

HOUSE JOURNAL

SEVENTY-NINTH LEGISLATURE, SECOND CALLED SESSION

PROCEEDINGS

FOURTH DAY — THURSDAY, JULY 28, 2005

The house met at 12 p.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 20).

Present — Mr. Speaker; Allen, A.; Allen, R.; Alonzo; Anchia; Anderson; Bailey; Baxter; Berman; Blake; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Campbell; Casteel; Castro; Chavez; Chisum; Cook, B.; Cook, R.; Crabb; Crownover; Davis, J.; Davis, Y.; Dawson; Delisi; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; Escobar; Farabee; Farrar; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goodman; Goolsby; Griggs; Grusendorf; Guillen; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Hegar; Herrero; Hill; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hughes; Hunter; Hupp; Isett; Jackson; Jones, D.; Jones, J.; Keel; Keffer, J.; King, P.; King, T.; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Leibowitz; Luna; Madden; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miller; Morrison; Mowery; Naishtat; Nixon; Noriega, M.; Orr; Otto; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Uresti; Van Arsdale; Veasey; Villarreal; Vo; West; Wong; Woolley; Zedler.

Absent, Excused — Oliveira; Olivo; Reyna.

Absent — Coleman; Corte; Hilderbran; Keffer, B.; Moreno, P.

The invocation was offered by Representative Hardcastle.

The speaker recognized Representative Geren 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:

Oliveira on motion of Quintanilla.

Olivo on motion of Mowery.

Reyna on motion of Denny.

**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.)

LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence for the remainder of today to attend a funeral:

Gallego on motion of Hochberg.

RESOLUTIONS ADOPTED

Representative Edwards moved to suspend all necessary rules in order to take up and consider at this time **HR 21 - HR 51, HR 53 - HR 60, and HCR 12.**

The motion prevailed.

The following resolutions were laid before the house:

HR 21 (by Griggs), Honoring Harris Methodist H.E.B. Hospital in Bedford for donating automatic external defibrillators to all Northeast Tarrant County high schools and to Tarrant County College Northeast.

HR 22 (by McClendon), Honoring Carlos B. Salazar for serving as Democratic chair of precinct 4004 in Bexar County.

HR 23 (by McClendon), Honoring Ray P. I. Martinez for serving as Democratic chair of precinct 4006 in Bexar County.

HR 24 (by McClendon), Honoring Isabel A. Rodriguez for serving as Democratic chair of precinct 4008 in Bexar County.

HR 25 (by McClendon), Honoring Abram Emerson for serving as Democratic chair of precinct 4010 in Bexar County.

HR 26 (by McClendon), Honoring Napoleon Williams for serving as Democratic chair of precinct 4011 in Bexar County.

HR 27 (by McClendon), Honoring Benjamin Jones for serving as Democratic chair of precinct 4029 in Bexar County.

HR 28 (by McClendon), Honoring Dolores M. Lott for serving as Democratic chair of precinct 4030 in Bexar County.

HR 29 (by McClendon), Honoring Marjorie M. Odom for serving as Democratic chair of precinct 4036 in Bexar County.

HR 30 (by McClendon), Honoring Renee A. Watson for serving as Democratic chair of precinct 4039 in Bexar County.

HR 31 (by McClendon), Honoring Denver McClendon for serving as Democratic chair of precinct 4040 in Bexar County.

HR 32 (by McClendon), Honoring Ben Alexander for serving as Democratic chair of precinct 4041 in Bexar County.

HR 33 (by McClendon), Honoring Martin L. Nalls for serving as Democratic chair of precinct 4043 in Bexar County.

HR 34 (by McClendon), Honoring William Johnson for serving as Democratic chair of precinct 4045 in Bexar County.

HR 35 (by McClendon), Honoring Nicki Roberson for serving as Democratic chair of precinct 4047 in Bexar County.

HR 36 (by McClendon), Honoring Jeanette Burney Sullivan for serving as Democratic chair of precinct 4049 in Bexar County.

HR 37 (by McClendon), Honoring Christen Krzywonski for serving as Democratic chair of precinct 4064 in Bexar County.

HR 38 (by McClendon), Honoring Charles Peterson for serving as Democratic chair of precinct 4065 in Bexar County.

HR 39 (by McClendon), Honoring George E. McFerren for serving as Democratic chair of precinct 4066 in Bexar County.

HR 40 (by McClendon), Honoring Shirley F. Smith for serving as Democratic chair of precinct 4070 in Bexar County.

HR 41 (by McClendon), Honoring Alfonso Reina, Jr., for serving as Democratic chair of precinct 4076 in Bexar County.

