by Section 94.001, Human Resources Code;

(3) a resident or nonresident who is under 17 years old; or

(4) a ~~resident or~~ nonresident who is 65 years old or over.

(c) The commission shall waive the fee for:

(1) a qualified disabled veteran as defined by Section 42.012;

(2) ~~and for~~ a resident on active duty as a member of the United States military forces, the Texas Army National Guard, the Texas Air National Guard, or the Texas State Guard; or

(3) a resident who is 65 years old or over.

Amendment No. 1 was adopted. (The vote was reconsidered later today, and Amendment No. 1 was withdrawn.)

HB 2130, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.) (The vote was reconsidered later today, Amendment No. 1 was withdrawn, and **HB 2130** was passed to engrossment.)

HB 1416 ON SECOND READING
(by Corte, et al.)

HB 1416, A bill to be entitled An Act relating to the authority of the Veterans' Land Board to sell certain loans issued by the Veterans' Land Board.

HB 1416 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

CSHB 1129 ON SECOND READING
(by Macias)

CSHB 1129, A bill to be entitled An Act relating to the prosecution and punishment of the offense of criminal trespass.

(Speaker in the chair)

Amendment No. 1

Representative Macias offered the following amendment to **CSHB 1129**:

Amend **CSHB 1129** as follows:

(1) On page 1, line 18, strike "or".

(2) On page 1, line 19, between "(2)" and "a", insert the following:
an employee or agent of an electric utility, as defined by Section 31.002, Utilities Code, or an employee or agent of a gas utility, as defined by Section 101.003 or 121.001, Utilities Code, who was performing a duty within the scope of employment or agency; or

(3)

Amendment No. 1 was adopted.

Amendment No. 2

Representative Noriega offered the following amendment to **CSHB 1129**:

Amend **CSHB 1129** on page 2 of the bill, by striking lines 1 through 17, and substituting the following:

(d) An offense under Subsection (e) is a Class C misdemeanor unless it is committed in a habitation or unless the actor carries a deadly weapon on or about the actor's person during the commission of the offense, in which event it is a Class A misdemeanor. An offense under Subsection (k) is a Class C misdemeanor unless it is committed in a building or habitation or unless the actor carries a

deadly weapon on or about the actor's person during the commission of the offense, in which event it is a Class A misdemeanor. An offense under Subsection (a) is a Class C ~~[B]~~ misdemeanor, except that the offense is:

(1) a Class B misdemeanor if it is shown on the trial of the offense that the defendant has been previously convicted of an offense under this section; and

(2) a Class A misdemeanor if:

(A) ~~[(+)]~~ the offense is committed:

(i) ~~[(A)]~~ in a habitation or a shelter center;

(ii) ~~[(B)]~~ on a Superfund site; or

(iii) ~~[(C)]~~ on or in a critical infrastructure facility; or

(B) ~~[(2)]~~ the actor carries a deadly weapon on or about his person during the commission of the offense.

Amendment No. 2 was adopted.

CSHB 1129, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

CSHB 1251 ON SECOND READING (by Bonnen)

CSHB 1251, A bill to be entitled An Act relating to a public agency's, county's, or municipality's authority to enforce a solid waste collection and transportation services franchise.

Amendment No. 1

Representative Martinez offered the following amendment to **CSHB 1251**:

Amend **CSHB 1251** by adding subsection (g) to read as follows:

(g) Subsection (f) of this section does not apply to any county, municipality or other subdivision of this state that has a population less than 50,000.

(Kolkhorst in the chair)

Representative Bonnen moved to table Amendment No. 1.

A record vote was requested.

The motion to table prevailed by (Record 376): 78 Yeas, 59 Nays, 2 Present, not voting.

Yeas — Anderson; Aycock; Berman; Bohac; Bonnen; Branch; Brown, B.; Callegari; Chisum; Christian; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Darby; Davis, J.; Delisi; Deshotel; Driver; Eiland; Eissler; Elkins; England; Farabee; Flynn; Frost; Gallego; Gattis; Geren; Goolsby; Haggerty; Hamilton; Hancock; Harless; Harper-Brown; Hilderbran; Hill; Homer; Hopson; Howard, C.; Isett; Jackson; Jones; Keffer; King, S.; Krusee; Kuempel; Latham; Laubenberg; Macias; McCall; Merritt; Miller; Murphy; O'Day; Oliveira; Orr; Otto; Parker; Patrick; Paxton; Phillips; Pitts; Riddle; Ritter; Smith, T.; Smith, W.; Smithee; Straus; Swinford; Talton; Truitt; Van Arsdale; West; Woolley; Zedler; Zerwas.

Nays — Allen; Alonzo; Anchia; Bailey; Bolton; Brown, F.; Burnam; Castro; Chavez; Cohen; Coleman; Davis, Y.; Dukes; Dunnam; Dutton; Escobar; Farias; Farrar; Flores; Garcia; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Hartnett; Heflin; Hernandez; Herrero; Hochberg; Hodge; Howard, D.; Hughes; Leibowitz; Lucio; Mallory Caraway; Martinez; Martinez Fischer; McClendon; McReynolds; Menendez; Miles; Mowery; Naishtat; Noriega; Olivo; Ortiz; Peña; Pickett; Pierson; Quintanilla; Raymond; Rodriguez; Rose; Solomons; Strama; Thompson; Vaught; Veasey; Vo.

Present, not voting — Mr. Speaker; Kolkhorst(C).

Absent, Excused — Moreno.

Absent — Crownover; Hardcastle; King, P.; King, T.; Madden; Morrison; Puente; Taylor; Turner; Villarreal.

Amendment No. 2

Representative Puente offered the following amendment to **CSHB 1251**:

Amend **CSHB 1251** (house committee printing) as follows:

(1) Add the following SECTION, numbered appropriately:

SECTION _____. Section 363.116, Health and Safety Code, is amended by adding Subsection (c) to read as follows:

(c) Notwithstanding Subsection (a), a public agency may enter into a contract for an exclusive franchise for the collection and removal of grease trap waste or grit trap waste only after a competitive bidding process. A public agency shall consider as the primary factor in awarding a contract under this subsection the bidder's ability to provide the collection and removal services at the lowest cost to the generator of the grease trap waste or grit trap waste.

(2) On page 1, line 7, strike "Subsection (f)" and substitute "Subsections (f) and (g)".

(3) On page 1, between lines 20 and 21, insert:

(g) A public agency may enter into a contract for an exclusive franchise for the collection and removal of grease trap waste or grit trap waste only after a competitive bidding process. A public agency shall consider as the primary factor in awarding a contract under this subsection the bidder's ability to provide the collection and removal services at the lowest cost to the generator of the grease trap waste or grit trap waste.

(4) Renumber subsequent SECTIONS of the bill accordingly.

Amendment No. 3

Representative Bonnen offered the following amendment to Amendment No. 2:

Amend Floor Amendment No. 2 to **CSHB 1251** by Puente as follows:

(1) Add the following item to the amendment, numbered appropriately:

() Add the following SECTION to the substitute, numbered appropriately:

SECTION _____. Section 363.116, Health and Safety Code, is amended by adding Subsection (d) to read as follows:

(d) A public agency may not restrict the right of an entity to contract with a licensed waste hauler for the collection and removal of domestic septage or of grease trap waste, grit trap waste, lint trap waste, or sand trap waste.

(2) Renumber the subsequent items of the amendment accordingly.

Amendment No. 3 was adopted.

Amendment No. 2, as amended, was adopted.

Amendment No. 4

Representatives Eiland and Taylor offered the following amendment to **CSHB 1251**:

Amend **CSHB 1251** (house committee printing) as follows:

(1) Add the following SECTION to the bill, numbered appropriately:

SECTION _____. Subchapter C, Chapter 364, Health and Safety Code, is amended by adding Section 364.0341 to read as follows:

Sec. 364.0341. SERVICES IN UNINCORPORATED AREAS OF CERTAIN COUNTIES. (a) In order to help provide for the public health and safety of its citizens and in order to help deter the dumping of litter, garbage, refuse, building materials, and other matter on state-owned public beaches and adjoining sand dunes, the commissioners court of a county bordering both on the shoreline of the Gulf of Mexico or its tidewater limits and on the shoreline of Galveston Bay or its tidewater limits by order may:

(1) grant an exclusive franchise for solid waste collection and transportation services within unincorporated areas of the county to a legal entity engaged in providing solid waste disposal services;

(2) offer solid waste disposal service to persons in the unincorporated areas of the county;

(3) mandate the use of the service by persons in the unincorporated areas of the county;

(4) charge fees for the service; and

(5) establish the service as a utility separate from other utilities located in the unincorporated areas of the county.

(b) A fee for a service provided under this section may be collected by:

(1) the county;

(2) a private or public utility that contracts with the county to provide the service; or

(3) another private or public entity that contracts with the county to collect the fees.

(c) A county may contract with a public or private utility to collect a fee for a service provided under this section. The contract may:

(1) require that the fee for the service be included in the bill for other utility services;

(2) allow a fee to be paid to the utility for billing and collecting the fee;

(3) require a system of accounting for fees collected by an entity other than the county; and

(4) contain other terms as agreed to by the parties.

(d) To aid enforcement of the fee collection for the solid waste disposal service:

(1) a county or the public or private entity that has contracted with the county to provide the service may suspend service to a person who is delinquent in payment of solid waste disposal service fees until the delinquent claim is fully paid; and

(2) a public or private utility that bills and collects solid waste disposal service fees under this section may suspend service of that utility, in addition to the suspension of solid waste disposal services, to a person who is delinquent in the payment of the solid waste disposal service fee until the delinquent claim is fully paid.

(2) Renumber subsequent SECTIONS of the bill accordingly.

Amendment No. 4 was adopted.

A record vote was requested.

CSHB 1251, as amended, was passed to engrossment by (Record 377): 108 Yeas, 35 Nays, 2 Present, not voting.

Yeas — Alonzo; Anchia; Anderson; Aycock; Bailey; Berman; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Callegari; Chisum; Christian; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Darby; Davis, J.; Delisi; Deshotel; Driver; Dutton; Eiland; Eissler; Elkins; England; Farabee; Flynn; Frost; Gallego; Garcia; Gattis; Geren; Giddings; Goolsby; Haggerty; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Heflin; Hilderbran; Hill; Hochberg; Hodge; Homer; Hopson; Howard, C.; Hughes; Isett; Jackson; Jones; Keffer; King, P.; King, S.; King, T.; Krusee; Kuempel; Latham; Laubenberg; Macias; Madden; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; Murphy; Noriega; O'Day; Oliveira; Olivo; Otto; Parker; Patrick; Paxton; Phillips; Pickett; Pierson; Pitts; Puente; Quintanilla; Raymond; Riddle; Ritter; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Taylor; Truitt; Turner; Van Arsdale; Vo; West; Woolley; Zedler; Zerwas.

Nays — Allen; Bolton; Burnam; Castro; Chavez; Cohen; Coleman; Davis, Y.; Dukes; Dunnam; Escobar; Farias; Farrar; Flores; Gonzales; Gonzalez Toureilles; Guillen; Hartnett; Hernandez; Herrero; Howard, D.; Leibowitz; Lucio; Mallory Caraway; Martinez; Naishtat; Ortiz; Peña; Rodriguez; Rose; Talton; Thompson; Vaught; Veasey; Villarreal.

Present, not voting — Mr. Speaker; Kolkhorst(C).

Absent, Excused — Moreno.

Absent — Creighton; Martinez Fischer; Mowery; Orr.

STATEMENTS OF VOTE

When Record No. 377 was taken, I was in the house but away from my desk. I would have voted yes.

Orr

I was shown voting no on Record No. 377. I intended to vote yes.

Talton

HB 1214 ON SECOND READING

(by Christian, Leibowitz, et al.)

HB 1214, A bill to be entitled An Act relating to the goal of installing additional capacity for generating renewable energy.

HB 1214 - POINT OF ORDER

Representative Thompson raised a point of order against further consideration of **HB 1214** under Rule 4, Section 32 of the House Rules on the grounds that the bill analysis is incorrect.

COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

Energy Resources, during lunch recess today, Desk 25, for a formal meeting, to consider pending business.

Public Health, during lunch recess today, Desk 58, for a formal meeting, to consider pending business.

RECESS

At 11:59 a.m., the chair announced that the house would stand recessed until 1 p.m. today.

AFTERNOON SESSION

The house met at 1 p.m. and was called to order by Representative Truitt.

HR 523 - READ

(by Macias)

The chair laid out and had read the following previously adopted resolution:

HR 523, In memory of Sam V. Champion of Boerne.

HR 523 - MOTION TO ADD NAMES

On motion of Representatives Chisum and Noriega, the names of all the members of the house were added to **HR 523** as signers thereof.

