

HOUSE JOURNAL

EIGHTY-THIRD LEGISLATURE, SECOND CALLED SESSION

PROCEEDINGS

FIFTH DAY — MONDAY, JULY 15, 2013

The house met at 2 p.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 34).

Present — Mr. Speaker; Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycok; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Absent, Excused — Reynolds.

Absent — Hughes.

The speaker recognized Representative R. Miller who offered the invocation as follows:

Lord, our Creator, we thank you for this awesome opportunity to serve the people of our districts and Texas in their house of representatives. While we are charged to make laws that govern all Texans, please keep us humble in this position, and give us wisdom as we ask you to guide all of our deliberations and decisions today. We have just been through some very difficult days and discussions. I ask that all of us here assembled come together today in a collaborative way to make the right decisions for the right reasons in this very important issue for our state.

As President George Washington stated in the first prayer of the Continental Congress on September 7, 1774:

"Be Thou present, O God of wisdom, and direct the councils of this honorable assembly; enable them to settle things on the best and surest foundation, . . . that order, harmony and peace may be effectually restored, and truth and justice, religion and piety, prevail and flourish amongst the people."

Lord, I ask you to watch over and protect our men and women in uniform who are serving our nation to preserve our way of life, liberty, and freedoms. And, Lord, we do thank you for the blessed rain that we are receiving today. We remember that you are the provider and the Creator, and pray all of this in the name of Jesus. Amen.

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

LEAVE OF ABSENCE GRANTED

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

Reynolds on motion of Deshotel.

CAPITOL PHYSICIAN

The speaker recognized Representative R. Miller who presented Dr. Puja Sehgal of Sugar Land as the "Doctor for the Day."

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

(Hughes now present)

(D. Miller in the chair)

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 81 - ADOPTED

(by Raymond)

Representative Raymond moved to suspend all necessary rules to take up and consider at this time **HR 81**.

The motion prevailed.

The following resolution was laid before the house:

HR 81, Honoring Efrain Zavala for his contributions to the energy industry in Texas.

HR 81 was adopted.

On motion of Representative Raymond, the names of all the members of the house were added to **HR 81** as signers thereof.

HR 78 - ADOPTED
(by Workman)

Representative Workman moved to suspend all necessary rules to take up and consider at this time **HR 78**.

The motion prevailed.

The following resolution was laid before the house:

HR 78, Congratulating Joanne Brown on her retirement as director of conference planning and media for the Texas Workforce Commission.

HR 78 was adopted.

On motion of Representative Workman, the names of all the members of the house were added to **HR 78** as signers thereof.

HR 64 - ADOPTED
(by McClendon)

Representative McClendon moved to suspend all necessary rules to take up and consider at this time **HR 64**.

The motion prevailed.

The following resolution was laid before the house:

HR 64, Commemorating the 30th anniversary of the San Antonio Ethnic Art Society.

HR 64 was adopted.

On motion of Representative McClendon, the names of all the members of the house were added to **HR 64** 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. 1 and Senate List No. 1).

HR 89 - ADOPTED
(by Walle)

Representative Walle moved to suspend all necessary rules to take up and consider at this time **HR 89**.

The motion prevailed.

The following resolution was laid before the house:

HR 89, Recognizing Nancy Blackwell on her retirement from the Aldine Independent School District.

HR 89 was adopted.

On motion of Representative Walle, the names of all the members of the house were added to **HR 89** as signers thereof.

LEAVE OF ABSENCE GRANTED

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

Laubenberg on motion of Sheets.

(Speaker in the chair)

**MAJOR STATE CALENDAR
HOUSE BILLS
SECOND READING**

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

**CSHB 16 ON SECOND READING
(by Pickett, Harper-Brown, and Phillips)**

CSHB 16, A bill to be entitled An Act relating to the allocation of certain fuel-related tax revenue and certain motor vehicle sales, use, and rental tax revenue to the state highway fund and to the uses of that revenue.

Representative Pickett moved to postpone consideration of **CSHB 16** until 3 p.m. today.

The motion prevailed.

**CONSTITUTIONAL AMENDMENTS CALENDAR
HOUSE JOINT RESOLUTIONS
SECOND READING**

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

**CSHJR 2 ON SECOND READING
(by Pickett, Phillips, Harper-Brown, et al.)**

CSHJR 2, A joint resolution proposing a constitutional amendment to provide for certain revenue from motor fuel taxes to be used solely for constructing, maintaining, and acquiring rights-of-way for certain public roadways and to provide for the transfer of certain general revenue to the economic stabilization fund and the available school fund.

CSHJR 2 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE KOLKHORST: Chairman Pickett, thank you so much for your hard work, I really appreciate the efforts you've put in. We've had several conversations about funding and the future, and I know that you have put years, not hours, years into this, and so I thank you for your leadership. I want to ask you a couple of questions.

REPRESENTATIVE PICKETT: Yes, ma'am.

KOLKHORST: In the first HJR—or it was an SJR in the last special session, that I voted for—there was almost a guarantee of how much money would be maintained in the economic stabilization fund. Does this proposal give that same kind of guarantee, that floor?

PICKETT: If you're talking about that floor, not at this point, because we'd like to discuss it. Here's one of the reasons—I supported that, as well, and I wasn't a big fan of it because we are the floor. It takes 100 votes to spend any of that money. I think most are up to speed and have been educated since then—and I'm not saying it's not going to be proposed or accepted—but I think folks thought that if money is expended from that fund when we're not here, or without our permission, for some reason, it would deplete. The only way you can transfer any money out of the ESF is 100 votes from us. So, at this moment in time, it is not there. I know there are amendments being proposed that would put that floor in there again, as was in the first proposal, and I understand where they're coming from, and if that's the will of the house, we'll see here in a moment. But in practicality, I don't understand the necessity.

