

HOUSE JOURNAL

EIGHTY-THIRD LEGISLATURE, REGULAR SESSION

PROCEEDINGS

FOURTH DAY (CONTINUED) — TUESDAY, JANUARY 15, 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 19).

Present — Mr. Speaker; Allen; Alonzo; Alvarado; 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.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; 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; Reynolds; Riddle; Ritter; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Absent, Excused — Hunter.

Absent — Rodriguez, E.

The speaker recognized Representative White who introduced Chris Kirkendall, pastor, Faith Christian Center, Silsbee, who offered the invocation as follows:

Dear Heavenly Father, we come before you today, acknowledging your hand in the founding of our government. It is your sovereign will that has bestowed upon us our inalienable rights. It is your divine grace that allows a system of government of the people, by the people, and for the people. To that end, we pray for this Texas House of Representatives.

We ask, Almighty God, for the spirit of wisdom to guide our representatives in all pieces of legislation that will impact the citizens of Texas. I pray that there will be honor and reverence given to your commands as our representatives work in humility to honor you as they lead our great state.

We ask today for your grace and protection to be upon each representative and their family members. As our representatives serve you and are away from their families, we ask your guiding hand to protect their spouses, children, and parents. We ask today that provision would be in their households and peace within their homes.

As our representatives work together this legislative cycle, I pray that you would preserve friendships, create new relationships, and keep them divinely unified.

We also ask for forgiveness of sins. Where your divine laws have been overlooked, pushed away, or ignored, we ask for forgiveness. Where representatives have been inconsiderate of your divine hand, we ask for forgiveness.

As this legislative session pushes on, we ask for creative ideas that would ensure prosperity in our state. We proclaim over Texas: "The blessing of the Lord makes one rich, and he adds no sorrow with it." (Proverbs 10:22) Therefore, O God, divinely good in all you do, we pray for our speaker of the house, Joe Straus, and pray your blessings upon his leadership. We pray for our state representatives to be blessed in all they do. I pray for my state representative, James White, as he represents our district.

We conclude our prayer by asking, O Lord, for your divine blessing upon our state. We invoke the blessing of God. Texas, may the Lord bless you and keep you, may he make his face to shine upon you and be gracious to you, and may the Lord lift up his countenance upon you and give you peace. The eyes of Texas may be upon us, but God's eye is on Texas. In Jesus' name. Amen.

The speaker recognized Representative Paddie 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:

Hunter on motion of Farney.

CAPITOL PHYSICIAN

The speaker recognized Representative White who presented Dr. Ron McMurry of Jasper as the "Doctor for the Day."

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

(Canales 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).

(E. Rodriguez now present)

**HR 104 - ADOPTED
(by Stickland)**

Representative Stickland moved to suspend all necessary rules to take up and consider at this time **HR 104**.

The motion prevailed.

The following resolution was laid before the house:

HR 104, In memory of Donna Mickan of Euless.

HR 104 was unanimously adopted by a rising vote.

**HR 72 - ADOPTED
(by Alvarado)**

Representative Alvarado moved to suspend all necessary rules to take up and consider at this time **HR 72**.

The motion prevailed.

The following resolution was laid before the house:

HR 72, In memory of Senator Mario V. Gallegos, Jr.

HR 72 was read and was unanimously adopted by a rising vote.

On motion of the Harris County delegation, the names of all the members of the house were added to **HR 72** as signers thereof.

INTRODUCTION OF GUESTS

The chair recognized Representative Alvarado who introduced family members of the Honorable Mario V. Gallegos, Jr.

HOUSE AT EASE

At 10:32 a.m., the chair announced that the house would stand at ease.

The chair called the house to order at 10:49 a.m.

**HCR 27 - ADOPTED
(by Geren)**

Representative Geren moved to suspend all necessary rules to take up and consider at this time **HCR 27**.

The motion prevailed.

The following resolution was laid before the house:

HCR 27, Granting the legislature permission to adjourn for more than three days during the period beginning on Wednesday, January 16, 2013, and ending on Tuesday, January 22, 2013.

HCR 27 was adopted by (Record 20): 147 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; 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; Hughes; 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; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

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

Absent, Excused — Hunter.

SCR 5 - ADOPTED
(Geren - House Sponsor)

Representative Geren moved to suspend all necessary rules to take up and consider at this time **SCR 5**.

The motion prevailed.

The following resolution was laid before the house:

SCR 5, Inviting the governor to address a joint session of the legislature on January 29, 2013.

SCR 5 was adopted by (Record 21): 146 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; 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; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.;

Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; 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; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

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

Absent, Excused — Hunter.

Absent — Flynn.

ADJOURNMENT

Representative Kuempel moved that the house adjourn until 10 a.m. Wednesday, January 23 in memory of Annie Ruth Johnston Foshee of Houston.

The motion prevailed.

The house accordingly, at 11:03 a.m., adjourned until 10 a.m. Wednesday, January 23.

ADDENDUM

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

Tuesday, January 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:

SCR 5

Eltife

SPONSOR: Geren

Inviting the governor to address a joint session of the legislature on January 29, 2013.

Respectfully,
Patsy Spaw
Secretary of the Senate