INTRODUCTION OF GUESTS

The chair recognized Representative Macias who introduced friends and family members of Sam V. Champion.

HB 2130 - VOTE RECONSIDERED

Representative Dutton moved to reconsider the vote by which **HB 2130**, as amended, was passed to engrossment.

The motion to reconsider prevailed.

HB 2130 ON SECOND READING
(by Noriega, Guillen, Leibowitz, Miller, et al.)

HB 2130, A bill to be entitled An Act relating to hunting and fishing license fee exemptions for certain members of the armed forces.

Amendment No. 1 - Vote Reconsidered

Representative Dutton moved to reconsider the vote by which Amendment No. 1 was adopted.

The motion to reconsider prevailed.

Amendment No. 1 was withdrawn.

HB 2130 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

HB 1214 - (pending business)

Prior to the noon recess, a point of order was pending on **HB 1214**.

The point of order was withdrawn.

HB 1214 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

CSHB 2345 ON SECOND READING
(by Anderson and Aycock)

CSHB 2345, A bill to be entitled An Act relating to the creation of the Texas Organic Agricultural Industry Advisory Board.

Amendment No. 1

Representative Anderson offered the following amendment to **CSHB 2345**:

Amend **CSHB 2345** as follows:

- (1) On page 1, line 20, between "a" and "trade", insert "Texas".
- (2) On page 2, line 5, after "biology", insert "agronomy, entomology".
- (3) On page 3, line 5, between "campaign" and the comma, insert "not inconsistent with Section 2.002 or 12.002 or any department policy relating to the promotion of Texas agriculture and agricultural products".

Amendment No. 1 was adopted.

CSHB 2345, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Harper-Brown recorded voting no.)

HB 1669 ON SECOND READING
(by R. Cook)

HB 1669, A bill to be entitled An Act relating to the authority of certain counties to impose a county hotel occupancy tax and to the rate of the tax.

Amendment No. 1

Representative Dunnam offered the following amendment to **HB 1669**:

Amend **HB 1669** by adding the following appropriately numbered section and renumbering the remaining sections of the bill accordingly:

SECTION _____. Chapter 352, Tax Code, is amended by adding Section 352.0021 to read as follows:

Sec. 352.0021. TAX AUTHORIZED; RATIFICATION ELECTION. (a) Subject to Subsection (e), the commissioners court of a county that has a population of 20,000 or less and that is bordered by the Brazos and Navasota Rivers, by the adoption of an order or resolution, may impose a tax on a person who, under a lease, concession, permit, right of access, license, contract, or agreement, pays for the use or possession or for the right to the use or possession of a room that is in a hotel, costs \$2 or more each day, and is ordinarily used for sleeping.

(b) The order or resolution imposing the tax must state the rate of the tax to be imposed. The tax rate may not exceed the rate authorized by Section 352.003(a).

(c) The price of a room in a hotel does not include the cost of food served by the hotel and the cost of personal services performed by the hotel for the person except for those services related to cleaning and readying the room for use or possession.

(d) The tax does not apply to a person who is a permanent resident under Section 156.101.

(e) If the commissioners court of a county authorized by Subsection (a) to impose the tax adopts an order or resolution imposing the tax and setting the tax rate, the registered voters of the county at an election held for that purpose must determine whether to approve the adopted tax rate.

(f) The commissioners court shall order that an election be held in the county on a date that is not less than 30 or more than 90 days after the date on which it adopted the tax rate. At the election, the ballots shall be prepared to permit voting for or against the proposition: "Approving the county hotel occupancy tax at a rate of _____ percent of the price paid for a room in a hotel."

(g) If a majority of the votes cast in the election favor the proposition, the tax is imposed at the rate that was adopted by the commissioners court. If the proposition is not approved, the tax is not effective.

(h) Section 41.001(a), Election Code, does not apply to an election under this section.

Amendment No. 1 was adopted.

HB 1669, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

HB 1972 ON SECOND READING
(by Delisi and Aycock)

HB 1972, A bill to be entitled An Act relating to requirements applicable to an attorney ad litem representing a child in a child abuse proceeding.

HB 1972 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

HB 356 ON SECOND READING
(by Otto, et al.)

HB 356, A bill to be entitled An Act relating to the exemption from ad valorem taxation of rent-to-own property not held by the lessee primarily to produce income and to the method to be used to depreciate taxable rent-to-own property for tax appraisal purposes.

HB 356 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

CSHB 1634 ON SECOND READING
(by Dukes, Strama, Giddings, Isett, Hilderbran, et al.)

CSHB 1634, A bill to be entitled An Act relating to incentives for the film, television, and multimedia production industries.

CSHB 1634 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Aycock and Talton recorded voting no.)

CSHB 1000 ON SECOND READING
(by Burnam, Peña, et al.)

CSHB 1000, A bill to be entitled An Act relating to exemptions from the sales tax for certain energy efficient products for a limited period.

CSHB 1000 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

HB 2105 ON SECOND READING
(by Chisum, Escobar, Vaught, Guillen, et al.)

HB 2105, A bill to be entitled An Act relating to the issuance of disabled parking placards to certain veterans with disabilities.

(Gattis in the chair)

Amendment No. 1

Representative Chisum offered the following amendment to **HB 2105**:

Amend **HB 2105** by striking SECTION 1 of the bill (page 1, lines 5 through 9) and substituting the following:

SECTION 1. Section 504.202, Transportation Code, is amended by amending Subsections (b) and (d) and adding Subsection (g) to read as follows:

(b) ~~[The department shall issue a specialty license plate for a motor vehicle that has a manufacturer's rated carrying capacity of two tons or less and that is owned by a veteran of the United States armed forces.]~~ A veteran of the United States armed forces is entitled to register, for the person's own use, two motor vehicles under this section if [the person]:

(1) the person has suffered, as a result of military service:

(A) at least a 50 percent service-connected disability; or

(B) a 40 percent service-connected disability because of the amputation of a lower extremity; ~~and~~

(2) the person receives compensation from the United States because of the disability; and

(3) the motor vehicle:

(A) is owned by the person; and

(B) has a manufacturer's rated carrying capacity of two tons or less.

(d) A statement by the veterans county service officer of the county in which a vehicle described by Subsection (c) ~~[(b)]~~ is registered or by the Department of Veterans Affairs that a vehicle is used exclusively to transport veterans with disabilities without charge is satisfactory proof of eligibility for an organization.

(g) A person who receives two sets of license plates under this section may receive two disabled parking placards under Section 681.004 without providing additional documentation.

Amendment No. 1 was adopted.

HB 2105, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

POSTPONED BUSINESS

The following bills were laid before the house as postponed business:

CSHB 855 ON SECOND READING**(by Delisi, Rose, Gattis, et al.)**

CSHB 855, A bill to be entitled An Act relating to the prosecution of the offense of failure to identify.

CSHB 855 was read second time on April 4, postponed until April 5, postponed until April 10, amendments were offered and disposed of, and was again postponed until this time.

Amendment No. 6

Representative Castro offered the following amendment to **CSHB 855**:

Amend **CSHB 855** on page 1, between lines 11 and 12, by inserting the following:

(g) It is an affirmative defense to prosecution under this section that the actor has a hearing impairment that prevents the actor from understanding the peace officer's request.

Amendment No. 6 was adopted.

CSHB 855 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE GONZALES: Chairwoman Delisi, I've read your bill and I just want to establish something for legislative intent.

REPRESENTATIVE DELISI: Certainly.

GONZALES: Your bill is not intended to give a police officer either more or less authority to detain or question an immigrant based on the immigrant's status, is that correct?

DELISI: It is not.

GONZALES: We're not going to do anything here that is going to bypass federal laws with respect to detaining immigrants, correct?

DELISI: That is correct.

REMARKS ORDERED PRINTED

Representative Gonzales moved to print remarks between Representative Delisi and Representative Gonzales.

The motion prevailed.

CSHB 855, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Alonzo, Burnam, Castro, Coleman, Dutton, Giddings, Hodge, Hughes, Martinez Fischer, Miles, Naishtat, Raymond, Rodriguez, Thompson, Turner, and Veasey recorded voting no.)

GENERAL STATE CALENDAR
(consideration continued)
CSHB 862 ON SECOND READING
(by Aycock and Heflin)

CSHB 862, A bill to be entitled An Act relating to the appointment of a temporary county chair.

CSHB 862 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

CSHB 1071 ON SECOND READING
(by Aycock and Farias)

CSHB 1071, A bill to be entitled An Act relating to the duties of a county chair on a change of leadership.

CSHB 1071 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

CSHB 1628 ON SECOND READING
(by Chavez)

CSHB 1628, A bill to be entitled An Act relating to the creation of the El Paso County Criminal Judicial District No. 1.

CSHB 1628 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

CSHB 2075 ON SECOND READING
(by Krusee)

CSHB 2075, A bill to be entitled An Act relating to payments to contractors in connection with highway projects of the Texas Department of Transportation.

CSHB 2075 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

COMMITTEE GRANTED PERMISSION TO MEET

Representative C. Howard requested permission for the Committee on Local and Consent Calendars to meet while the house is in session, at 1:50 p.m. today, in 3W.9, to set **HB 413** on Friday's local, consent, and resolutions calendar and to transfer **HB 2198** to the Committee on Calendars.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Local and Consent Calendars, at this time, 1:50 p.m. today, 3W.9, for a formal meeting.

CSHB 1952 ON SECOND READING

(by Anderson)

CSHB 1952, A bill to be entitled An Act relating to the eligibility of new electric generating facilities and new industrial facilities that use gasification technology for economic benefits authorized by the Texas Economic Development Act.

CSHB 1952 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

CSHB 495 ON SECOND READING

(by Bonnen)

CSHB 495, A bill to be entitled An Act relating to the punishment for assault of emergency services personnel; imposing a criminal penalty.

CSHB 495 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

CSHB 550 ON SECOND READING

(by Dukes, Bohac, Miles, Guillen, et al.)

CSHB 550, A bill to be entitled An Act relating to the eligibility of certain victims of family violence for unemployment compensation.

CSHB 550 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Anderson, Callegari, Darby, Harless, Harper-Brown, Hughes, Kolkhorst, Laubenberg, Miller, Patrick, and Riddle recorded voting no.)

HB 576 ON SECOND READING

(by W. Smith)

HB 576, A bill to be entitled An Act relating to the bid bond form of bid deposit for certain special district construction projects.

Amendment No. 1

Representative Puente offered the following amendment to **HB 576**:

Amend **HB 576** on page 1, line 16 (House Committee Printing), between "subsection," and "the" by inserting "for a contract for more than \$250,000,".

Amendment No. 1 was adopted.

HB 576, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

CSHB 27 ON SECOND READING
(by **Berman**)

CSHB 27, A bill to be entitled An Act relating to the filing of campaign finance reports with the Texas Ethics Commission.

CSHB 27 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE CASTRO: Actually, two questions real quick, Leo. The first is, in addition to filing the regular campaign finance reports, we also have to file, I believe, an annual personal financial statement, and that I don't think can be done electronically.

REPRESENTATIVE BERMAN: No, this bill has nothing to do with the personal financial statement.

CASTRO: Okay, so the personal financial statement is not covered in your bill.

BERMAN: Not covered at all, no.

CASTRO: Okay.

BERMAN: This is only a thing that we could file electronically, and that's our campaign finance report, and that's it.

CASTRO: Okay, that was my question, and then my second question was a request from Representative Solomons on whether the expense of mailing this report overnight could be included as an expense in the campaign finance report.

BERMAN: Tell—would you pass this on to Representative Solomons, I don't know. I don't know if it's a deductible expense. I'm sure it is, it must be.

CASTRO: Would it be your intent to allow it as an expense on the campaign finance report?

BERMAN: Yes.

CASTRO: Okay.

REMARKS ORDERED PRINTED

Representative Castro moved to print remarks between Representative Berman and Representative Castro.

The motion prevailed.

(Speaker in the chair)

Amendment No. 1

Representative Gallego offered the following amendment to **CSHB 27**:

Amend **CSHB 27** on page 1, between lines 13 and 14, by inserting the following new SECTIONS, appropriately numbered, and renumbering the subsequent SECTIONS accordingly:

SECTION _____. Subchapter C, Chapter 254, Election Code, is amended by adding Section 254.0641 to read as follows:

Sec. 254.0641. ADDITIONAL REPORT OF JUDICIAL CANDIDATES.

(a) In addition to other required reports, a candidate for a judicial office covered by Subchapter F, Chapter 253, shall file a report as provided by this section.

(b) The report shall be filed not later than the 15th day after the last day on which the candidate may accept a political contribution under Section 253.153(a)(2). The report covers the period beginning the day the candidate's campaign treasurer appointment is filed or the first day after the period covered by the last report required to be filed under this chapter, as applicable, and continuing through the last day on which the candidate may accept a political contribution under Section 253.153(a)(2).