KOLKHORST: I certainly appreciate the two-thirds vote, and it's a nice segue into my next question, which talks about the authority that we give from this floor, from these two bodies in the legislature, to allow certain policies to move forward. I want to clarify a couple of things in the HJR and the HB. And it has to do with the toll exclusion, and I know that it's in there fairly clearly that we are, in essence, freeing up the road projects, and that this is not supposed to be money that is used as a backstop or in any way to repay public-private partnerships, is that correct?

PICKETT: That is correct, but Lois, I do want to be clear so that we don't misunderstand numbers or percentages—this is written the same way the first proposal was in that any new dollars, any additional dollars over and above what's already going into fund six, that would be limited to non-toll roads, so that is identical. So that is there, but we wouldn't change anything that's out there currently working, but any additional revenue would be, as you stated, would be for non-toll roads.

KOLKHORST: And so, I know that there's a minute order—and I haven't studied it as much—that's proposed and sometimes we play on words with TxDOT and the commission, and I just want to make sure that, to clarify that no private toll agreement in any financial capacity is allowed to be repaid with these funds. Is that correct? These new funds?

PICKETT: On the new revenues, that is correct.

KOLKHORST: The new revenue, okay. And then, finally, I know that we use some of the financing as a pass-through toll agreement with some of our counties—would this money be eligible for pass-through tolls with the counties and not with the privates?

PICKETT: My definition of that is not a—it wouldn't be a toll because you're not asking to come up and charge a fee to ride on the road. A pass-through toll is a misnomer; pass-through is an agreement between my community and TxDOT that just says out of my allocations that I get, would you keep a portion of that based on who uses the road, and so you can go out and fund it, but it's not a toll, so that would not apply, as well.

KOLKHORST: Right, and so, we're not going to allow a private equity to use these new pass-through, or what we used with counties as pass-through tolls.

PICKETT: That's correct.

KOLKHORST: Okay, and then, we're not also going to let the availability payments be used out of these new funds, am I correct?

PICKETT: That's correct.

REMARKS ORDERED PRINTED

Representative Kolkhorst moved to print remarks between Representative Pickett and Representative Kolkhorst.

The motion prevailed.

(Keffer in the chair)

Amendment No. 1

Representative Phillips offered the following amendment to **CSHJR 2**:

Amend **CSHJR 2** (house committee printing) as follows:

(1) Strike page 1, line 7, through page 3, line 9, and substitute the following:

SECTION 1. Sections 49-g(c), (d), (e), and (h), Article III, Texas Constitution, are amended to read as follows:

(c) Not later than the 90th day of each fiscal year, the comptroller of public accounts shall transfer from general revenue to the economic stabilization fund an amount equal to the amount by which the sum of the amounts allocated under ~~[prescribed by]~~ Subsections (d) and (e) of this section for transfer under this subsection exceeds the amount to be transferred to the available school fund in that fiscal year in accordance with Section 5(h), Article VII, of this constitution. However, if necessary, the comptroller shall reduce proportionately the amounts to be transferred to the economic stabilization fund to prevent the amount in the fund from exceeding the limit in effect for that biennium under Subsection (g) of this section.

(d) If in the preceding year the state received from oil production taxes a net amount greater than the net amount of oil production taxes received by the state in the fiscal year ending August 31, 1987, the comptroller shall allocate for transfer to the economic stabilization fund under Subsection (c) of this section an amount of general revenue equal to 75 percent of the difference between those amounts. ~~[The comptroller shall retain the remaining 25 percent of the difference as general revenue.]~~ In computing the net amount of oil production taxes received, the comptroller may not consider refunds paid as a result of oil overcharge litigation.

(e) If in the preceding year the state received from gas production taxes a net amount greater than the net amount of gas production taxes received by the state in the fiscal year ending August 31, 1987, the comptroller shall allocate for transfer to the economic stabilization fund under Subsection (c) of this section an amount of general revenue equal to 75 percent of the difference between those

amounts. ~~[The comptroller shall retain the remaining 25 percent of the difference as general revenue.]~~ For the purposes of this subsection, the comptroller shall adjust the ~~[his]~~ computation of revenues to reflect only 12 months of collection.

(h) In preparing an estimate of anticipated revenues for a succeeding biennium as required by Article III, Section 49a, of this constitution, the comptroller shall estimate the amount of the transfers that will be made under Subsections (b) and (c) ~~[(d), and (e)]~~ of this section. The comptroller shall deduct that amount from the estimate of anticipated revenues as if the transfers were made on August 31 of that fiscal year.

SECTION 2. Section 5, Article VII, Texas Constitution, is amended by adding Subsection (h) to read as follows:

(h) Not later than the 90th day of each fiscal year, the comptroller of public accounts shall transfer from general revenue to the available school fund an amount equal to 25 percent of the net revenue derived in the preceding fiscal year from all taxes, except gross production and ad valorem taxes, imposed on motor fuels used to propel motor vehicles over public roadways that remains after payment of all refunds allowed by law and expenses of collection. In preparing an estimate of anticipated revenues for a succeeding biennium as required by Section 49a, Article III, of this constitution, the comptroller shall estimate the amount of the transfers that will be made under this subsection. The comptroller shall deduct that amount from the estimate of anticipated revenues as if the transfers were made on August 31 of that fiscal year.

(2) On page 3, line 27, strike "may" and substitute "shall".

(3) On page 4, line 14, strike "certain".

