

# HOUSE JOURNAL

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EIGHTY-SECOND LEGISLATURE, REGULAR SESSION

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## PROCEEDINGS

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FOURTEENTH DAY — THURSDAY, FEBRUARY 3, 2011

The house met at 10 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 39).

Present — Mr. Speaker; Aliseda; Allen; Alonzo; Alvarado; Anderson, C.; Anderson, R.; Aycock; Beck; Berman; Bohac; Branch; Brown; Burkett; Burnam; Button; Cain; Callegari; Carter; Castro; Chisum; Christian; Coleman; Cook; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Driver; Dukes; Dutton; Eiland; Eissler; Elkins; Farias; Farrar; Fletcher; Flynn; Frullo; Gallego; Garza; Geren; Giddings; Gonzales, L.; Gonzales, V.; Gooden; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Hernandez Luna; Hilderbran; Hochberg; Hopson; Howard, C.; Howard, D.; Huberty; Hughes; Hunter; Isaac; Jackson; Keffer; King, P.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Landtroop; Larson; Laubenberg; Lavender; Legler; Lewis; Lozano; Lucio; Lyne; Madden; Mallory Caraway; Margo; Marquez; Martinez; Martinez Fischer; McClendon; Menendez; Miles; Miller, D.; Miller, S.; Morrison; Muñoz; Murphy; Nash; Oliveira; Orr; Otto; Parker; Patrick; Paxton; Peña; Perry; Phillips; Pickett; Price; Quintanilla; Raymond; Reynolds; Riddle; Ritter; Rodriguez; Schwertner; Scott; Sheets; Sheffield; Shelton; Simpson; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Taylor, L.; Taylor, V.; Thompson; Torres; Truitt; Turner; Veasey; Villarreal; Vo; Walle; Weber; White; Woolley; Workman; Zedler; Zerwas.

Absent, Excused — Anchia; Gonzalez; Johnson; King, S.; Naishtat; Pitts.

Absent — Bonnen.

The invocation was offered by Representative Chisum, as follows:

Lord God of heaven, you have so lavishly shed your grace on this land and on our state. Keep us ever aware that the good things we enjoy have come from you, that you have lent them to us. Impress upon our smugness the knowledge that we are not owners, but stewards. Remind us, lest we become filled with conceit, that one day a reckoning will be required of us. Sanctify our love of country and state, that our boasting may be turned into humility and our pride into a ministry to people everywhere. Help us to make this God's own state and country by living like God's own people. In Jesus' name, we pray. Amen.

The speaker recognized Representative S. Davis who led the house in the pledges of allegiance to the United States and Texas flags.

### LEAVES OF ABSENCE GRANTED

The following members were granted leaves of absence for today because of important business in the district:

Anchia on motion of Strama.

Gonzalez on motion of Miles.

Johnson on motion of Driver.

S. King on motion of Driver.

Naishtat on motion of Miles.

Pitts on motion of Lewis.

### CAPITOL PHYSICIAN

The speaker recognized Representative W. Smith who presented Dr. Clare Hawkins and Dr. Arie Marancenbaum of Baytown as the "Doctors for the Day."

The house welcomed Drs. Hawkins and Marancenbaum and thanked them for their participation in the Physician of the Day Program sponsored by the Texas Academy of Family Physicians.

(Harper-Brown in the chair)

### HR 269 - ADOPTED (by Beck)

Representative Beck moved to suspend all necessary rules to take up and consider at this time **HR 269**.

The motion prevailed.

The following resolution was laid before the house:

**HR 269**, Honoring former first lady Nancy Reagan on the occasion of the centennial of Ronald Reagan's birth.

**HR 269** was read and was adopted.

On motion of Representative Berman, the names of all the members of the house were added to **HR 269** as signers thereof.

### 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).

### HR 289 - ADOPTED (by Eissler)

Representative Eissler moved to suspend all necessary rules to take up and consider at this time **HR 289**.

The motion prevailed.

The following resolution was laid before the house:

**HR 289**, Recognizing February 3, 2011, as Texas PTA Rally Day at the State Capitol.

**HR 289** was read and was adopted.

On motion of Representative Eissler, the names of all the members of the house were added to **HR 289** as signers thereof.

### **BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER**

Notice was given at this time that the speaker had signed bills and resolutions in the presence of the house (see the addendum to the daily journal, Signed by the Speaker, House List No. 3).

#### **SCR 12 - ADOPTED (Eissler - House Sponsor)**

Representative Eissler moved to suspend all necessary rules to take up and consider at this time **SCR 12**.

The motion prevailed.

The following resolution was laid before the house:

**SCR 12**, Granting the legislature permission to adjourn for more than three days during the period beginning on Wednesday, February 2, 2011, and ending on Monday, February 7, 2011.

**SCR 12** was adopted by (Record 40): 140 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Aliseda; Allen; Alonzo; Alvarado; Anderson, C.; Anderson, R.; Aycock; Beck; Berman; Bohac; Branch; Brown; Burkett; Burnam; Button; Cain; Callegari; Carter; Castro; Chisum; Christian; Coleman; Cook; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Driver; Dukes; Dutton; Eiland; Eissler; Elkins; Farias; Farrar; Fletcher; Flynn; Frullo; Gallego; Geren; Giddings; Gonzales, L.; Gonzales, V.; Gooden; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Hartnett; Hernandez Luna; Hilderbran; Hochberg; Hopson; Howard, C.; Howard, D.; Huberty; Hughes; Hunter; Isaac; Jackson; Keffer; King, P.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Landtroop; Larson; Laubenberg; Lavender; Legler; Lewis; Lozano; Lucio; Lyne; Madden; Mallory Caraway; Margo; Marquez; Martinez; Martinez Fischer; McClendon; Menendez; Miles; Miller, D.; Miller, S.; Morrison; Muñoz; Murphy; Nash; Oliveira; Orr; Otto; Parker; Patrick; Paxton; Peña; Perry; Phillips; Pickett; Price; Quintanilla; Raymond; Reynolds; Riddle; Ritter; Rodriguez; Schwertner; Scott; Sheets; Sheffield; Shelton; Simpson; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Taylor, L.; Taylor, V.; Thompson; Torres; Truitt; Turner; Veasey; Villarreal; Vo; Walle; Weber; White; Woolley; Workman; Zedler; Zerwas.

Present, not voting — Mr. Speaker; Harper-Brown(C).

Absent, Excused — Anchia; Gonzalez; Johnson; King, S.; Naishtat; Pitts.

Absent — Bonnen; Garza.

**ADJOURNMENT**

Representative Turner moved that the house adjourn until 1 p.m. Monday, February 7 in memory of W. Wade Porter of Austin.

The motion prevailed.

The house accordingly, at 10:29 a.m., adjourned until 1 p.m. Monday, February 7.

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**ADDENDUM**

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**SIGNED BY THE SPEAKER**

The following bills and resolutions were today signed in the presence of the house by the speaker:

**House List No. 3**

**HCR 35, HCR 43, HCR 44**

**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  
Thursday, February 3, 2011

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:

**HCR 36**                      Naishtat                      SPONSOR: Lucio  
Commemorating the 25th anniversary of the establishment of the Texas Silver-Haired Legislature.

**SCR 12**                      Whitmire                      SPONSOR: Eissler  
Granting the legislature permission to adjourn for more than three days during the period beginning on Wednesday, February 2, 2011, and ending on Monday, February 7, 2011.

Respectfully,  
Patsy Spaw  
Secretary of the Senate

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**APPENDIX**

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**ENROLLED**

**February 2 - HCR 41**

**SENT TO THE GOVERNOR**

**February 2 - HCR 41**