SECTION _____. Subchapter D, Chapter 254, Election Code, is amended by adding Section 254.0941 to read as follows:

Sec. 254.0941. ADDITIONAL REPORT OF JUDICIAL OFFICEHOLDERS. (a) In addition to other required reports, a holder of a judicial office covered by Subchapter F, Chapter 253, shall file a report as provided by this section.

(b) The report shall be filed not later than the 15th day after the last day on which the officeholder may accept a political contribution under Section 253.153(a)(2). The report covers the period beginning the day the officeholder files a campaign treasurer appointment or the first day after the period covered by the last report required to be filed under this chapter, as applicable, and continuing through the last day on which the officeholder may accept a political contribution under Section 253.153(a)(2).

SECTION _____. Subchapter E, Chapter 254, Election Code, is amended by adding Section 254.1241 to read as follows:

Sec. 254.1241. ADDITIONAL REPORT OF CERTAIN COMMITTEES.

(a) In addition to other required reports, a specific-purpose committee for supporting or opposing a candidate for or assisting a holder of a judicial office covered by Subchapter F, Chapter 253, shall file a report as provided by this section.

(b) The report shall be filed not later than the 15th day after the last day on which the committee may accept a political contribution under Section 253.153(a)(2). The report covers the period beginning the day the committee's campaign treasurer appointment is filed or the first day after the period covered by the last report required to be filed under this chapter, as applicable, and continuing through the last day on which the committee may accept a political contribution under Section 253.153(a)(2).

Representative Berman moved to table Amendment No. 1.

A record vote was requested.

The motion to table was lost by (Record 378): 61 Yeas, 84 Nays, 1 Present, not voting.

Yeas — Anderson; Aycocock; Berman; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Callegari; Chisum; Christian; Cook, B.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Delisi; Driver; Eissler; Flynn; Gattis; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Hilderbran; Howard, C.; Hughes; Isett; Jackson; Jones; Keffer; King, P.; Kolkhorst; Latham; Laubenberg; Miller; Morrison; Murphy; O'Day; Orr; Otto; Parker; Patrick; Paxton; Phillips; Pitts; Riddle; Smith, W.; Solomons; Swinford; Taylor; Truitt; Van Arsdale; West; Woolley; Zedler; Zerwas.

Nays — Allen; Alonzo; Anchia; Bailey; Bolton; Burnam; Castro; Chavez; Cohen; Coleman; Cook, R.; Davis, Y.; Deshotel; Dukes; Dunnam; Dutton; Eiland; Elkins; England; Escobar; Farabee; Farias; Farrar; Flores; Frost; Gallego; Garcia; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Haggerty; Hamilton; Heflin; Hernandez; Herrero; Hill; Hochberg; Hodge; Homer; Hopson; Howard, D.; King, T.; Krusee; Kuempel; Leibowitz; Lucio; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Mowery; Naishtat; Noriega; Oliveira; Olivo; Ortiz; Peña; Pierson; Puente; Quintanilla; Raymond; Ritter; Rodriguez; Rose; Smith, T.; Smithee; Strama; Straus; Talton; Thompson; Turner; Vaught; Veasey; Villarreal; Vo.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Moreno.

Absent — King, S.; Macias; Pickett.

STATEMENT OF VOTE

When Record No. 378 was taken, my vote failed to register. I would have voted yes.

S. King

Amendment No. 1 - Point of Order

Representative Berman raised a point of order against further consideration of Amendment No. 1 under Rule 11, Section 2 of the House Rules on the grounds that the amendment is not germane to the bill.

The speaker sustained the point of order.

The ruling precluded further consideration of Amendment No. 1.

(Eissler in the chair)

CSHB 27 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

HB 1485 ON SECOND READING**(by Naishtat)**

HB 1485, A bill to be entitled An Act relating to reimbursement of members of the Guardianship Certification Board for certain expenses.

Representative Naishtat moved to postpone consideration of **HB 1485** until 8 a.m. Tuesday, April 17.

The motion prevailed.

(Crownover in the chair)

HB 1043 ON SECOND READING**(by Dutton)**

HB 1043, A bill to be entitled An Act relating to the provision of courses in behavioral modification by disciplinary alternative education programs and juvenile justice alternative education programs.

Amendment No. 1

Representative Dutton offered the following amendment to **HB 1043**:

Amend **HB 1043** as follows:

(1) On page 1, line 18, between "modification" and the semicolon, insert "taught by a person who has a master's degree in behavioral science".

(2) On page 2, line 13, between "modification" and the period, insert "taught by a person who has a master's degree in behavioral science".

Amendment No. 1 was adopted.

HB 1043, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Aycock, Harper-Brown, Hughes, Kolkhorst, and Zedler recorded voting no.)

HB 1200 ON SECOND READING**(by Menendez)**

HB 1200, A bill to be entitled An Act relating to grants of appropriated money to certain peace officer organizations.

Amendment No. 1

Representative Menendez offered the following amendment to **HB 1200**:

Amend **HB 1200** as follows:

(1) On page 1, between lines 17 and 18, insert the following:

(3) "Political committee," "political contribution," and "political expenditure" have the meanings assigned by Section 251.001, Election Code.

(2) On page 1, line 18, strike "(3)" and substitute "(4)".

(3) On page 2, line 10, strike "or".

(4) On page 2, line 12, strike the period and substitute a semicolon.

(5) On page 2, between lines 12 and 13, insert the following:

(4) the organization establishes a political committee or assists a political committee in performing political activities; or

(5) the organization makes a political contribution or political expenditure.

Amendment No. 1 was adopted.

(Speaker in the chair)

A record vote was requested.

HB 1200, as amended, was passed to engrossment by (Record 379): 85 Yeas, 46 Nays, 7 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Bailey; Bohac; Bolton; Bonnen; Brown, B.; Brown, F.; Burnam; Callegari; Castro; Chavez; Cohen; Coleman; Cook, R.; Davis, Y.; Delisi; Dukes; Dunnam; Dutton; Eiland; Eissler; Escobar; Farabee; Farias; Farrar; Frost; Gallego; Garcia; Geren; Giddings; Gonzalez Toureilles; Goolsby; Heflin; Hernandez; Herrero; Hill; Hochberg; Hodge; Hopson; Howard, C.; Howard, D.; King, P.; Leibowitz; Lucio; Madden; Mallory Caraway; Martinez Fischer; McClendon; McReynolds; Menendez; Merritt; Miles; Morrison; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Ortiz; Otto; Parker; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Ritter; Rodriguez; Rose; Smith, W.; Strama; Straus; Swinford; Talton; Thompson; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo.

Nays — Anderson; Aycock; Berman; Chisum; Christian; Cook, B.; Corte; Crabb; Darby; Davis, J.; Driver; Elkins; England; Flynn; Haggerty; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Hilderbran; Homer; Isett; Jackson; Jones; Keffer; Kolkhorst; Krusee; Kuempel; Laubenberg; Miller; Mowery; Orr; Patrick; Paxton; Pierson; Riddle; Smith, T.; Smithee; Solomons; Truitt; West; Woolley; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C); Branch; Crownover; Deshotel; Gonzales; King, T.; Peña.

Absent, Excused — Moreno.

Absent — Creighton; Flores; Gattis; Guillen; Hughes; King, S.; Latham; Macias; Martinez; McCall; Taylor.

STATEMENTS OF VOTE

I was shown voting present, not voting on Record No. 379. I intended to vote yes.

Deshotel

I was shown voting no on Record No. 379. I intended to vote yes.

Keffer

When Record No. 379 was taken, my vote failed to register. I would have voted yes.

S. King

I was shown voting no on Record No. 379. I intended to vote yes.

Pierson

When Record No. 379 was taken, I was in the house but away from my desk. I would have voted no.

Taylor

HB 1201 ON SECOND READING
(by Menendez)

HB 1201, A bill to be entitled An Act relating to political activities of labor organizations that accept certain public funds; providing a criminal penalty.

Representative Menendez moved to postpone consideration of **HB 1201** until 10 a.m. Sunday, July 1.

The motion prevailed.

HB 1720 ON SECOND READING
(by McReynolds)

HB 1720, A bill to be entitled An Act relating to the counties eligible to create a county assistance district that may impose a sales and use tax.

A record vote was requested.

HB 1720 was passed to engrossment by (Record 380): 125 Yeas, 16 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Bailey; Berman; Bolton; Branch; Brown, B.; Brown, F.; Burnam; Castro; Chavez; Chisum; Cohen; Coleman; Cook, B.; Cook, R.; Corte; Creighton; Darby; Davis, J.; Davis, Y.; Delisi; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Eissler; Elkins; England; Escobar; Farabee; Farias; Farrar; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Haggerty; Hamilton; Hancock; Hardcastle; Harless; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hill; Hochberg; Hodge; Homer; Hopson; Howard, D.; Isett; Jackson; Jones; King, P.; King, T.; Kolkhorst; Krusee; Laubenberg; Leibowitz; Lucio; Macias; Madden; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Morrison; Mowery; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Pickett; Pierson; Pitts; Puente; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Smith, T.; Solomons; Strama; Straus; Swinford; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zerwas.

Nays — Aycock; Bohac; Bonnen; Callegari; Christian; Crabb; Garcia; Harper-Brown; Howard, C.; Keffer; Kuempel; Miller; Phillips; Smith, W.; Talton; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Moreno.

Absent — Crownover; Hughes; King, S.; Latham; Mallory Caraway; Smithee; Taylor.

STATEMENTS OF VOTE

I was shown voting no on Record No. 380. I intended to vote yes.

Christian

I was shown voting yes on Record No. 380. I intended to vote no.

Elkins

When Record No. 380 was taken, my vote failed to register. I would have voted no.

S. King

I was shown voting yes on Record No. 380. I intended to vote no.

Macias

I was shown voting yes on Record No. 380. I intended to vote no.

O'Day

**HB 2219 ON SECOND READING
(by Solomons)**

HB 2219, A bill to be entitled An Act relating to service of process on financial institutions.

Amendment No. 1

Representative Y. Davis offered the following amendment to **HB 2219**:

Amend **HB 2219** on page 2, following line 3, by inserting:

(e) A citation served on a credit union that is located in a place of worship may not be served during a worship service.

Amendment No. 1 was adopted.

HB 2219, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Herrero and Leibowitz recorded voting no.)

**CSHB 762 ON SECOND READING
(by Dutton)**

CSHB 762, A bill to be entitled An Act relating to the recusal of certain persons from a grievance proceeding conducted by a panel of a district grievance committee of the State Bar of Texas.

CSHB 762 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

HB 770 ON SECOND READING
(by Dutton and Guillen)

HB 770, A bill to be entitled An Act relating to requiring the Texas Department of Criminal Justice to provide notice to certain persons of the right to vote.

HB 770 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Aycock, Flynn, Gattis, Harper-Brown, Hughes, Kolkhorst, and Zedler recorded voting no.)

HB 443 ON SECOND READING
(by Phillips)

HB 443, A bill to be entitled An Act relating to the consent to and annulment of certain marriages.

Representative Phillips moved to postpone consideration of **HB 443** until 10 a.m. Wednesday, April 18.

The motion prevailed.

HB 1784 ON SECOND READING
(by Haggerty)

HB 1784, A bill to be entitled An Act relating to notice of certain information concerning a governmental body's alarm system response policy.

Amendment No. 1

Representative Haggerty offered the following amendment to **HB 1784**:

Amend **HB 1784** as follows:

- (1) On page 1, line 8, strike "must" and substitute "may".
- (2) On page 1, line 11, between "notice" and "must", insert ", if given,".
- (3) Strike SECTION 3 of the bill and renumber the SECTIONS of the bill accordingly.

Amendment No. 1 was adopted.

HB 1784, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

CSHB 1798 ON SECOND READING
(by Martinez Fischer)

CSHB 1798, A bill to be entitled An Act relating to the criminal consequences of driving a motor vehicle on certain designated right-of-way of a metropolitan rapid transit authority.

CSHB 1798 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

CSHB 1059 ON SECOND READING
(by Parker, Truitt, Zedler, Laubenberg, et al.)

CSHB 1059, A bill to be entitled An Act relating to an immunization awareness program in certain school districts.

Amendment No. 1

Representative Parker offered the following amendment to **CSHB 1059**:

Amend **CSHB 1059** by striking page 2, line 25 through page 3, line 1.

Amendment No. 1 was adopted.

Amendment No. 2

Representative Martinez Fischer offered the following amendment to **CSHB 1059**:

Amend **CSHB 1059** as follows:

(1) On page 1, line 18, between "shall" and "make", insert "prepare the list in English and Spanish and".