(4) Strike page 4, line 19, through page 5, line 3, and substitute the following:

(b) The amendments to Section 49-g, Article III, and Section 5, Article VII, of this constitution take effect immediately on the final canvass of the election on the amendments. If, between September 1, 2013, and the effective date of the amendments to Section 49-g, Article III, and Section 5, Article VII, of this constitution, the comptroller of public accounts has transferred from general revenue to the economic stabilization fund amounts in accordance with Sections 49-g(c), (d), and (e), Article III, as those subsections provided at the time of the transfer, as soon as practicable after the effective date of the amendments, the comptroller shall return the transferred amounts from the economic stabilization fund to general revenue and transfer from general revenue to the available school fund and the economic stabilization fund amounts in accordance with the amended provisions, irrespective of whether the transfers for that fiscal year occur before, on, or after the 90th day of the fiscal year beginning September 1, 2013.

(5) On page 5, line 12, strike "certain".

(6) Renumber the sections of the resolution appropriately.

INTRODUCTION OF GUEST

The chair recognized Representative S. Thompson who introduced Debbie Irvine.

CSHJR 2 - (consideration continued)

Amendment No. 1 was withdrawn.

Amendment No. 2

Representative Pitts offered the following amendment to **CSHJR 2**:

Amend **CSHJR 2** (house committee printing) on page 4, line 18 by inserting the following after "fund.":

The proposed constitutional amendment to which this temporary provision applies takes effect only if the constitutional amendment proposed by the 83rd Legislature, Regular Session, 2013, providing for the creation of the State Water Implementation Fund for Texas and the State Water Implementation Revenue Fund for Texas to assist in the financing of priority projects in the state water plan to ensure the availability of adequate water resources is approved by the voters. If that constitutional amendment is not approved by the voters, the constitutional amendment to which this temporary provision applies has no effect.

HR 79 - ADOPTED**(by Menéndez)**

Representative Menéndez moved to suspend all necessary rules to take up and consider at this time **HR 79**.

The motion prevailed.

The following resolution was laid before the house:

HR 79, Congratulating Keiko Miyakawa Duke of San Antonio on her 80th birthday.

HR 79 was adopted.

On motion of Representative Farney, the names of all the members of the house were added to **HR 79** as signers thereof.

CSHJR 2 - (consideration continued)

Amendment No. 2 was withdrawn.

Amendment No. 3

Representative T. King offered the following amendment to **CSHJR 2**:

Amend **CSHJR 2** (house committee report) as follows:

(1) On page 3, line 12, between the period and "Subject", insert "(a)".

(2) On page 4, line 2, strike "toll roads" and substitute "toll roads, and of that amount not less than 10 percent must be used for public roadways to alleviate degradation caused by the transportation of oil and gas waste over the roadways".

(3) On page 4, between lines 9 and 10, insert the following:

(b) In this section, "oil and gas waste" means waste that arises out of or incidental to the drilling for or producing of oil or gas, including water containing salt or other mineralized substances produced by drilling an oil or gas well or produced in connection with the operation of an oil or gas well.

Representative Pickett moved to table Amendment No. 3.

The motion to table prevailed.

(Laubenberg now present)

Amendment No. 4

Representative Phillips offered the following amendment to **CSHJR 2**:

Amend **CSHJR 2** (house committee printing) as follows:

(1) Strike page 1, line 7, through page 3, line 9, and substitute the following:

SECTION 1. Sections 49-g(c), (d), (e), and (h), Article III, Texas Constitution, are amended to read as follows:

(c) Not later than the 90th day of each fiscal year, the comptroller of public accounts shall transfer from general revenue to the economic stabilization fund an amount equal to the amount by which the sum of the amounts allocated under ~~prescribed by~~ Subsections (d) and (e) of this section for transfer under this subsection exceeds the amount to be transferred to the available school fund in that fiscal year in accordance with Section 5(h), Article VII, of this constitution. However, if necessary, the comptroller shall reduce proportionately the amounts to be transferred to the economic stabilization fund to prevent the amount in the fund from exceeding the limit in effect for that biennium under Subsection (g) of this section.

(d) If in the preceding year the state received from oil production taxes a net amount greater than the net amount of oil production taxes received by the state in the fiscal year ending August 31, 1987, the comptroller shall allocate for transfer to the economic stabilization fund under Subsection (c) of this section an amount of general revenue equal to 75 percent of the difference between those amounts. ~~[The comptroller shall retain the remaining 25 percent of the difference as general revenue.]~~ In computing the net amount of oil production taxes received, the comptroller may not consider refunds paid as a result of oil overcharge litigation.

(e) If in the preceding year the state received from gas production taxes a net amount greater than the net amount of gas production taxes received by the state in the fiscal year ending August 31, 1987, the comptroller shall allocate for transfer to the economic stabilization fund under Subsection (c) of this section an amount of general revenue equal to 75 percent of the difference between those amounts. ~~[The comptroller shall retain the remaining 25 percent of the difference as general revenue.]~~ For the purposes of this subsection, the comptroller shall adjust the ~~his~~ computation of revenues to reflect only 12 months of collection.

(h) In preparing an estimate of anticipated revenues for a succeeding biennium as required by Article III, Section 49a, of this constitution, the comptroller shall estimate the amount of the transfers that will be made under Subsections (b) and (c), ~~(d), and (e)~~ of this section. The comptroller shall deduct that amount from the estimate of anticipated revenues as if the transfers were made on August 31 of that fiscal year.

SECTION 2. Section 5, Article VII, Texas Constitution, is amended by adding Subsections (h) and (i) to read as follows:

(h) Not later than the 90th day of each fiscal year, the comptroller of public accounts shall transfer from general revenue to the available school fund an amount equal to 25 percent of the net revenue remaining after payment of all refunds allowed by law and expenses of collection that is derived in the preceding fiscal year from all taxes, except gross production and ad valorem taxes, imposed on motor fuels used to propel motor vehicles over public roadways at the lesser of:

(1) the tax rates in effect at the time the taxes are imposed; or

(2) the tax rates in effect on July 1, 2013, if the taxes were imposed at those rates.

