

# HOUSE JOURNAL

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EIGHTY-THIRD LEGISLATURE, REGULAR SESSION

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## PROCEEDINGS

THIRD DAY — THURSDAY, JANUARY 10, 2013

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 3).

Present — Mr. Speaker; Allen; Alonzo; Anchia; Anderson; Ashby; Aycock; 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.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberger; 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; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Walle; White; Workman; Wu; Zedler; Zerwas.

Absent, Excused — Alvarado; Gonzalez, N.; Hilderbran; King, S.; Smithee; Vo.

The speaker recognized Representative Lozano who introduced Reverend Clayton Elder, rector, St. Philip's Episcopal Church, Beeville, who offered the invocation as follows:

O Lord our governor, whose glory is in all the world, we commend this great state and nation to your merciful care, that, being guided by your providence, we may dwell secure in your peace. Grant to the president of the United States, the governor of this state, the senators and representatives here assembled, and to all in authority wisdom and strength to know and to do thy will. Guide and bless them, that they may enact such laws as shall please you to the glory of your name and the welfare of this people. Fill them with the love of truth and righteousness and make them ever mindful of their calling to serve this people in your fear. Through Jesus Christ our Lord, who lives and reigns with you and the Holy Spirit, one God, world without end.

The speaker recognized Representative Moody 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:

Alvarado on motion of Moody.

N. Gonzalez on motion of Moody.

Hilderbran on motion of Price.

S. King on motion of Price.

Smithee on motion of Price.

Vo on motion of Moody.

### **CAPITOL PHYSICIAN**

The speaker recognized Representative Frank who presented Dr. David Greer of Henrietta as the "Doctor for the Day."

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

(Bell 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).

### **SCR 4 - ADOPTED (Geren - House Sponsor)**

The following resolution was laid before the house:

**SCR 4**, Granting the legislature permission to adjourn for more than three days during the period beginning on Wednesday, January 9, 2013, and ending on Monday, January 14, 2013.

**SCR 4** was adopted by (Record 4): 142 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Ashby; Aycock; 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.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; 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; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Walle; White; Workman; Wu; Zedler; Zerwas.

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

Absent, Excused — Alvarado; Gonzalez, N.; Hilderbran; King, S.; Smithee; Vo.

(Speaker in the chair)

### INTRODUCTION OF GUESTS

The speaker recognized Representative McClendon who introduced State of Texas prison exonerees: Billy Smith, Johnny Pinchback, Charles Chatman, Johnnie Lindsey, Christopher Scott, Richard Miles, Claude Simmons, and Cory Session, brother of exoneree Timothy Cole.

(Bell in the chair)

### ADJOURNMENT

Representative Lozano moved that the house adjourn until 10 a.m. Monday, January 14 in memory of Maggie, Miguel, and Diego Gorena of McAllen.

The motion prevailed.

The house accordingly, at 10:47 a.m., adjourned until 10 a.m. Monday, January 14.

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### ADDENDUM

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### 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, January 10, 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:

**SCR 4**                                      Whitmire                                      SPONSOR: Geren  
Granting the legislature permission to adjourn for more than three days during the period beginning on Wednesday, January 9, 2013, and ending on Monday, January 14, 2013.

Respectfully,  
Patsy Spaw  
Secretary of the Senate