(2) On page 2, line 11, between "list" and "of", insert ", in English and Spanish,".

Amendment No. 2 was adopted.

Amendment No. 3

Representative Creighton offered the following amendment to **CSHB 1059**:

Amend **CSHB 1059** on page 2, by striking lines 11 through 20 and substituting the following:
on the website:

(1) a list of:

(A) the immunizations required for admission to public school by rules of the Department of State Health Services adopted under Section 38.001;

(B) any immunizations or vaccines recommended for public school students by the Department of State Health Services or the board of trustees of the district; and

(C) health clinics in the district that offer the influenza vaccine, to the extent those clinics are known to the district; and

(2) a link to the Department of State Health Services Internet website where a person may obtain information relating to the procedures for claiming an exemption from the immunization requirements of Section 38.001.

(a-1) The link to the Department of State Health Services Internet website provided under Subsection (a)(2) must be presented in the same manner as the information provided under Subsection (a)(1).

Amendment No. 3 was adopted.

Amendment No. 4

Representative Taylor offered the following amendment to **CSHB 1059**:

Amend **CSHB 1059** on page 2, line 17, by striking "or the board of trustees of the district".

Amendment No. 4 was adopted.

CSHB 1059, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

HB 2492 ON SECOND READING
(by Berman)

HB 2492, A bill to be entitled An Act relating to the applicability of restrictions on corporate political contributions and expenditures to corporations organized under provisions of the Business Organizations Code.

HB 2492 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

HB 2231 ON SECOND READING
(by Corte)

HB 2231, A bill to be entitled An Act relating to the authority of the Railroad Commission of Texas to file a lien on certain land adversely affected by past mining practices and reclaimed by the commission.

HB 2231 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

HB 44 ON SECOND READING
(by Hodge, Miles, et al.)

HB 44, A bill to be entitled An Act relating to the restoration of good conduct time forfeited during a term of imprisonment.

HB 44 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Laubenberg and Riddle recorded voting no.)

HB 2683 ON SECOND READING
(by Chisum, Flynn, Zedler, J. Davis, B. Brown, et al.)

HB 2683, A bill to be entitled An Act relating to funding for programs that support the development of healthy marriages or the strengthening of families.

HB 2683 - POINT OF ORDER

Representative Thompson raised a point of order against further consideration of **HB 2683**.

The point of order was withdrawn.

Representative Chisum moved to postpone consideration of **HB 2683** until the end of today's calendar.

The motion prevailed.

HB 2685 ON SECOND READING

(by Chisum, Flynn, Zedler, J. Davis, B. Brown, et al.)

HB 2685, A bill to be entitled An Act relating to certain requirements for issuance of a marriage license, including an optional premarital education course.

Amendment No. 1

Representative Chisum offered the following amendment to **HB 2685**:

Amend **HB 2685** as follows:

- (1) On page 5, line 11, strike "\$60.00" and substitute "\$100.00".
- (2) On page 5, line 17, strike "Subsection (a)" and substitute "Subsections (a) and (c)".

- (3) On page 6, between lines 2 and 3, insert the following:

(c) A county clerk who collects a fee under this section from a marriage license applicant shall deposit \$10 [~~\$3~~] of that fee to be sent to the comptroller as provided by Subchapter B, Chapter 133, for deposit in the family trust fund established under Section 2.014, Family Code.

- (4) Strike SECTION 5 of the bill and substitute the following:

SECTION 5. Section 118.022, Local Government Code, is amended to read as follows:

Sec. 118.022. DISPOSITION OF MARRIAGE LICENSE AND DECLARATION FEES. (a) If the county clerk collects a fee for issuing a marriage license, the [The] county clerk shall deposit, as provided by Subchapter B, Chapter 133:

(1)[~~5~~] \$20 [~~\$12.50~~] of each fee collected for issuing [~~issuance of~~] a marriage license or \$12.50 of each fee for recording a declaration of informal marriage to be sent to the comptroller and deposited as provided by Subsection (b);

(2) \$20 of each fee collected for issuing a marriage license to be sent to the comptroller and deposited as provided by Subsection (c); and

(3) \$10 of each fee collected for issuing a marriage license to be sent to the comptroller and deposited as provided by Subsection (d).

(b) The comptroller shall deposit the money received under Subsection (a)(1) [~~this section~~] to the credit of the child abuse and neglect prevention trust fund account established under Section 40.105, Human Resources Code.

(c) The comptroller shall deposit the money received under Subsection (a)(2) to the credit of the healthy marriage trust fund account established under Section 31.015(g), Human Resources Code.

(d) The comptroller shall deposit the money received under Subsection (a)(3) to the credit of the family trust fund account established under Section 2.014, Family Code.

(5) Add the following appropriately numbered SECTION of the bill and renumber subsequent SECTIONS as appropriate:

SECTION _____. Section 31.015, Human Resources Code, is amended by adding Subsection (g) to read as follows:

(g) The healthy marriage trust fund account is an account in the general revenue fund that may be appropriated only to the Health and Human Services Commission for the purposes and activities authorized by this section and for reasonable administrative expenses under this section. The account is exempt from the application of Section 403.095, Government Code. The account consists of:

- (1) all money appropriated for the purposes of this section;
- (2) any gifts, grants, or donations received for the purposes of this section; and
- (3) interest earned on money in the account.

Amendment No. 1 was adopted.

HB 4 - RECOMMITTED

Representative Puente moved to recommit **HB 4** to the Committee on Natural Resources.

The motion prevailed.

HB 2685 - (consideration continued)

Amendment No. 2

Representative Martinez Fischer offered the following amendment to **HB 2685**:

Amend **HB 2685** as follows:

- (1) On page 1, line 19, strike "and".
- (2) On page 1, line 20, strike "[~~5~~]" and substitute "; and".
- (3) On page 1, line 21, strike "[~~(3) children~~]" and substitute "(3) family violence and its destructive effects on the family [children]".

Amendment No. 2 was adopted.

Amendment No. 3

Representative Villarreal offered the following amendment to **HB 2685**:

Amend **HB 2685**, on page 1, by striking lines 17 through 21 and substituting the following:

~~(e)~~ A premarital education course must [~~should~~] include:

- (1) instruction in:
 - (A) [~~(1)~~] conflict management; and
 - (B) [~~(2)~~] communication skills; and

~~(2) information relating to programs in the community in which the course is provided that provide early childhood development education and parenting support~~

~~(3) children and parenting responsibilities; and~~

Amendment No. 3 was adopted.

Amendment No. 4

Representative Villarreal offered the following amendment to **HB 2685**:

Amend **HB 2685** on page 5, between lines 21 and 22, by inserting:

(a-1) Notwithstanding Section 118.011, each county shall set the fee for a marriage license issued in the county in an amount that ensures that the county will collect at least the same amount of revenue from marriage license fees that the county collected during the state fiscal biennium ending September 1, 2007.

Amendment No. 4 was withdrawn.

Amendment No. 5

Representative Villarreal offered the following amendment to **HB 2685**:

Amend **HB 2685** on page 5, between lines 21 and 22, by inserting:

(a-1) Notwithstanding Section 118.011, each county shall set the fee for a marriage license issued in the county in an amount that ensures that the county will collect at least the same amount of revenue from marriage license fees that the county collected during the state fiscal biennium ending September 1, 2007. covers its costs for implementing this act.

Representative Chisum moved to table Amendment No. 5.

A record vote was requested.

The vote of the house was taken on the motion to table Amendment No. 5 and the vote was announced yeas 73, nays 69.

A verification of the vote was requested and was granted.

The roll of those voting yea and nay was again called and the verified vote resulted, as follows (Record 381): 71 Yeas, 70 Nays, 2 Present, not voting.

Yeas — Anderson; Aycocok; Berman; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Callegari; Chisum; Christian; Cook, B.; Corte; Crabb; Crownover; Darby; Davis, J.; Delisi; Driver; Eissler; Elkins; Flynn; Gattis; Goolsby; Guillen; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hilderbran; Howard, C.; Hughes; Isett; Keffer; King, P.; King, S.; King, T.; Kolkhorst; Krusee; Kuempel; Latham; Laubenberg; Macias; Madden; Miller; Morrison; Murphy; O'Day; Orr; Otto; Parker; Patrick; Paxton; Phillips; Pickett; Pitts; Quintanilla; Riddle; Smith, T.; Smith, W.; Smithee; Solomons; Swinford; Taylor; Truitt; Van Arsdale; West; Zedler; Zerwas.

Nays — Allen; Alonzo; Anchia; Bolton; Burnam; Castro; Chavez; Cohen; Coleman; Cook, R.; Davis, Y.; Deshotel; Dukes; Dunnam; Dutton; Eiland; England; Escobar; Farabee; Farias; Farrar; Flores; Frost; Gallego; Garcia; Geren; Gonzales; Gonzalez Toureilles; Haggerty; Hamilton; Hernandez; Herrero; Hill;

Hochberg; Hodge; Homer; Hopson; Howard, D.; Leibowitz; Lucio; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Naishtat; Noriega; Oliveira; Olivo; Ortiz; Peña; Pierson; Puente; Raymond; Ritter; Rodriguez; Rose; Strama; Straus; Talton; Thompson; Turner; Vaught; Veasey; Villarreal; Vo.

Present, not voting — Mr. Speaker(C); Bailey.

Absent, Excused — Moreno.

Absent — Creighton; Giddings; Jackson; Jones; Mowery; Woolley.

The speaker stated that the motion to table prevailed by the above vote.

LEAVES OF ABSENCE GRANTED

The following member was granted leave of absence for the remainder of today because of important business in the district:

Jackson on motion of B. Cook.

The following member was granted leave of absence for the remainder of today because of important business:

Woolley on motion of Delisi.

The following member was granted leave of absence for the remainder of today because of a death in the family:

Jones on motion of B. Cook.

HB 2685 - (consideration continued)

Amendment No. 6

Representative Haggerty offered the following amendment to **HB 2685**:

Amend **HB 2685** by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Each member of the Texas Legislature shall complete not less than eight hours of marital education classes annually. A class completed by a member of the legislature must meet the requirements described by Section 2.013, Family code. If the member is married, the member shall complete the marital education classes with the member's spouse.

Amendment No. 6 - Point of Order

Representative Taylor raised a point of order against further consideration of Amendment No. 6 under Rule 11, Section 2 of the House Rules on the grounds that the amendment is not germane to the bill.

The speaker sustained the point of order.

The ruling precluded further consideration of Amendment No. 6.

Amendment No. 7

Representative Villarreal offered the following amendment to **HB 2685**:

Amend **HB 2685** on page 5, between lines 21 and 22, by inserting:

(a-1) If the marriage license fees collected by a county do not cover the costs the county incurs in issuing marriage licenses, the state shall pay county the amount of the deficiency.

Representative Chisum moved to table Amendment No. 7.

A record vote was requested.

The motion to table was lost by (Record 382): 62 Yeas, 81 Nays, 1 Present, not voting.

Yeas — Anderson; Berman; Bohac; Branch; Brown, B.; Brown, F.; Callegari; Chisum; Christian; Cook, B.; Corte; Crabb; Creighton; Crownover; Davis, J.; Delisi; Eissler; Elkins; Flynn; Gattis; Goolsby; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Hilderbran; Hill; Howard, C.; Isett; Keffer; King, P.; King, S.; Kolkhorst; Kuempel; Latham; Laubenberg; Macias; Madden; Miller; Morrison; Mowery; Murphy; O'Day; Orr; Otto; Parker; Patrick; Paxton; Phillips; Pickett; Pitts; Riddle; Smith, T.; Smith, W.; Smithee; Swinford; Talton; Van Arsdale; West; Zedler; Zerwas.

Nays — Allen; Alonzo; Anchia; Aycock; Bailey; Bolton; Bonnen; Burnam; Castro; Chavez; Cohen; Coleman; Cook, R.; Davis, Y.; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; England; Escobar; Farabee; Farias; Farrar; Flores; Frost; Gallego; Garcia; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Haggerty; Hamilton; Heflin; Hernandez; Herrero; Hochberg; Hodge; Homer; Hopson; Howard, D.; King, T.; Krusee; Leibowitz; Lucio; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Naishtat; Noriega; Oliveira; Olivo; Ortiz; Peña; Pierson; Puente; Quintanilla; Raymond; Ritter; Rodriguez; Rose; Solomons; Strama; Straus; Taylor; Thompson; Truitt; Turner; Vaught; Veasey; Villarreal; Vo.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Jackson; Jones; Moreno; Woolley.

Absent — Darby; Hughes.

A record vote was requested.