(i) In preparing an estimate of anticipated revenues for a succeeding biennium as required by Section 49a, Article III, of this constitution, the comptroller shall estimate the amount of the transfers that will be made under Subsection (h) of this section. The comptroller shall deduct that amount from the estimate of anticipated revenues as if the transfers were made on August 31 of that fiscal year.

(2) On page 3, line 27, strike "may" and substitute "shall".

(3) On page 4, line 14, strike "certain".

(4) Strike page 4, line 19, through page 5, line 3, and substitute the following:

(b) The amendments to Section 49-g, Article III, and Section 5, Article VII, of this constitution take effect immediately on the final canvass of the election on the amendments. If, between September 1, 2013, and the effective date of the amendments to Section 49-g, Article III, and Section 5, Article VII, of this constitution, the comptroller of public accounts has transferred from general revenue to the economic stabilization fund amounts in accordance with Sections 49-g(c), (d), and (e), Article III, as those subsections provided at the time of the transfer, as soon as practicable after the effective date of the amendments, the comptroller shall return the transferred amounts from the economic stabilization fund to general revenue and transfer from general revenue to the available school fund and the economic stabilization fund amounts in accordance with the amended provisions, irrespective of whether the transfers for that fiscal year occur before, on, or after the 90th day of the fiscal year beginning September 1, 2013.

(5) On page 5, line 12, strike "certain".

(6) Renumber the sections of the resolution appropriately.

LEAVE OF ABSENCE GRANTED

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

Isaac on motion of Kleinschmidt.

CSHJR 2 - (consideration continued)**Amendment No. 5**

Representative Simmons offered the following amendment to Amendment No. 4:

Amend Floor Amendment No. 4 by Phillips to **CSHJR 2** by striking page 1, lines 6 through 17 of the amendment and substituting the following:

(c) Not later than the 90th day of each fiscal year, the comptroller of public accounts shall transfer from general revenue to the economic stabilization fund the greater of the amount necessary to achieve an economic stabilization fund balance, immediately following the transfer and any transfer under Subsection (b) of this section, that is equal to one-third of the limit on the balance of the economic stabilization fund in effect for that state fiscal biennium under Subsection (g) of this section or the amount equal to the amount by which the sum of the amounts allocated under [prescribed by] Subsections (d) and (e) of this section for transfer under this subsection exceeds the amount to be transferred to the available school fund in that fiscal year in accordance with Section 5(h), Article VII, of this constitution. However, if necessary, the comptroller shall reduce proportionately the amounts to be transferred to the economic stabilization fund to prevent the amount in the fund from exceeding the limit in effect for that biennium under Subsection (g) of this section.

Representative Pickett moved to table Amendment No. 5.

The motion to table prevailed by (Record 35): 70 Yeas, 49 Nays, 3 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Ashby; Aycock; Callegari; Canales; Clardy; Collier; Cook; Craddick; Crownover; Darby; Davis, J.; Davis, Y.; Dutton; Eiland; Farias; Farney; Farrar; Frullo; Giddings; Gonzales; González, M.; Gonzalez, N.; Guerra; Harless; Herrero; Howard; Huberty; Johnson; King, K.; King, S.; King, T.; Kleinschmidt; Kuempel; Lewis; Longoria; Lozano; Lucio; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Moody; Muñoz; Naishtat; Oliveira; Otto; Paddie; Perez; Pickett; Pitts; Ratliff; Raymond; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Sheffield, J.; Smith; Thompson, S.; Turner, C.; Turner, S.; Villalba; Vo; Wu; Zerwas.

Nays — Anderson; Bell; Bonnen, D.; Bonnen, G.; Branch; Burkett; Burnam; Button; Carter; Creighton; Dale; Davis, S.; Deshotel; Elkins; Fallon; Flynn; Frank; Gooden; Harper-Brown; Hilderbran; Hughes; Kacal; King, P.; Klick; Krause; Laubenberg; Lavender; Miller, D.; Miller, R.; Morrison; Murphy; Orr; Parker; Perry; Price; Sanford; Schaefer; Sheets; Simmons; Simpson; Smithee; Stickland; Taylor; Thompson, E.; Toth; Turner, E.S.; White; Workman; Zedler.

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

Absent, Excused — Isaac; Reynolds.

Absent — Bohac; Capriglione; Coleman; Cortez; Dukes; Fletcher; Geren; Goldman; Guillen; Gutierrez; Hernandez Luna; Hunter; Kolkhorst; Larson; Leach; Márquez; Nevárez; Patrick; Raney; Rose; Sheffield, R.; Springer; Stephenson; Villarreal; Walle.

STATEMENTS OF VOTE

I was shown voting yes on Record No. 35. I intended to vote no.

Ashby

When Record No. 35 was taken, I was in the house but away from my desk. I would have voted no.

Bohac

I was shown voting yes on Record No. 35. I intended to vote no.

Clardy

When Record No. 35 was taken, I was in the house but away from my desk. I would have voted yes.

Cortez

I was shown voting yes on Record No. 35. I intended to vote no.

Craddick

I was shown voting yes on Record No. 35. I intended to vote no.

Crownover

I was shown voting no on Record No. 35. I intended to vote yes.

Deshotel

I was shown voting yes on Record No. 35. I intended to vote no.

Harless

When Record No. 35 was taken, I was in the house but away from my desk. I would have voted no.

Hunter

I was shown voting no on Record No. 35. I intended to vote yes.

Kacal

I was shown voting yes on Record No. 35. I intended to vote no.

S. King

When Record No. 35 was taken, my vote failed to register. I would have voted no.

Kolkhorst

I was shown voting yes on Record No. 35. I intended to vote no.

Kuempel

I was shown voting yes on Record No. 35. I intended to vote no.

Paddie

I was shown voting present, not voting on Record No. 35. I intended to vote no.

