

HOUSE JOURNAL

EIGHTY-FIFTH LEGISLATURE, FIRST CALLED SESSION

PROCEEDINGS

FIRST DAY — TUESDAY, JULY 18, 2017

In obedience of the proclamation of His Excellency, Greg Abbott, Governor of the State of Texas, convening the 85th Legislature, First Called Session, to meet in special session at Austin, Texas, the seat of government, on this the 18th day of July 2017, the members of the House of Representatives assembled in the hall of the House of Representatives, and at 10:01 a.m. the house was called to order by the Honorable Joe Straus, speaker.

The roll of the house was called and a quorum was announced present (Record 1).

Present — Mr. Speaker(C); Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Absent, Excused — Hernandez; King, P.

The speaker recognized Representative Raymond who introduced Norman Howell, senior pastor, Laredo Church of the Crossroads, Laredo, who offered the invocation as follows:

Almighty God, hear us on this new day and help us to love good and hate evil and to affirm justice in the Lone Star State of Texas. From the Red River in the north to the Rio Grande in the south, from the Sabine to the east and the Panhandle to the west, may our borders both be safe and yet welcoming of people to the land where you have called us to be good stewards. May our hearts be generous to the foreigner and diligent against those who would mean us harm.

As your holy word directs in Ephesians 4:29: "Do not let any unwholesome talk come out of your mouths, but only what is helpful for building others up according to their needs, that it might benefit those who listen." Help us to be kind and considerate in the looks we give, the words we speak, and be resolute in the decisions we make for the benefit of the many as well as the few. Help us to hear and understand each other's hearts and treat each other the way we would want to be treated. May our eyes see with faith toward the future and may our hands be clean and free from bribery. Grant us wisdom in the decisions we make. And at the end of the day, may we walk out from here in peace having done our best and trusting in you for tomorrow. Amen.

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

LEAVES OF ABSENCE GRANTED

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

Hernandez on motion of Howard.

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

P. King on motion of Morrison.

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

Smithee on motion of Flynn.

CAPITOL PHYSICIAN

The speaker recognized Representative S. Davis who presented Dr. Joshua Splinter of Houston as the "Doctor for the Day."

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

PROCLAMATION BY THE GOVERNOR OF THE STATE OF TEXAS

The chair laid before the house and had read the following proclamation by the governor:

TO ALL TO WHOM THESE PRESENTS SHALL COME:

WHEREAS, the legislature adjourned its 85th Regular Session without extending the existence of the Texas Medical Board, the Texas State Board of Examiners of Psychologists, the Texas State Board of Examiners of Marriage and Family Therapists, the Texas State Board of Examiners of Professional Counselors, and the Texas State Board of Social Worker Examiners; and

WHEREAS, without legislative action, these five agencies will be abolished on September 1, 2017, pursuant to the Texas Sunset Act, Chapter 325, Government Code, and statutory law applicable to these agencies; and

WHEREAS, the continuation of these agencies is important to the operation of the professions subject to oversight by these agencies; and

WHEREAS, the people of Texas have placed the constitutional power to call the legislature into special sessions in the hands of the governor; and

WHEREAS, as soon as the senate passes all bills necessary to extend the existence of the five state agencies referenced above, I intend to add to this first called session of the 85th Legislature the items I announced on June 6, 2017, including matters such as teacher compensation and retention practices, school finance reform, education options for students with special needs, property tax reform, constraining the growth of state and local government, municipal regulatory and annexation reforms, protection of property rights, privacy, the governmental collection of union dues, pro-life legislation, and mail-in ballot reforms; and

WHEREAS, bills related to the matters that I intend to add to this first called session of the 85th Legislature may be filed and may begin to be considered by the legislature before those matters are added to the call;

NOW, THEREFORE, I, GREG ABBOTT, GOVERNOR OF THE STATE OF TEXAS, by the authority vested in me by Article III, Section 5 and Article IV, Section 8 of the Texas Constitution, do hereby call an extraordinary session of the 85th Legislature, to convene in the city of Austin, commencing at 10 a.m. on July 18, 2017, for the purpose of considering the following:

Legislation amending Sections 151.004, 501.005, 502.003, 503.005, and 505.005 of the Texas Occupations Code to extend the expiration dates applicable to the Texas Medical Board, the Texas State Board of Examiners of Psychologists, the Texas State Board of Examiners of Marriage and Family Therapists, the Texas State Board of Examiners of Professional Counselors, and the Texas State Board of Social Worker Examiners.

The secretary of state will take notice of this action and will notify the members of the legislature of my action.

IN TESTIMONY WHEREOF, I have hereto signed my name and have officially caused the Seal of the State to be affixed at my Office in the city of Austin, Texas, this the 10th day of July 2017.

Greg Abbott
Governor of Texas

(SEAL)
Rolando B. Pablos
Secretary of State

(Geren in the chair)

REGULAR ORDER OF BUSINESS SUSPENDED

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

RESOLUTIONS ADOPTED

Representative Kacal moved to suspend all necessary rules to take up and consider at this time the following congratulatory resolutions.

The motion prevailed.

The following resolutions were laid before the house:

HR 31 (by Y. Davis), Commending Dr. Hugh Dell Gatewood on her service to the Woman's Auxiliary of the National Baptist Convention, USA.

HR 34 (by Giddings), Recognizing July 18, 2017, as Nelson Mandela International Day. (Biedermann recorded voting no.)

(Speaker in the chair)

The resolutions were adopted.

On motion of Representative Kacal, the names of all the members of the house were added to the resolutions as signers thereof, with the understanding that a member may remove his or her name from any resolution.

(Cyrier in the chair)

**HR 34 - PREVIOUSLY ADOPTED
(by Giddings)**

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

HR 34, Recognizing July 18, 2017, as Nelson Mandela International Day.

On motion of Representative Reynolds, the names of all the members of the house were added to **HR 34** as signers thereof.

**HR 23 - ADOPTED
(by R. Anderson)**

Representative R. Anderson moved to suspend all necessary rules to take up and consider at this time **HR 23**.

The motion prevailed.

The following resolution was laid before the house:

HR 23, In memory of W. Tucker Keene of Dallas.

HR 23 was unanimously adopted by a rising vote.

On motion of Representatives Meyer, Rinaldi, Koop, and Burkett, the names of all the members of the house were added to **HR 23** as signers thereof.

**HR 26 - ADOPTED
(by Alonzo, Uresti, Gervin-Hawkins, Cortez, and Gutierrez)**

Representative Alonzo moved to suspend all necessary rules to take up and consider at this time **HR 26**.

The motion prevailed.

The following resolution was laid before the house:

HR 26, In memory of civil rights leader Jaime Martinez of San Antonio.

HR 26 was unanimously adopted by a rising vote.

On motion of Representative Cortez, the names of all the members of the house were added to **HR 26** as signers thereof.

PROVIDING FOR ADJOURNMENT

At 10:51 a.m., Representative Hinojosa moved that, at the conclusion of the reading of bills and resolutions on first reading and referral to committees, the house adjourn until 10 a.m. tomorrow in memory of John Arévalo of San Antonio, father of Representative Arévalo.

The motion prevailed.

BILLS AND JOINT RESOLUTIONS ON FIRST READING AND REFERRAL TO COMMITTEES

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

ADJOURNMENT

In accordance with a previous motion, the house, at 10:52 a.m., adjourned until 10 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

HB 1 (By Gonzales), Relating to avoiding the abolishment of certain agencies subject to the Texas Sunset Act on September 1, 2017.
To State Affairs.