Amendment No. 7 was adopted by (Record 383): 88 Yeas, 54 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Aycock; Bailey; Bolton; Bonnen; Branch; Burnam; Chavez; Cohen; Coleman; Cook, R.; Davis, Y.; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; England; Escobar; Farabee; Farias; Farrar; Flores; Frost; Gallego; Garcia; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Hamilton; Hartnett; Heflin; Hernandez; Herrero; Hill; Hochberg; Hodge; Homer; Hopson; Howard, D.; Hughes; King, P.; King, T.; Krusee; Leibowitz; Lucio; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Morrison;

Naishtat; Noriega; Oliveira; Olivo; Ortiz; Paxton; Peña; Pierson; Puente; Quintanilla; Raymond; Ritter; Rodriguez; Rose; Smith, T.; Solomons; Strama; Straus; Taylor; Thompson; Truitt; Turner; Vaught; Veasey; Villarreal; Vo.

Nays — Anderson; Berman; Bohac; Brown, B.; Brown, F.; Callegari; Chisum; Christian; Cook, B.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Delisi; Eissler; Elkins; Flynn; Gattis; Haggerty; Hancock; Hardcastle; Harless; Harper-Brown; Hilderbran; Howard, C.; Isett; Keffer; King, S.; Kolkhorst; Kuempel; Laubenberg; Macias; Madden; Miller; Murphy; O'Day; Orr; Otto; Parker; Patrick; Phillips; Pickett; Pitts; Riddle; Smith, W.; Smithee; Swinford; Talton; Van Arsdale; West; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Jackson; Jones; Moreno; Woolley.

Absent — Castro; Latham; Mowery.

MESSAGE FROM THE SENATE

A message from the senate was received at this time (see the addendum to the daily journal, Messages from the Senate, Message No. 1).

HB 2685 - (consideration continued)

A record vote was requested.

HB 2685, as amended, was passed to engrossment by (Record 384): 78 Yeas, 63 Nays, 1 Present, not voting.

Yeas — Anderson; Aycoc; Berman; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Callegari; Chavez; Chisum; Christian; Cook, B.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Delisi; Deshotel; Driver; Eissler; Elkins; England; Farabee; Flynn; Gattis; Geren; Goolsby; Hamilton; Hancock; Hardcastle; Harper-Brown; Hartnett; Heflin; Hilderbran; Hill; Howard, C.; Hughes; Isett; Keffer; King, P.; King, S.; Kolkhorst; Krusee; Kuempel; Latham; Laubenberg; Macias; Martinez Fischer; Miller; Morrison; Mowery; Murphy; O'Day; Orr; Otto; Parker; Paxton; Peña; Phillips; Pitts; Quintanilla; Raymond; Riddle; Smith, T.; Smith, W.; Smithee; Solomons; Swinford; Taylor; Truitt; Van Arsdale; Villarreal; West; Zedler; Zerwas.

Nays — Allen; Alonzo; Anchia; Bailey; Bolton; Burnam; Castro; Cohen; Coleman; Cook, R.; Davis, Y.; Dukes; Dunnam; Dutton; Eiland; Escobar; Farias; Farrar; Flores; Frost; Gallego; Garcia; Gonzales; Gonzalez Toureilles; Guillen; Haggerty; Hernandez; Herrero; Hochberg; Hodge; Homer; Hopson; Howard, D.; King, T.; Leibowitz; Lucio; Madden; Mallory Caraway; Martinez; McCall; McClendon; McReynolds; Merritt; Miles; Naishtat; Noriega; Oliveira; Olivo; Ortiz; Pickett; Pierson; Puente; Ritter; Rodriguez; Rose; Strama; Straus; Talton; Thompson; Turner; Vaught; Veasey; Vo.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Jackson; Jones; Moreno; Woolley.

Absent — Giddings; Harless; Menendez; Patrick.

STATEMENTS OF VOTE

When Record No. 384 was taken, I was in the house but away from my desk. I would have voted yes.

Harless

I was shown voting yes on Record No. 384. I intended to vote no.

Martinez Fischer

When Record No. 384 was taken, my vote failed to register. I would have voted no.

Menendez

When Record No. 384 was taken, I was in the house but away from my desk. I would have voted yes.

Patrick

REASON FOR VOTE

I am in total support of every form of premarital education; however, I am opposed to raising the marriage license fee from \$30.00 to \$100.00 to pay for this education, hence I voted no on the passage of this bill.

McReynolds

CSHB 974 ON SECOND READING

(by Eissler)

CSHB 974, A bill to be entitled An Act relating to a school district employee's immunity from liability and responsibility for certain materials.

Representative Eissler moved to postpone consideration of **CSHB 974** until 10 a.m. Tuesday, April 17.

The motion prevailed.

CSHB 2087 ON SECOND READING

(by Hill)

CSHB 2087, A bill to be entitled An Act relating to the holding by a county, municipality, or junior college district of a petition-initiated election on whether to establish a limitation on increases in the amount of ad valorem taxes imposed by the county, municipality, or junior college district on residence homesteads of the elderly or disabled.

CSHB 2087 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Anderson, Berman, Bohac, B. Cook, Crabb, Gattis, Guillen, Harless, Hilderbran, Kolkhorst, Paxton, Solomons, Talton, and Van Arsdale recorded voting no.) (The vote was reconsidered later today, and **CSHB 2087** was passed to engrossment by Record No. 386.)

HB 309 ON SECOND READING**(by Truitt and Peña)**

HB 309, A bill to be entitled An Act relating to certain notifications made by the Texas Department of Criminal Justice to close relatives of deceased victims.

HB 309 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

CSHB 71 ON SECOND READING**(by Leibowitz and Allen)**

CSHB 71, A bill to be entitled An Act relating to counterfeit motor vehicle airbags; providing a penalty.

CSHB 71 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

CSHB 2087 - VOTE RECONSIDERED

Representative Riddle moved to reconsider the vote by which **CSHB 2087** was passed to engrossment.

A record vote was requested.

The motion to reconsider prevailed by (Record 385): 88 Yeas, 34 Nays, 2 Present, not voting.

Yeas — Allen; Anchia; Anderson; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Callegari; Chavez; Chisum; Christian; Cook, B.; Crabb; Creighton; Crownover; Darby; Davis, J.; Delisi; Deshotel; Eiland; Eissler; Elkins; Escobar; Farabee; Flynn; Frost; Garcia; Gattis; Geren; Guillen; Haggerty; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Hodge; Homer; Howard, C.; Howard, D.; Hughes; Isett; Keffer; King, P.; King, S.; Kolkhorst; Krusee; Kuempel; Latham; Laubenberg; Macias; Madden; McCall; Menendez; Merritt; Miles; Miller; Morrison; Naishtat; O'Day; Olivo; Orr; Otto; Patrick; Paxton; Peña; Pickett; Pitts; Puente; Raymond; Riddle; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Talton; Taylor; Truitt; Turner; Van Arsdale; Vaught; Vo; Zedler; Zerwas.

Nays — Burnam; Castro; Coleman; Corte; Driver; Dukes; Dunnam; Farias; Farrar; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Heflin; Hernandez; Herrero; Hill; Hochberg; King, T.; Leibowitz; Lucio; Mallory Caraway; Martinez; Martinez Fischer; McClendon; Mowery; Ortiz; Quintanilla; Ritter; Rodriguez; Thompson; Veasey; Villarreal; West.

Present, not voting — Mr. Speaker(C); Dutton.

Absent, Excused — Jackson; Jones; Moreno; Woolley.

Absent — Alonzo; Aycock; Bailey; Berman; Bolton; Cohen; Cook, R.; Davis, Y.; England; Flores; Gallego; Hilderbran; Hopson; McReynolds; Murphy; Noriega; Oliveira; Parker; Phillips; Pierson; Rose; Straus.

STATEMENTS OF VOTE

When Record No. 385 was taken, I was in the house but away from my desk. I would have voted yes.

Hilderbran

I was shown voting yes on Record No. 385. I intended to vote no.

D. Howard

When Record No. 385 was taken, my vote failed to register. I would have voted yes.

Parker

When Record No. 385 was taken, I was in the house but away from my desk. I would have voted yes.

Rose

CSHB 2087 ON SECOND READING

(by Hill)

CSHB 2087, A bill to be entitled An Act relating to the holding by a county, municipality, or junior college district of a petition-initiated election on whether to establish a limitation on increases in the amount of ad valorem taxes imposed by the county, municipality, or junior college district on residence homesteads of the elderly or disabled.

A record vote was requested.

The vote of the house was taken on the passage to engrossment of **CSHB 2087** and the vote was announced yeas 70, nays 69.

A verification of the vote was requested and was granted.

The roll of those voting yea and nay was again called and the verified vote resulted, as follows (Record 386): 75 Yeas, 67 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Bailey; Bolton; Burnam; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, R.; Corte; Davis, Y.; Dukes; Dunnam; Dutton; England; Escobar; Farabee; Farias; Farrar; Flores; Garcia; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Heflin; Hernandez; Herrero; Hilderbran; Hill; Hochberg; Hodge; Homer; Howard, C.; Howard, D.; Keffer; King, S.; Krusee; Leibowitz; Lucio; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; Menendez; Miles; Mowery; Naishtat; Noriega; Oliveira; Olivo; Orr; Ortiz; Parker; Pierson; Pitts; Puente; Quintanilla; Rose; Smith, W.; Smithee; Strama; Swinford; Thompson; Turner; Vaught; Veasey; Villarreal; West.

Nays — Anderson; Berman; Bohac; Bonnen; Brown, B.; Brown, F.; Callegari; Cook, B.; Crabb; Creighton; Crownover; Darby; Davis, J.; Delisi; Deshotel; Driver; Eiland; Eissler; Elkins; Flynn; Frost; Gallego; Gattis; Geren; Guillen; Haggerty; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Hopson; Hughes; Isett; King, P.; King, T.; Kolkhorst; Kuempel; Latham; Laubenberg; Macias; McReynolds; Merritt; Miller; Morrison; Murphy; O'Day; Otto; Patrick; Paxton; Peña; Phillips; Pickett; Raymond; Riddle; Ritter; Rodriguez; Smith, T.; Solomons; Talton; Taylor; Truitt; Van Arsdale; Vo; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Jackson; Jones; Moreno; Woolley.

Absent — Aycock; Branch; Straus.

The speaker stated that **CSHB 2087** was passed to engrossment by the above vote.

STATEMENTS OF VOTE

When Record No. 386 was taken, my vote failed to register. I would have voted no.

Aycock

I was shown voting yes on Record No. 386. I intended to vote no.

Christian

I was shown voting yes on Record No. 386. I intended to vote no.

Hilderbran

I was shown voting yes on Record No. 386. I intended to vote no.

Parker

LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence for the remainder of today because of family business:

Branch on motion of Hamilton.

HB 2468 ON SECOND READING (by Solomons)

HB 2468, A bill to be entitled An Act relating to the filing of financial statements by justices of the peace and candidates for justice of the peace in certain counties.

(Corte in the chair)

Amendment No. 1

Representative Solomons offered the following amendment to **HB 2468**:

Amend **HB 2468** as follows:

(1) On page 1, strike lines 5-9 and substitute the following:

SECTION 1. Section 159.003, Local Government Code, is amended to read as follows:

Sec. 159.003. FINANCIAL STATEMENT REQUIRED. (a) A county officer, ~~or a~~ candidate for a county office, justice of the peace, or candidate for the office of justice of the peace shall file a financial statement as required by this subchapter.

(b) The statement must:

(1) be filed with the county clerk of the county in which the officer, justice, or candidate resides; and

(2) comply with Sections 572.022 and 572.023, Government Code.

SECTION 2. Sections 159.004(a), (c), and (d), Local Government Code, are amended to read as follows:

(a) A county officer or justice of the peace shall file the financial statement required by this subchapter within the time prescribed by Section 572.026, Government Code. A candidate for office as a county officer or justice of the peace shall file the financial statement required by this subchapter within the time prescribed by Section 572.027, Government Code.

(c) A county officer or justice of the peace may request the county clerk to grant an extension of time of not more than 60 days for filing the statement. The county clerk shall grant the request if it is received before the filing deadline or if a timely filing or request for extension is prevented because of physical or mental incapacity. The county clerk may not grant more than one extension to a person in one year except for good cause shown.

(d) The county clerk may not grant an extension to a candidate for office as a county officer or justice of the peace.

SECTION 3. Section 159.007(c), Local Government Code, is amended to read as follows:

(c) The county clerk may, and on notification from a former county officer, justice of the peace, or candidate shall, destroy any financial statements filed by the officer, justice, or candidate two years after the date the person ceases to be an officer, justice, or candidate, as applicable.