Phillips

REASONS FOR VOTE

During the debate of **HJR 2**, Representative Simmons offered an amendment to Representative Phillips' amendment, which ended up being Record No. 35. Prior to the vote, we had a Republican Caucus meeting to discuss the various amendments being offered. During the discussion, it became very clear to not only me, but the chairman of Public Education and the chairman of Article III that the amendment Representative Simmons was offering could have a negative impact on the funding for education and, more importantly, the ongoing litigation in the school lawsuit against the state.

While I agree that we need to stop the diversion from the gas tax, those funds were constitutionally dedicated to education. Therefore, we need to make sure we have the ability to have those funds replaced first. His amendment did not allow for that, and, in fact, when we discussed this on the floor of the house on July 18, at 1:18 of the video for that day during the final passage of **HJR 2**, Representative Simmons agreed that the original amendment would have had a negative impact. The ongoing litigation is an even greater concern for me, especially since we addressed and resolved many of the issues that were brought up by the plaintiffs. As such, this amendment could have been viewed negatively by the judge in the case.

I did not change my vote because the impact of his amendment could have had a negative impact on the funding source for education, which is currently guaranteed. While other members voted to not table the amendment, and others changed their vote after the original vote was cast for what may be political purposes, it was clear to me that while the intention was to protect the ESF, it was a poorly worded amendment and was not good public policy. I have supported a strong ESF balance and will continue to do so, but politicizing the process for a "scorecard" vote is bad public policy.

Huberty

During the debate of **HJR 2**, Representative Simmons offered an amendment to Representative Phillips' amendment, which ended up being Record No. 35. Prior to the vote, we had a Republican Caucus meeting to discuss the various amendments being offered, including his. During the discussion, it became very clear to not only me, but the chairman of Public Education and the chairman of Article III that the amendment he was offering could have a negative impact on the funding for education and, more importantly, the ongoing litigation in the school lawsuit against the state.

While I agree that we need to stop the diversion from the gas tax, those funds were constitutionally dedicated to education. Therefore, we need to make sure we have the ability to have those funds replaced first. His amendment did

not allow for that, and, in fact, when we discussed this on the floor of the house on July 18, at 1:18 of the video for that day during the final passage of **HJR 2**, he agreed that the original amendment would have had a negative impact. The ongoing litigation is an even greater concern for me, especially since we addressed and resolved many of the issues that were brought up by the plaintiffs. However, this amendment could have been viewed negatively by the judge in the case. It was clear to me that while the intention was to protect the ESF, it was a poorly worded amendment and was not good policy. I have supported a strong ESF balance and will continue to do so to provide the necessary reserves for our state and security for our bond rating.

Ratliff

Amendment No. 4 was adopted.

LEAVE OF ABSENCE GRANTED

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

Larson on motion of Price.

CSHJR 2 - (consideration continued)

(Speaker in the chair)

Amendment No. 6

Representative S. Turner offered the following amendment to **CSHJR 2**:

Amend **CSHJR 2** by striking SECTION 4 of the resolution (page 5, lines 9-16) and substituting:

SECTION 4. (a) This proposed constitutional amendment shall be submitted to the voters at an election to be held November 5, 2013, only if the governor issues to the secretary of state, on or before the date determined by the secretary of state to be the latest date that will permit the secretary of state to include the ballot proposition on the election ballot, the governor's certification that motor fuel tax fraud investigation efforts have been fully funded for the state fiscal years beginning September 1, 2013, and September 1, 2014. If the secretary of state has not received the governor's certification on or before that date, this resolution has no effect.

(b) If the election on this amendment is held, the ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment to provide for the transfer of certain general revenue to the economic stabilization fund, to provide for the transfer of certain general revenue to the state highway fund and the dedication of that revenue, and to authorize the payment of the principal and interest on certain highway improvement bonds from certain general revenue transferred to the state highway fund."

Representative P. King moved to table Amendment No. 6.

The motion to table prevailed by (Record 36): 86 Yeas, 53 Nays, 2 Present, not voting.

Yeas — Anderson; Ashby; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Button; Callegari; Capriglione; Carter; Clardy; Cook; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Elkins; Fallon; Farney; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; Gooden; Harless; Harper-Brown; Hilderbran; Huberty; Hughes; Hunter; Kacal; Keffer; King, K.; King, P.; King, S.; Kleinschmidt; Klick; Krause; Kuempel; Laubenberg; Lavender; Leach; Lewis; Lozano; Miller, D.; Miller, R.; Morrison; Murphy; Orr; Otto; Paddie; Parker; Patrick; Perry; Phillips; Price; Raney; Ratliff; Ritter; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Smith; Smithee; Springer; Stephenson; Stickland; Taylor; Toth; Turner, E.S.; Villalba; White; Workman; Zedler; Zerwas.

Nays — Allen; Alonzo; Alvarado; Anchia; Burnam; Canales; Coleman; Collier; Cortez; Davis, Y.; Deshotel; Dutton; Eiland; Farias; Farrar; Giddings; González, M.; Guerra; Gutierrez; Hernandez Luna; Herrero; Howard; Johnson; King, T.; Longoria; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Moody; Muñoz; Naishtat; Nevárez; Oliveira; Perez; Pickett; Pitts; Raymond; Riddle; Rodriguez, E.; Rodriguez, J.; Rose; Simpson; Thompson, S.; Turner, C.; Turner, S.; Villarreal; Vo; Walle; Wu.

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

Absent, Excused — Isaac; Larson; Reynolds.

Absent — Aycock; Dukes; Gonzalez, N.; Guillen; Thompson, E.

STATEMENT OF VOTE

When Record No. 36 was taken, my vote failed to register. I would have voted yes.

Aycock

Amendment No. 7

Representative C. Turner offered the following amendment to **CSHJR 2**:

Amend **CSHJR 2** (house committee printing) as follows:

(1) On page 3, line 12, between "Sec. 7-a." and "Subject" insert "(a)".