SECTION 4. Section 159.0071, Local Government Code, is amended to read as follows:

Sec. 159.0071. NOTIFICATION TO PROSECUTING ATTORNEY. The county clerk of each county shall maintain a list of the county officers, ~~and~~ candidates for county office, justices of the peace, and candidates for the office of justice of the peace required to file a financial statement under this subchapter. Not later than the 10th day after each applicable filing deadline, the county clerk shall provide to the county attorney or criminal district attorney a copy of the list showing for each county officer, ~~and~~ candidate for county office, justice of the peace, and candidate for justice of the peace:

(1) whether the officer, justice, or candidate timely filed a financial statement as required by this subchapter;

(2) whether the officer, justice, or candidate timely requested and was granted an extension of time to file as provided for by Section 159.004 and the new due date for each such officer, justice, or candidate; or

(3) whether the officer, justice, or candidate did not timely file a financial statement or receive an extension of time.

SECTION 5. Sections 159.008(a) and (c), Local Government Code, are amended to read as follows:

(a) A county officer, ~~[or a]~~ candidate for county office, justice of the peace, or candidate for the office of justice of the peace commits an offense if the officer, justice, or candidate knowingly fails to file a financial statement as required by this subchapter.

(c) It is a defense to prosecution under this section that the officer, justice, or candidate did not receive copies of the financial statement form required to be mailed to the officer, justice, or candidate by this subchapter.

(2) On page 1, line 10, strike "SECTION 2" and substitute "SECTION 6".

(3) On page 1, lines 10-12, strike "included as a county officer under Section 159.002, Local Government Code, as amended by this Act,".

(4) On page 1, line 14, between "Code," and "on", insert "as amended by this Act,".

(5) On page 1, line 17, strike "SECTION 3" and substitute "SECTION 7".

Amendment No. 1 was adopted.

HB 2468, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Bonnen, Deshotel, Escobar, Flores, Guillen, Lucio, Merritt, Peña, Phillips, Quintanilla, and Raymond recorded voting no.)

CSHB 158 ON SECOND READING

(by Naishtat, Hill, Leibowitz, T. Smith, and Creighton)

CSHB 158, A bill to be entitled An Act relating to reporting of the fair market value of certain gifts made to public officials.

(Speaker in the chair)

CSHB 158 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

HB 1049 ON SECOND READING

(by Phillips)

HB 1049, A bill to be entitled An Act relating to the automatic suspension of the driver's license of certain persons convicted of the offense of manslaughter.

HB 1049 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

HB 713 ON SECOND READING
(by Callegari)

HB 713, A bill to be entitled An Act relating to the authority of a fresh water supply district to issue bonds or to enter into a contract to convey property to another water district or water supply corporation.

HB 713 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

CSHB 1956 ON SECOND READING
(by Hancock)

CSHB 1956, A bill to be entitled An Act relating to the financial responsibility requirements applicable to owners or operators of underground storage tanks.

Amendment No. 1

Representative Isett offered the following amendment to **CSHB 1956**:

Amend **CSHB 1956** as follows:

(1) On page 1, line 7, between "(e-1)," and "(g)", insert "(e-2),".

(2) On page 3, between lines 1 and 2, insert:

(e-2) The owner or operator of a tank for which insurance coverage or other financial assurance has terminated shall dispose of any regulated substance in the tank at a properly licensed facility not later than the 90th day after the coverage terminates, unless the owner or operator provides the commission proof that the owner or operator maintains evidence of financial responsibility as required under Subsection (a).

Amendment No. 1 was adopted.

CSHB 1956, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

HB 282 ON SECOND READING
(by Madden)

HB 282, A bill to be entitled An Act relating to the applicability of certain certification requirements to the superintendent of the Windham School District.

(Hamilton in the chair)

HB 282 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

HB 2611 ON SECOND READING
(by Madden)

HB 2611, A bill to be entitled An Act relating to the eligibility of certain inmates of the Texas Department of Criminal Justice for medically recommended intensive supervision.

HB 2611 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

HB 2451 ON SECOND READING
(by Burnam)

HB 2451, A bill to be entitled An Act relating to the rulemaking authority of the Texas Ethics Commission.

(Speaker in the chair)

Amendment No. 1

Representative Geren offered the following amendment to **HB 2451**:

Amend **HB 2451** to read as follows:

1) On page one, between lines 11 and 12, insert the following appropriately numbered SECTION and renumber subsequent SECTIONS accordingly:

SECTION _____. Section 571.001, Government Code, is amended to read as follows:

Sec. 571.001. PURPOSE. It is the policy of the legislature to protect the constitutional privilege of free suffrage by regulating elections and prohibiting undue influence while also protecting the constitutional right of the governed to apply to their government for the redress of grievances. This chapter is intended to achieve those purposes and shall be construed to achieve the following objectives:

- (1) to control and reduce the cost of elections;
- (2) to eliminate opportunities for undue influence over elections and governmental actions;
- (3) to disclose fully information related to expenditures and contributions for elections and for petitioning the government;
- (4) to enhance the potential for individual participation in electoral and governmental processes; ~~and~~
- (5) to ensure the public's confidence and trust in its government; and
- (6) to disclose fully information related to political consultants who are compensated to influence elections as well as governmental actions.

2) On page one, line 8, strike the word "may" and substitute the word "shall"

Amendment No. 1 was adopted.

A record vote was requested.

HB 2451, as amended, was passed to engrossment by (Record 387): 118 Yeas, 21 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Aycock; Berman; Bohac; Bolton; Bonnen; Brown, F.; Burnam; Castro; Chavez; Cohen; Coleman; Cook, R.; Crabb; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Delisi; Deshotel; Driver; Dunnam; Dutton; Eiland; Eissler; Elkins; England; Escobar; Farabee; Farias; Farrar; Flores; Flynn; Frost; Gallego; Garcia; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Haggerty; Hamilton; Hancock; Hardcastle; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, D.; Hughes; Keffer; King, P.; King, S.; King, T.; Kolkhorst; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Morrison; Murphy; Naishtat; Noriega; Oliveira; Olivo; Orr; Ortiz; Otto; Paxton; Peña; Pickett; Pierson; Pitts; Puente; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Smith, T.; Smithee; Solomons; Strama; Swinford; Talton; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Zerwas.

Nays — Anderson; Brown, B.; Callegari; Chisum; Christian; Cook, B.; Corte; Harless; Harper-Brown; Hill; Howard, C.; Macias; Miller; Mowery; O'Day; Parker; Patrick; Phillips; Smith, W.; Taylor; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Branch; Jackson; Jones; Moreno; Woolley.

Absent — Bailey; Dukes; Isett; Rose; Straus.

STATEMENTS OF VOTE

I was shown voting no on Record No. 387. I intended to vote yes.

Harless

When Record No. 387 was taken, I was in the house but away from my desk. I would have voted yes.

Isett

I was shown voting no on Record No. 387. I intended to vote yes.

Patrick

I was shown voting no on Record No. 387. I intended to vote yes.

Phillips

When Record No. 387 was taken, I was in the house but away from my desk. I would have voted yes.

Rose

When Record No. 387 was taken, my vote failed to register. I would have voted yes.

Straus

I was shown voting no on Record No. 387. I intended to vote yes.

Taylor

I was shown voting no on Record No. 387. I intended to vote yes.

Zedler

CSHB 184 ON SECOND READING

(by Hochberg)

CSHB 184, A bill to be entitled An Act relating to an exception to consent as a defense to assaultive conduct.

CSHB 184 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

CSHB 320 ON SECOND READING

(by West)

CSHB 320, A bill to be entitled An Act relating to use of electronically readable information from a driver's license or personal identification certificate by a commercial business.

CSHB 320 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Herrero, Kolkhorst, and Leibowitz recorded voting no.)

CSHB 2438 ON SECOND READING

(by Truitt)

CSHB 2438, A bill to be entitled An Act relating to the allocation of revenue from the municipal hotel occupancy tax for certain transportation systems.

Amendment No. 1

Representative C. Howard offered the following amendment to **CSHB 2438**:

Amend **CSHB 2438** as follows:

- (1) On page 1, line 14, strike "and".
- (2) On page 1, strike line 15 and substitute:
 - (4) tourist attractions in or near the municipality; and
 - (5) an airport serving that area.

Amendment No. 1 was adopted.

CSHB 2438, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

CSHB 1070 ON SECOND READING
(by Laubenberg)

CSHB 1070, A bill to be entitled An Act relating to the liability insurance requirements for certain amusement rides that operate in a manner similar to a train.

CSHB 1070 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Herrero and Leibowitz recorded voting no.)

HB 1344 ON SECOND READING
(by Villarreal)

HB 1344, A bill to be entitled An Act relating to the regulation of refund anticipation loans; providing an administrative penalty.

Amendment No. 1

Representative Villarreal offered the following amendment to **HB 1344**:

Amend **HB 1344** on page 3, line 18, by striking "separately from the loan application" and substituting "after the borrower's tax return has been prepared".

Amendment No. 1 was adopted.

Amendment No. 2

Representative Martinez Fischer offered the following amendment to **HB 1344**:

Amend **HB 1344** on page 3, line 21, by striking strike "written statement" and substituting "statement written in 14-point bold type and in English and Spanish".

A record vote was requested.

Amendment No. 2 was adopted by (Record 388): 101 Yeas, 35 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Bailey; Berman; Bolton; Bonnen; Brown, B.; Brown, F.; Burnam; Castro; Chavez; Chisum; Cohen; Coleman; Cook, R.; Creighton; Darby; Davis, Y.; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Eissler; England; Escobar; Farias; Farrar; Flores; Frost; Gallego; Garcia; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Hancock; Hardcastle; Heflin; Hernandez; Herrero; Hilderbran; Hill; Hochberg; Hodge; Hopson; Howard, D.; Keffer; King, S.; King, T.; Krusee; Latham; Leibowitz; Lucio; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Mowery; Murphy; Naishtat; Noriega; Oliveira; Olivo; Orr; Ortiz; Otto; Patrick; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Ritter; Rodriguez; Rose; Smithee; Strama; Straus; Swinford; Thompson; Turner; Vaught; Veasey; Villarreal; Vo; Zerwas.

Nays — Aycock; Bohac; Callegari; Christian; Cook, B.; Corte; Crabb; Crownover; Davis, J.; Delisi; Elkins; Farabee; Flynn; Hamilton; Harless; Harper-Brown; Hartnett; Howard, C.; Hughes; Isett; King, P.; Kolkhorst; Kuempel; Macias; Miller; Morrison; O'Day; Parker; Riddle; Smith, W.; Solomons; Talton; Taylor; Truitt; West.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Branch; Jackson; Jones; Moreno; Woolley.

Absent — Haggerty; Homer; Laubenberg; Paxton; Pierson; Smith, T.; Van Arsdale; Zedler.

STATEMENT OF VOTE

When Record No. 388 was taken, I was temporarily out of the house chamber. I would have voted yes.

T. Smith

HB 1344, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

CSHB 1716 ON SECOND READING (by Solomons)

CSHB 1716, A bill to be entitled An Act relating to the registration of a registered financial services company and the authority of its exclusive agents to act as mortgage brokers.

Amendment No. 1

Representative Solomons offered the following amendment to **CSHB 1716**:

Amend **CSHB 1716** on page 4, line 26, between "Prior to" and "the registered" by inserting "permitting an exclusive agent to solicit, process, negotiate, or place a mortgage loan,".

Amendment No. 1 was adopted.

CSHB 1716, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

SB 426 ON SECOND READING (Hill - House Sponsor)

SB 426, A bill to be entitled An Act relating to qualification for an ad valorem tax exemption for property used to provide low-income or moderate-income housing in the event of a change in ownership of the property as a result of a foreclosure sale.

SB 426 was considered in lieu of **HB 2089**.

A record vote was requested.

SB 426 was passed to third reading by (Record 389): 123 Yeas, 18 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Bailey; Berman; Bolton; Brown, F.; Burnam; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, R.; Corte; Creighton; Crownover; Darby; Davis, Y.; Delisi; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Eissler; England; Escobar; Farabee; Farias; Farrar; Flores; Flynn; Frost; Gallego; Garcia; Gattis; Geren; Giddings; Gonzales; Gonzalez Tourelles; Goolsby; Guillen; Haggerty; Hamilton; Hancock; Hardcastle; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hill; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Isett; Keffer; King, P.; King, S.; King, T.; Krusee; Kuempel; Latham; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Morrison; Mowery; Murphy; Naishtat; Noriega; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Peña; Phillips; Pickett; Pierson; Pitts; Puente; Quintanilla; Raymond; Ritter; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Truitt; Turner; Vaught; Veasey; Villarreal; Vo; West; Zedler; Zerwas.

Nays — Bohac; Bonnen; Brown, B.; Callegari; Crabb; Davis, J.; Elkins; Harless; Harper-Brown; Kolkhorst; Laubenberg; Miller; Patrick; Paxton; Riddle; Talton; Taylor; Van Arsdale.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Branch; Jackson; Jones; Moreno; Woolley.

Absent — Cook, B.; O'Day; Thompson.

STATEMENTS OF VOTE

I was shown voting yes on Record No. 389. I intended to vote no.

Aycock

I was shown voting yes on Record No. 389. I intended to vote no.

Flynn

I was shown voting no on Record No. 389. I intended to vote yes.

Harless

I was shown voting no on Record No. 389. I intended to vote yes.

Patrick

HB 2089 - LAID ON THE TABLE SUBJECT TO CALL

Representative Hill moved to lay **HB 2089** on the table subject to call.

The motion prevailed.

HB 1741 ON SECOND READING

(by Flynn)

HB 1741, A bill to be entitled An Act relating to certain investments by insurance companies and related organizations.

HB 1741 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

CSHB 1772 ON SECOND READING

(by Villarreal)

CSHB 1772, A bill to be entitled An Act relating to a report to the legislature by the division of workers' compensation of the Texas Department of Insurance of certain information regarding employers not covered by workers' compensation insurance.

Amendment No. 1

Representative Corte offered the following amendment to **CSHB 1772**:

Amend **CSHB 1772** as follows:

(1) On page 1, line 21, strike "and".

(2) On page 1, line 24, between "requirements" and the period, insert the following:

(5) the compliance of employers who obtain or otherwise provide workers' compensation insurance coverage with any notice or reporting requirements imposed under this subtitle; and

(6) any administrative penalties assessed under this subtitle against employers described by Subdivision (5) for failure to comply with the notice or reporting requirements.

(3) On page 2, between lines 3 and 4, insert the following:

(c) To ensure the objectivity of the information contained in the report required by this section, the information must:

(1) be presented in an accurate, clear, complete, and unbiased manner considering both the presentation and substance of the information; and

(2) be analyzed and presented in the proper context, taking into account any variable that may affect compliance rates.

Representative Villarreal moved to postpone consideration of **CSHB 1772** until 10 a.m. tomorrow.

The motion prevailed.

HB 2007 ON SECOND READING

(by Solomons)

HB 2007, A bill to be entitled An Act relating to modernization of the regulation of banking in this state.

HB 2007 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

CSHB 66 ON SECOND READING
(by Leibowitz, et al.)

CSHB 66, A bill to be entitled An Act relating to power management software for state agencies.

CSHB 66 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Aycock and C. Howard recorded voting no.)

CSHB 1279 ON SECOND READING
(by Deshotel)

CSHB 1279, A bill to be entitled An Act relating to the requirement that a detector for certain traffic-actuated electric traffic-control devices register the presence of a motorcycle.

CSHB 1279 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Aycock recorded voting no.)

CSHB 3005 ON SECOND READING
(by Christian)

CSHB 3005, A bill to be entitled An Act relating to electric service reliability measures.

CSHB 3005 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Escobar, Farrar, Garcia, Gonzalez Toureilles, Herrero, Leibowitz, and Rodriguez recorded voting no.)

HB 3166 ON SECOND READING
(by Swinford)

HB 3166, A bill to be entitled An Act relating to the nonsubstantive revision of certain local laws concerning special districts, including conforming amendments.

HB 3166 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

HB 3167 ON SECOND READING
(by Swinford)

HB 3167, A bill to be entitled An Act relating to nonsubstantive additions to and corrections in enacted codes, to the nonsubstantive codification or disposition of various laws omitted from enacted codes, and to conforming codifications enacted by the 79th Legislature to other Acts of that legislature.

Amendment No. 1 (Committee Amendment No. 1)

Representative Paxton offered the following committee amendment to **HB 3167**:

Amend **HB 3167**, in Article 13 of the bill (page 319, between lines 5 and 6), by inserting the following:

SECTION 13.0035. (a) Section 5001.001, Special District Local Laws Code, is amended to conform to Section 1, Chapter 81, Acts of the 62nd Legislature, Regular Session, 1971, to read as follows:

Sec. 5001.001. DEFINITIONS [~~DEFINITION~~]. In this chapter:

(1) "Commission" means the navigation and canal commission of the district.

(2) "Commissioner" means a member of the commission.

(3) "District" [~~,"district"]~~ means the Aransas County Navigation District No. 1.

(b) Chapter 5001, Special District Local Laws Code, is amended to conform to Chapter 81, Acts of the 62nd Legislature, Regular Session, 1971, by adding Subchapter A-1 to read as follows:

SUBCHAPTER A-1. COMMISSION

Sec. 5001.021. GOVERNING BODY; TERMS. (a) The district is governed by a commission consisting of five commissioners, each elected to a navigation and canal commissioner's office by number.

(b) Commissioners serve two-year terms.

Sec. 5001.022. QUALIFICATIONS. To be eligible for election to any of the following offices, a person must have the following qualifications:

(1) for the office of Navigation and Canal Commissioner No. 1, a person must reside in and be a freehold property taxpaying voter of Aransas County Commissioners' Precinct No. 1;

(2) for the office of Navigation and Canal Commissioner No. 2, a person must reside in and be a freehold property taxpaying voter of Aransas County Commissioners' Precinct No. 2;

(3) for the office of Navigation and Canal Commissioner No. 3, a person must reside in and be a freehold property taxpaying voter of Aransas County Commissioners' Precinct No. 3;

(4) for the office of Navigation and Canal Commissioner No. 4, a person must reside in and be a freehold property taxpaying voter of Aransas County Commissioners' Precinct No. 4; and

(5) for the office of Navigation and Canal Commissioner No. 5, a person must reside in and be a freehold property taxpaying voter of Aransas County.

Sec. 5001.023. ELECTION OF COMMISSIONERS. On a uniform election date in each odd-numbered year, five commissioners shall be elected.

Sec. 5001.024. NOTICE OF ELECTION. The secretary of the commission shall give notice of an election by posting or publishing the notice for at least 20 days before the date of the election.

Sec. 5001.025. VACANCIES. (a) A vacancy in the office of a commissioner that occurs for any reason shall be filled by the remaining members of the commission except as provided by this section.

(b) If three or more vacancies in commissioners' offices occur at the same time, a special election may be called as provided by Section 62.066, Water Code.

Sec. 5001.026. REMOVAL FROM OFFICE. (a) A commissioner may be removed from office for malfeasance or nonfeasance in office by unanimous vote of the commissioners court of Aransas County after a hearing.

(b) Appeal from a judgment of removal may be taken to a district court in Aransas County. The court shall try the case de novo.

(c) Section 5001.051, Special District Local Laws Code, is amended to read as follows:

Sec. 5001.051. DEFINITION [~~DEFINITIONS~~]. In this subchapter, "fund" [~~is~~

~~(1) "Commission" means the navigation and canal commission of the district.~~

(2) "Fund" means a promotion and development fund created by the district.

Amendment No. 1 was adopted.

HB 3167, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

POSTPONED BUSINESS

The following bills were laid before the house as postponed business:

HB 2683 ON SECOND READING

(by Chisum, Flynn, Zedler, J. Davis, B. Brown, et al.)

HB 2683, A bill to be entitled An Act relating to funding for programs that support the development of healthy marriages or the strengthening of families.

HB 2683 was read second time earlier today and was postponed until this time.

HB 2683 - POINT OF ORDER

Representative Thompson raised a point of order against further consideration of **HB 2683**.

The speaker overruled the point of order.

Amendment No. 1

Representatives Y. Davis, Thompson, and Veasey offered the following amendment to **HB 2683**:

Amend **HB 2683** as follows:

(1) On page 1, line 10, strike "for low-income persons".

(2) On page 1, lines 20-21, strike "for low-income persons".

Representative Chisum moved to table Amendment No. 1.

A record vote was requested.

The motion to table prevailed by (Record 390): 72 Yeas, 68 Nays, 1 Present, not voting.

Yeas — Anderson; Aycock; Berman; Bohac; Bonnen; Brown, B.; Brown, F.; Chisum; Christian; Cook, B.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Delisi; Driver; Eissler; Elkins; England; Flynn; Gattis; Geren; Goolsby; Haggerty; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Hilderbran; Howard, C.; Hughes; Isett; Keffer; King, P.; King, S.; Kolkhorst; Krusee; Kuempel; Latham; Laubenberg; Macias; Madden; McReynolds; Miller; Morrison; Murphy; O'Day; Orr; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pitts; Riddle; Smith, T.; Smith, W.; Smithee; Solomons; Swinford; Talton; Taylor; Truitt; Van Arsdale; West; Zedler; Zerwas.

Nays — Allen; Alonzo; Anchia; Bailey; Bolton; Burnam; Callegari; Castro; Chavez; Cohen; Coleman; Cook, R.; Davis, Y.; Deshotel; Dukes; Dunnam; Dutton; Eiland; Escobar; Farabee; Farias; Farrar; Flores; Frost; Gallego; Garcia; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Heflin; Hernandez; Herrero; Hochberg; Hodge; Homer; Hopson; Howard, D.; King, T.; Leibowitz; Lucio; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; Menendez; Merritt; Miles; Naishtat; Noriega; Oliveira; Olivo; Ortiz; Pierson; Puente; Quintanilla; Raymond; Ritter; Rodriguez; Rose; Strama; Thompson; Turner; Vaught; Veasey; Villarreal; Vo.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Branch; Jackson; Jones; Moreno; Woolley.

Absent — Hill; Mowery; Pickett; Straus.

STATEMENT OF VOTE

I was shown voting no on Record No. 390. I intended to vote yes.

Callegari

HB 2683 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Bolton, Burnam, Cohen, Herrero, Leibowitz, Naishtat, Rodriguez, and Vaught recorded voting no.)

RESOLUTIONS ADOPTED

Representative Swinford moved to suspend all necessary rules in order to take up and consider at this time **HR 1007, HR 1012, HR 1310, HR 1316, HR 1348, HR 1349, HR 1376, HR 1395, HR 1396, and HR 1458.**

The motion prevailed.

The following resolutions were laid before the house:

HR 1007 (by Eiland), Congratulating Barbour's Chapel Baptist Church of Texas City on its 94th anniversary of its founding.

HR 1012 (by Y. Davis), Honoring the South Dallas Business and Professional Women's Club, Inc., and the honorees of the 2007 V. Alyce Foster Trailblazer Awards and Scholarship Luncheon.

HR 1310 (by Truitt), Honoring Grapevine on being named a Preserve America Community.

HR 1316 (by Eiland), Honoring the Reverend David L. Everson, Sr., on his eighth anniversary as pastor of First Union Baptist Church in Galveston.

HR 1348 (by Dutton), Honoring the Reverend L. D. Lee of Houston on his 20th pastoral anniversary.

HR 1349 (by Y. Davis), Commemorating Oak Cliff Earth Day 2007.

HR 1376 (by Eiland), Congratulating Sharon Strain on her retirement as executive director of the Galveston Housing Authority.

HR 1395 (by Harper-Brown), Recognizing the 50th anniversary of the founding of Irving Cares.

HR 1396 (by Harper-Brown), Honoring Hector Guzman on his 15th anniversary with the Irving Symphony Orchestra.

HR 1458 (by Hughes), Congratulating the Honorable Charles Everingham IV on his appointment as the first U.S. Magistrate Judge to serve the Marshall Division of the Eastern District of Texas on a full-time basis.

The resolutions were adopted.

RESOLUTIONS ADOPTED

Representative Swinford moved to suspend all necessary rules in order to take up and consider at this time **HR 1317**, **HR 1356**, and **HR 1403**.

The motion prevailed.

The following resolutions were laid before the house:

HR 1317 (by Eiland), In memory of the Reverend James Benjamin Thomas of Galveston.

HR 1356 (by Eiland), In memory of Jim Ted Jolly of Galveston.

HR 1403 (by Eiland), In memory of Galveston County Constable Charles D. "Skip" Gay of Santa Fe, Texas.

The resolutions were unanimously adopted by a rising vote.

HB 1423 - RECOMMITTED

Representative Driver moved to recommit **HB 1423** to the Committee on Law Enforcement.

The motion prevailed.

COMMITTEES GRANTED PERMISSION TO MEET

Pursuant to House Rule 4, Section 9, Representative Madden requested permission for all committees and subcommittees to meet while the house is in session, during bill referral today, pursuant to their committee postings.

Permission to meet was granted.

FIVE DAY POSTING RULE SUSPENDED

Representative Madden moved to suspend the five day posting rule to allow the Joint Select Committee on the Operation and Management of the Texas Youth Commission to consider invited testimony at 1:30 p.m. tomorrow in E1.036.

The motion prevailed.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Madden requested permission for the Joint Select Committee on the Operation and Management of the Texas Youth Commission to meet while the house is in session, 1:30 p.m. tomorrow, in E1.036.

Permission to meet was granted.