(2) On page 4, between lines 9 and 10, insert:

(b) On or before December 31 of each even-numbered year, the comptroller shall certify to the governor and the legislature the amount of anticipated revenue that will be available under Subsection (a) of this section for the purposes of acquiring rights of way, constructing, and maintaining public roadways other than toll roads for each year of the next state fiscal biennium, and the Texas Transportation Commission or its successor in function shall certify to the governor and the legislature the amount of revenue needed for those purposes for those state fiscal years. In each fiscal year for which estimates are certified, the Texas Department of Transportation or its successor agency may, without the necessity of an appropriation, use money in the Texas Enterprise Fund or its successor fund for the purposes described by this subsection in an amount not to

exceed the amount, if any, by which the estimated amount needed for those purposes exceeds the estimated amount available for those purposes for that fiscal year.

(3) On page 5, between lines 7 and 8, insert:

(d) Not later than December 31, 2013, the comptroller and the Texas Transportation Commission shall make the certifications required by Section 7-a(b), Article VIII of this constitution, for the remainder of the state fiscal year ending August 31, 2014 and the state fiscal year ending August 31, 2015. In each of those fiscal years, the Texas Department of Transportation may, without the necessity of an appropriation, use money in the Texas Enterprise Fund for the purposes described by Section 7-a(b) in an amount not to exceed the amount, if any, by which the estimated amount needed for those purposes exceeds the estimated amount available for those purposes for those fiscal years.

(4) On page 5, line 8, strike "(d)" and substitute "(e)".

(5) On page 5, line 15, between "roadways" and "and to provide" insert ", to provide for the use of the Texas Enterprise Fund for those purposes in certain circumstances,".

LEAVES OF ABSENCE GRANTED

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

Márquez on motion of N. Gonzalez.

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

Dukes on motion of McClendon.

CSHJR 2 - (consideration continued)

Representative Phillips moved to table Amendment No. 7.

The motion to table prevailed by (Record 37): 74 Yeas, 57 Nays, 3 Present, not voting.

Yeas — Anderson; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Button; Callegari; Clardy; Cook; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Eiland; Elkins; Farney; Fletcher; Flynn; Frullo; Geren; Gonzales; Gooden; Harless; Harper-Brown; Hilderbran; Huberty; Hunter; Kacal; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Kuempel; Laubenberg; Lavender; Lewis; Lozano; Miller, D.; Miller, R.; Morrison; Murphy; Orr; Otto; Paddie; Parker; Patrick; Perry; Phillips; Pickett; Price; Raney; Ratliff; Ritter; Sheets; Sheffield, J.; Sheffield, R.; Smith; Smithee; Stephenson; Thompson, E.; Toth; Villalba; Workman; Zedler; Zerwas.

Nays — Allen; Alonzo; Alvarado; Burnam; Canales; Capriglione; Carter; Coleman; Cortez; Davis, Y.; Deshotel; Dutton; Farias; Farrar; Frank; Giddings; González, M.; Gonzalez, N.; Guerra; Guillen; Gutierrez; Hernandez Luna; Herrero; Howard; Hughes; Johnson; Longoria; Lucio; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Moody; Muñoz; Naishtat; Nevárez;

Oliveira; Perez; Pitts; Raymond; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Simmons; Simpson; Taylor; Thompson, S.; Turner, C.; Turner, E.S.; Turner, S.; Villarreal; Vo; Walle; Wu.

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

Absent, Excused — Dukes; Isaac; Larson; Márquez; Reynolds.

Absent — Ashby; Collier; Fallon; Goldman; Keffer; Leach; Riddle; Springer; Stickland; White.

STATEMENTS OF VOTE

I was shown voting present, not voting on Record No. 37. I intended to vote no.

Krause

When Record No. 37 was taken, I was in the house but away from my desk. I would have voted no.

Stickland

Amendment No. 8

Representative Menéndez offered the following amendment to **CSHJR 2**:

Amend **CSHJR 2** (house committee printing) on page 4, line 18 by inserting the following after "fund.":

The proposed constitutional amendment to which this temporary provision applies takes effect only if the constitutional amendment proposed by the 83rd Legislature, Regular Session, 2013, providing for the creation of the State Water Implementation Fund for Texas and the State Water Implementation Revenue Fund for Texas to assist in the financing of priority projects in the state water plan to ensure the availability of adequate water resources is approved by the voters. If that constitutional amendment is not approved by the voters, the constitutional amendment to which this temporary provision applies has no effect.

Amendment No. 8 was withdrawn.

LEAVE OF ABSENCE GRANTED

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

Patrick on motion of Harless.

CSHJR 2 - (consideration continued)

CSHJR 2, as amended, was passed to engrossment by (Record 38): 92 Yeas, 32 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Branch; Callegari; Canales; Clardy; Collier; Cook; Cortez; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Eiland; Elkins; Farney; Farrar; Geren; Giddings; Gonzales; González, M.; Gonzalez, N.; Guerra; Harless; Harper-Brown; Herrero; Howard; Huberty; Hunter; Johnson; Kacal; Keffer; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Lavender; Lewis;

Longoria; Lozano; Lucio; Martinez; Martinez Fischer; McClendon; Menéndez; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Oliveira; Orr; Otto; Paddie; Perez; Perry; Phillips; Pickett; Pitts; Price; Ratliff; Raymond; Riddle; Rodriguez, E.; Rodriguez, J.; Sheets; Sheffield, J.; Smith; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, S.; Villalba; Vo; Walle; White; Workman; Wu.

Nays — Bonnen, G.; Burkett; Burnam; Button; Carter; Craddick; Creighton; Dutton; Farias; Frank; Frullo; Gooden; Hilderbran; Hughes; King, K.; King, P.; Klick; Krause; Laubenberg; Miles; Parker; Ritter; Sanford; Schaefer; Simmons; Simpson; Smithee; Stephenson; Stickland; Taylor; Turner, E.S.; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Dukes; Isaac; Larson; Márquez; Patrick; Reynolds.