FIVE DAY POSTING RULE SUSPENDED

Representative J. Davis moved to suspend the five day posting rule to allow the Committee on Appropriations, Subcommittee on Health and Human Services, to consider **HB 1793**, **HB 2404**, **HB 3465**, **HB 3778**, and **HB 3793** at 7:30 a.m. Friday, April 13 in E1.030.

The motion prevailed.

Representative Zedler moved to suspend the five day posting rule to allow the Committee on Public Education to consider **HB 1675** at 8 a.m. tomorrow in E2.036.

The motion prevailed.

COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

Border and International Affairs, upon adjournment today, Desk 30, for a formal meeting, to consider pending business.

Appropriations, Subcommittee on Health and Human Services, 7:30 a.m. Friday, April 13, E1.030, for a public hearing, to consider **HB 1793**, **HB 2404**, **HB 3465**, **HB 3778**, and **HB 3793**.

House Administration, upon adjournment today, Desk 93, for a formal meeting.

State Affairs, upon adjournment today, Desk 9, for a formal meeting, to consider **HJR 19**, **SB 178**, and pending business.

PROVIDING FOR ADJOURNMENT

Representative Martinez moved that, at the conclusion of the reading of bills and resolutions on first reading and referral to committees, the house adjourn until 9 a.m. tomorrow in memory of Isaac D. Rodriguez of Weslaco.

The motion prevailed.

RESOLUTIONS REFERRED TO COMMITTEES

Resolutions were at this time laid before the house and referred to committees. (See the addendum to the daily journal, Referred to Committees, List No. 1.)

(Giddings in the chair)

ADJOURNMENT

In accordance with a previous motion, the house, at 7:44 p.m., adjourned until 9 a.m. tomorrow.

ADDENDUM

REFERRED TO COMMITTEES

The following bills and joint resolutions were today laid before the house, read first time, and referred to committees, and the following resolutions were today laid before the house and referred to committees. If indicated, the chair today corrected the referral of the following measures:

List No. 1

HR 1393 (By D. Howard), In memory of the Honorable Walter Thomas Caven of Austin.

To Rules and Resolutions.

HR 1394 (By D. Howard), Congratulating the Marble Falls Independent School District on its receipt of a Texas Early Education Model Pre-Kindergarten School Readiness grant.

To Rules and Resolutions.

HR 1397 (By Flynn), Honoring Gerald W. Gilbert on the occasion of his retirement as superintendent of Grand Saline ISD.

To Rules and Resolutions.

HR 1398 (By Flynn), Congratulating the Martins Mill High School boys' basketball team on advancing to the 2007 state championship final.

To Rules and Resolutions.

HR 1400 (By Hernandez), Congratulating the Galena Park High School Jacketeers on their winning performances in the Gulf Coast Dance Spectacular and the Crowd Pleasers Showcase.

To Rules and Resolutions.

HR 1401 (By Hernandez), Honoring Galena Park ISD superintendent Mark Henry on his election as chairman of the UIL Legislative Council.

To Rules and Resolutions.

HR 1405 (By Latham), Congratulating Shirley Jane Rollins on her selection as the Mesquite Independent School District 2007 Principal of the Year.

To Rules and Resolutions.

HR 1406 (By Latham), Honoring Margaret H. Connelly for serving as an intern in State Representative Thomas Latham's office and for her graduation from Southwestern University.

To Rules and Resolutions.

HR 1407 (By Latham), Congratulating Mesquite ISD faculty member Judy Heaps for receiving a Texas Exes Award for Outstanding Teachers.

To Rules and Resolutions.

HR 1408 (By Latham), Congratulating Andrew Bauer for being named the Mesquite ISD 2007 Secondary Principal of the Year.

To Rules and Resolutions.

HR 1409 (By Latham), Congratulating Laurie Ball for being named PTA Volunteer of the Year for the secondary level in the Mesquite ISD.

To Rules and Resolutions.

HR 1410 (By Latham), Congratulating the Mesquite High School Skeeters on reaching the 5A semifinals of the UIL 2007 Boys Basketball State Championships.

To Rules and Resolutions.

HR 1411 (By Latham), Honoring Ryan Guerrero for serving as a legislative intern in the office of State Representative Thomas Latham.

To Rules and Resolutions.

HR 1412 (By Latham), Congratulating Hank Bivins on being named the Mesquite Independent School District 2007 Volunteer of the Year at the Elementary Level.

To Rules and Resolutions.

HR 1413 (By Laubenberg), Honoring the Lady Yellowjackets basketball team of Rockwall High School for winning the Class 5A state championship for 2007.

To Rules and Resolutions.

HR 1414 (By Dutton), Honoring Donita Richell Conner Bessard of Houston on the occasion of her baby shower.

To Rules and Resolutions.

HR 1415 (By Chavez), Honoring Carlos Marin on his appointment as International Boundary and Water Commissioner.

To Rules and Resolutions.

HR 1416 (By Chavez), Congratulating Bob Cook, Nicholas J. Costanzo, and Victor Nevarez on their election to the board of United Way of El Paso County.

To Rules and Resolutions.

HR 1417 (By Chavez), Congratulating Salvador Balcorta on his receipt of the Lucy G. Acosta Humanitarian Award.

To Rules and Resolutions.

HR 1418 (By Chavez), Congratulating Dr. Josie Villamil Tinajero on her receipt of the Lucy G. Acosta Humanitarian Award.

To Rules and Resolutions.

HR 1419 (By Chavez), Congratulating Jose R. Rodriguez on his receipt of the Lucy G. Acosta Humanitarian Award.

To Rules and Resolutions.

HR 1420 (By Chavez), Congratulating Dr. Jose Manuel de la Rosa on his receipt of the Lucy G. Acosta Humanitarian Award.

To Rules and Resolutions.

HR 1421 (By Y. Davis), In memory of Katherine Reddy Eddy of Dallas.

To Rules and Resolutions.

HR 1422 (By W. Smith), Honoring the Ross S. Sterling High School Band of Baytown.

To Rules and Resolutions.

HR 1423 (By W. Smith), Honoring Saumil Datar on winning his third consecutive Goose Creek school district spelling bee.

To Rules and Resolutions.

HR 1424 (By W. Smith), Congratulating Beatriz Macias of Baytown on winning the 2007 Colonel George S. Howard Young Artist Competition.

To Rules and Resolutions.

HR 1425 (By Quintanilla), In memory of Bill A. Borrego of Clint.

To Rules and Resolutions.

HR 1426 (By Quintanilla), In memory of Jose Guillermo Alarcon, Sr., of Clint.

To Rules and Resolutions.

HR 1427 (By Quintanilla), Honoring the veterans of Naval Aviation Torpedo Squadron Three for their service to their country during World War II.

To Rules and Resolutions.

HR 1428 (By Quintanilla), In memory of Alfredo G. Alarcon of San Elizario.

To Rules and Resolutions.

HR 1429 (By Haggerty), In memory of Francis John "Flip" Morin of El Paso.

To Rules and Resolutions.

HR 1430 (By Gallego), In memory of Elizabeth Ann Reeves Warnock of Fort Stockton.

To Rules and Resolutions.

HR 1431 (By Gallego), Commemorating the 100th anniversary of Our Lady of Guadalupe Church in Del Rio.

To Rules and Resolutions.

HR 1432 (By Gallego), In memory of Stephen Daniel Lindsey.

To Rules and Resolutions.

HR 1433 (By Rose), Honoring federal, state, county, and city employees on the occasion of Public Service Recognition Week, May 7-13, 2007.

To Rules and Resolutions.

HR 1434 (By Rose), Congratulating the Wimberley High School Lady Texans volleyball team on winning the 2006 UIL Class 3A State Championship.

To Rules and Resolutions.

HR 1435 (By Garcia), Congratulating the boys' basketball team of Aransas Pass High School on reaching the 3A semifinals of the 2007 UIL basketball championships.

To Rules and Resolutions.

HR 1436 (By Keffer), Commemorating the 150th anniversary of the establishment of Palo Pinto County.

To Rules and Resolutions.

HR 1437 (By Jones), Honoring Paul Vernon Bush of Lubbock on his 90th birthday.

To Rules and Resolutions.

HR 1438 (By Peña), In memory of Ciro Leonel Trevino of Edinburg.

To Rules and Resolutions.

HR 1439 (By S. King), Welcoming Leadership Abilene to the State Capitol.

To Rules and Resolutions.

HR 1440 (By S. King), Congratulating Maureen Priestner of Abilene on winning the TEXPAC June Bratcher Award for 2007.

To Rules and Resolutions.

HR 1441 (By Jackson), Honoring Christ United Methodist Church of Farmers Branch on the 50th anniversary of its founding.

To Rules and Resolutions.

HR 1442 (By Anchia), Honoring Adelfa Botello Callejo on her receipt of the Robert G. Storey Award for Distinguished Achievement from the SMU Dedman School of Law.

To Rules and Resolutions.

HR 1443 (By Hardcastle), Honoring the girls' basketball team of Lindsay High School for winning the 2007 1A Division I state championship.

To Rules and Resolutions.

HR 1444 (By Harper-Brown), Honoring Matthew James Willis of Hackberry Creek on his receipt of the Leukemia & Lymphoma Society 2007 Spirit of Tom Landry Character award.

To Rules and Resolutions.

MESSAGES FROM THE SENATE

The following messages from the senate were today received by the house:

Message No. 1

MESSAGE FROM THE SENATE

SENATE CHAMBER

Austin, Texas

Wednesday, April 11, 2007

The Honorable Speaker of the House
House Chamber
Austin, Texas

Mr. Speaker:

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

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

SB 273 Estes
Relating to a student fitness and recreational fee at Texas Woman's University.

SB 285 Shapiro
Relating to the imposition of certain fees on students enrolled at The University of Texas at Dallas.

SB 529 Watson
Relating to the clean school bus program.

SB 530 Nelson
Relating to physical activity requirements and physical fitness assessment for certain public school students.

SB 663 Hegar
Relating to the production and taxation of renewable diesel fuel.

SB 668 Watson
Relating to the operation, powers, and duties of a toll project entity.

SB 742 Eltife
Relating to the authority of a gas utility to receive an interim adjustment for certain infrastructure projects.

SB 757 Hegar
Relating to the planning and management of state telecommunications services by the Department of Information Resources.

SB 844 Hinojosa
Relating to longevity pay for assistant prosecutors.

SB 1067 Shapiro

Relating to the placement by public schools of students who are registered sex offenders and the notification requirements concerning certain offenses committed by students.

SB 1153 Carona

Relating to the use of title insurance to insure certain interests in personal property.

SB 1457 Uresti

Relating to the establishment of a strategy for reducing child abuse and neglect and improving child welfare.

SCR 53 Seliger

Proclaiming April 15 through 22, 2007, Days of Remembrance in memory of the victims of the Holocaust.

SJR 3 Duncan

Proposing a constitutional amendment requiring a two-thirds record vote of the membership of each house to enact a law granting the power of eminent domain.

Respectfully,

Patsy Spaw

Secretary of the Senate

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

April 10

Criminal Jurisprudence - **HB 357, HB 541, HB 916, HB 1303, HB 1357, HB 1586, HB 1767, HB 1812, HB 1907, HB 2328, HB 2719, HB 3688**

Defense Affairs and State-Federal Relations - **HB 3857**

Financial Institutions - **HB 939, HB 2393, HB 2590, HB 2783**

Government Reform - **HB 1182, HB 2279**

Higher Education - **HB 120, HB 544, HB 868, HB 1358, HB 1374, HB 1418, HB 1748, HB 1775, HB 2834, HB 2978, HB 3236, HCR 159**

Judiciary - **HB 3199, SB 271, SB 325, SB 505, SB 506**

Land and Resource Management - **HB 2197**

Licensing and Administrative Procedures - **HB 820, HB 1232, HB 2160, HB 2348, HB 2350, HB 2456, HB 2701**

Local Government Ways and Means - **SB 213, SB 426, SB 462, SB 826**

Natural Resources - **HB 891, HB 1313, HB 1657, HB 2070, HB 2108**

Pensions and Investments - **HB 1244, HB 3392**

Public Education - **HB 890, HB 1432, HB 1844, HB 2217, HB 2411, HB 2626, HB 2814**

Public Health - **HB 532, HB 1373, HB 1443**

ENGROSSED

April 10 - HJR 35

RECOMMENDATIONS FILED WITH THE SPEAKER

April 10 - HB 479, HB 599, HB 1127, HB 1231, HB 1401, HB 1441, HB 1548, HB 1573, HB 1591, HB 1694, HB 1855, HB 1856, HB 2159, HB 2315, HB 2366, HB 2367, HB 2368

SIGNED BY THE GOVERNOR

April 10 - HCR 7, HCR 27, HCR 131, HCR 140, HCR 157, HCR 161, HCR 169