Absent — Bonnen, D.; Capriglione; Coleman; Fallon; Fletcher; Flynn; Goldman; Guillen; Gutierrez; Hernandez Luna; Leach; Nevárez; Raney; Rose; Sheffield, R.; Springer; Villarreal; Zerwas.

STATEMENTS OF VOTE

I was shown voting yes on Record No. 38. I intended to vote no.

Anderson

When Record No. 38 was taken, I was in the house but away from my desk. I would have voted no.

Flynn

When Record No. 38 was taken, I was in the house but away from my desk. I would have voted no.

R. Sheffield

I was shown voting yes on Record No. 38. I intended to vote no.

Toth

POSTPONED BUSINESS

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

CSHB 16 ON SECOND READING **(by Pickett, Harper-Brown, and Phillips)**

CSHB 16, A bill to be entitled An Act relating to the allocation of certain fuel-related tax revenue and certain motor vehicle sales, use, and rental tax revenue to the state highway fund and to the uses of that revenue.

CSHB 16 was read second time earlier today and was postponed until this time.

LEAVE OF ABSENCE GRANTED

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

Springer on motion of Sanford.

CSHB 16 - (consideration continued)**Amendment No. 1**

Representative Howard offered the following amendment to **CSHB 16**:

Amend **CSHB 16** (house committee printing) as follows:

(1) On page 5, between lines 4 and 5, insert the following:

(g) This section takes effect January 1, 2014, but only if the constitutional amendment proposed by the 83rd Legislature, 2nd Called Session, 2013, to provide for certain revenue from motor fuel taxes to be used solely for constructing, maintaining, and acquiring rights-of-way for certain public roadways and to provide for the transfer of certain general revenue to the economic stabilization fund and the available school fund is approved by the voters. If that amendment is not approved by the voters, this section has no effect.

(2) Add the following appropriately numbered SECTION to the bill:

SECTION _____. (a) In this section, "biennial state taxes and fees general revenue estimate" means the amount of revenue stated in the comptroller's estimate provided in advance of the regular legislative session as required by Section 49a, Article III, Texas Constitution, that, based on the laws in effect at the time the estimate is made, is anticipated to be received by and for the state from collections of taxes and fees the revenue from which is anticipated to be deposited to the credit of the general revenue fund and is not set aside by law for a particular purpose or entity.

(b) On the 91st day of the state fiscal year beginning September 1, 2013, an amount of money equal to the amount by which transfers to the economic stabilization fund during the state fiscal year ending August 31, 2013, exceed the estimated amount of transfers to be made to that fund during that fiscal year as contained in the biennial state taxes and fees general revenue estimate for the state fiscal biennium ending August 31, 2013, is appropriated from the economic stabilization fund to the comptroller of public accounts for the purpose of immediately depositing that amount to the credit of the state highway fund. Money deposited to the credit of the state highway fund under this section is appropriated to the Texas Department of Transportation for the state fiscal biennium ending August 31, 2015, for the purposes of constructing, maintaining, and acquiring rights-of-way for public roadways other than toll roads.

(c) On the 91st day of the state fiscal year beginning September 1, 2014, an amount of money equal to the amount by which transfers to the economic stabilization fund during the state fiscal year ending August 31, 2014, exceed the estimated amount of transfers to be made to that fund during that fiscal year as contained in the biennial state taxes and fees general revenue estimate for the state fiscal biennium ending August 31, 2015, is appropriated from the economic stabilization fund to the comptroller of public accounts for the purpose of immediately depositing that amount to the credit of the state highway fund. Money deposited to the credit of the state highway fund under this section is appropriated to the Texas Department of Transportation for the state fiscal biennium ending August 31, 2015, for the purposes of constructing, maintaining, and acquiring rights-of-way for public roadways other than toll roads.

(d) This section takes effect only if:

(1) this Act receives a vote of two-thirds of the members present in each house of the legislature, as provided by Section 49-g(m), Article III, Texas Constitution; and

(2) the constitutional amendment proposed by **HJR 2** or similar legislation of the 83rd Legislature, 2nd Called Session, 2013, is not approved by the voters.

(3) Strike SECTION 4 of the bill (page 6, lines 4 through 15) and substitute the following appropriately numbered SECTION:

SECTION _____. Except as otherwise provided by this Act, this Act takes effect on the 91st day after the last day of the legislative session.

(4) Renumber SECTIONS of the bill accordingly.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Hunter requested permission for the Committee on Calendars to meet while the house is in session, at 6:25 p.m. today, in 3W.15, to set a calendar.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Calendars, 6:25 p.m. today, 3W.15, for a formal meeting, to set a calendar.

CSHB 16 - (consideration continued)

Amendment No. 1 was adopted.

Amendment No. 2

Representative Otto offered the following amendment to **CSHB 16**:

Amend **CSHB 16** (house committee printing) on page 5, line 15, by striking "\$2.8 billion" and substituting "\$3.6 billion".

Amendment No. 2 was adopted.

Amendment No. 3

Representative Simmons offered the following amendment to **CSHB 16**:

Amend **CSHB 16** (house committee printing) by adding the following SECTION, appropriately numbered, to the bill and renumbering the subsequent SECTIONS of the bill accordingly:

SECTION _____. (a) A joint committee shall conduct a study to evaluate and make recommendations regarding the issues described by Subsection (d) of this section.

(b) The committee is composed of eight members appointed as follows:

(1) four members of the senate appointed by the lieutenant governor;
and

(2) four members of the house of representatives appointed by the speaker of the house of representatives.

(c) The speaker of the house of representatives and the lieutenant governor jointly shall designate a chair or, alternatively, designate two co-chairs from among the committee membership.

(d) The committee shall:

(1) consider whether the continued use of oil and gas production tax amounts received by this state in the fiscal year ending August 31, 1987, to determine certain amounts to be transferred to the economic stabilization fund under Sections 49-g(d) and (e), Article III, Texas Constitution, is appropriate, or whether different figures should be used when calculating amounts to be transferred to the fund;

(2) consider whether the current percentage allocations of certain oil and gas production tax revenue under Sections 49-g(d) and (e), Article III, Texas Constitution, are appropriate, or whether changes should be made to those allocations;

(3) consider whether the manner in which the limitation on the balance of the economic stabilization fund under Section 49-g(g), Article III, Texas Constitution, is currently prescribed is appropriate, or whether changes should be made to the way that limitation is prescribed; and

(4) examine whether the constitutional provisions relating to the permissible uses of money in the economic stabilization fund and the vote requirements necessary to appropriate money from the fund for those uses are appropriate and whether changes should be made to either the permissible uses of money in the fund or the vote requirement to appropriate money from the fund.

(e) The committee may adopt rules necessary to carry out the committee's duties under this section.

(f) Except as otherwise specifically provided by this section, the committee may operate in the same manner as a joint committee of the 83rd Legislature.

(g) Not later than November 1, 2014, the committee shall report to the governor and the legislature the recommendations developed by the committee under this section.

(h) This section expires January 1, 2015.

Amendment No. 3 was adopted.

Amendment No. 4

Representative Lavender offered the following amendment to **CSHB 16**:

Amend **CSHB 16** (house committee printing) by adding the following SECTION, appropriately numbered, to the bill and renumbering the subsequent SECTIONS of the bill accordingly:

SECTION _____. (a) In this section, "biennial state taxes and fees general revenue estimate" means the amount of revenue stated in the comptroller's estimate provided in advance of the regular legislative session as required by Section 49a, Article III, Texas Constitution, that, based on the laws in effect at the time the estimate is made, is anticipated to be received by and for the state from collections of taxes and fees the revenue from which is anticipated to be deposited to the credit of the general revenue fund and is not set aside by law for

a particular purpose or entity, including probable changes to that anticipated revenue as shown in supplemental statements submitted in accordance with Section 49a, Article III, Texas Constitution.

(b) The comptroller of public accounts shall deposit to the credit of the state highway fund an amount of money equal to the amount by which the revenue derived from state taxes and fees that is received by the comptroller in the state fiscal biennium ending August 31, 2015, exceeds the estimate of revenue contained in the biennial state taxes and fees general revenue estimate for that biennium. The amount of money deposited to the credit of the state highway fund under this section may not exceed \$2,000,000,000.

(c) This section expires September 1, 2015.

Amendment No. 4 was adopted.

CSHB 16, as amended, was passed to engrossment. (White recorded voting no.)

REASON FOR VOTE

CSHB 16 has many redeeming aspects. It stops a diversion and strengthens the stream of revenue for vital transportation infrastructure. However, Amendment No. 1 by Representative Howard purports to direct a revenue from the ESF over the comptroller's projection for the ESF to transportation. This is a understandable goal. However, the conditions for this withdrawal on the ESF is based on the people of Texas, through a constitutional amendment election, not approving a proposed amendment that would redirect oil and gas revenue from the ESF to fund transportation needs. Though increasing funding for transportation is a noble goal, sending a signal to the voters that if you do not do what we (legislators) wish, then the legislature will act as a "king in parliament" and make withdrawals from the ESF.

Even more, on the HJR associated with this legislation, the argument against including a floor or a requirement for the ESF to have a certain amount before any redirection of oil and gas revenue to transportation is that it circumvents the appropriators. Well, this action is circumventing the appropriators, and this provision added to **CSHB 16** seems inconsistent with government for, by, and of the people.

White

(S. King in the chair)

HCR 16 - ADOPTED

(by Giddings, S. Turner, Craddick, Pitts, and Johnson)

Representative Giddings moved to suspend all necessary rules to take up and consider at this time **HCR 16**.

The motion prevailed.

The following resolution was laid before the house:

HCR 16, Designating July 18, 2013, as Nelson Mandela International Day in Texas.

HCR 16 was adopted.

On motion of Representative Craddick, the names of all the members of the house were added to **HCR 16** as signers thereof.

(Howard in the chair)

HCR 18 - ADOPTED
(by S. King)

Representative S. King moved to suspend all necessary rules to take up and consider at this time **HCR 18**.

The motion prevailed.

The following resolution was laid before the house:

HCR 18, Commemorating the delivery of the final C-130J Super Hercules to Dyess Air Force Base.

HCR 18 was adopted.

ADJOURNMENT

Representative Aycock moved that the house adjourn until 2 p.m. Thursday, July 18 in memory of Robert Hornsby of Killeen.

The motion prevailed.

The house accordingly, at 6:34 p.m., adjourned until 2 p.m. Thursday, July 18.

ADDENDUM

SIGNED BY THE SPEAKER

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

House List No. 1

HB 2

Senate List No. 1

SB 2

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
Monday, July 15, 2013 - 1

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:

HB 2 Laubenberg SPONSOR: Hegar
Relating to the regulation of abortion procedures, providers, and facilities;
providing penalties.

HCR 4 Guillen SPONSOR: Deuell
Designating the week beginning September 8, 2013, as Direct Support
Professionals Recognition Week in Texas.

HCR 11 Frullo SPONSOR: Duncan
Congratulating former state representative Carl H. Isett on his promotion to the
rank of captain in the U.S. Navy Reserve.

Respectfully,
Patsy Spaw
Secretary of the Senate

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

July 11

Appropriations - **HB 5, HB 16, HJR 2**

Criminal Jurisprudence - **SB 2**

Defense and Veterans' Affairs - **HCR 3**