HR 42 (by McClendon), Honoring Gilbert Muniz Perez for serving as Democratic chair of precinct 4088 in Bexar County.

HR 43 (by McClendon), Honoring Sandra A. Vasquez for serving as Democratic chair of precinct 4110 in Bexar County.

HR 44 (by McClendon), Honoring Kay Cee Cole-Van Os for serving as Democratic chair of precinct 4112 in Bexar County.

HR 45 (by McClendon), Honoring Theresa Ramos for serving as Democratic chair of precinct 4119 in Bexar County.

HR 46 (by McClendon), Honoring Gilbert J. Murrillo for serving as Democratic chair of precinct 4122 in Bexar County.

HR 47 (by McClendon), Honoring Diana A. Guzman for serving as Democratic chair of precinct 4142 in Bexar County.

HR 48 (by McClendon), Honoring Daniel A. Ussery for serving as Democratic chair of precinct 4144 in Bexar County.

HR 49 (by McClendon), Honoring Dr. Cecily A. Scott for serving as Democratic chair of precinct 4150 in Bexar County.

HR 50 (by McClendon), Recognizing September 15-October 15, 2005, as National Hispanic Heritage Month.

HR 51 (by Hope), Commending the Dempsey Carter family of Montgomery County for their successes in livestock shows and their contributions to the community.

HR 53 (by Hughes), Recognizing Stewards Foundation on the occasion of its 60th anniversary.

HR 54 (by Hartnett), Honoring Langston Warner Hartnett on his election as an honorary mascot of the 79th Legislative Session.

HR 55 (by Craddick), Congratulating Laurence and Ida Hinkle of Lamesa on their 50th wedding anniversary.

HR 56 (by Craddick), Congratulating Randall Brown of McCamey on his receipt of a U. S. Achievement Academy National Award in Science.

HR 57 (by Craddick), Congratulating Ben and Charlene Dobbs of Midland on their 50th wedding anniversary.

HR 58 (by Craddick), Honoring Refugio Moreno, Sr., and Lupe Moreno of Lamesa on their 50th wedding anniversary.

HR 59 (by Hamric), Recognizing New York's Dylan Prime restaurant.

HR 60 (by Peña), Congratulating Fred and Naomi Ashley of Houston on their 50th wedding anniversary.

HCR 12 (by Howard), Honoring U.S. Army Lieutenant Colonel A. Bentley Nettles of College Station for his service to his country.

The resolutions were adopted.

RESOLUTIONS ADOPTED

Representative Edwards moved to suspend all necessary rules in order to take up and consider at this time **HR 20** and **HR 52**.

The motion prevailed.

The following resolutions were laid before the house:

HR 20 (by Dawson), In memory of Ella Diggs of Brazoria County.

HR 52 (by Haggerty), In memory of former State Representative James Jay "Jim" Kaster V of Austin.

The resolutions were unanimously adopted by a rising vote.

LEAVES OF ABSENCE GRANTED

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

B. Brown on motion of Harper-Brown.

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

Ritter on motion of R. Cook.

HR 61 - ADOPTED (by Herrero)

Representative Herrero moved to suspend all necessary rules to take up and consider at this time **HR 61**.

The motion prevailed.

The following resolution was laid before the house:

HR 61, Commending Angela Vorpahl of Katy for her exceptional work as a legislative intern in the office of State Representative Abel Herrero.

HR 61 was read and was adopted.

LEAVE OF ABSENCE GRANTED

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

R. Allen on motion of Swinford.

HR 51 - MOTION TO ADD NAMES

On motion of Representative R. Cook, the names of all the members of the house were added to **HR 51** as signers thereof.

POSTPONED BUSINESS

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

HB 13 ON SECOND READING (by P. King)

HB 13, A bill to be entitled An Act relating to furthering competition in the communications industry.

HB 13 was read second time on July 25, postponed until July 26, and was again postponed until 9 a.m. July 27.

Representative P. King moved to postpone consideration of **HB 13** until 9 a.m. tomorrow.

The motion prevailed.

HOUSE AT EASE

At 12:44 p.m., the speaker announced that the house would stand at ease until 2 p.m. today.

(Keel in the chair)

The chair called the house to order at 2 p.m.

HOUSE AT EASE

At 2 p.m., the chair announced that the house would stand at ease until 3:30 p.m. today.

(Speaker in the chair)

The speaker called the house to order at 3:30 p.m.

LEAVE OF ABSENCE GRANTED

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

Geren on motion of Hardcastle.

HOUSE AT EASE

At 3:50 p.m., the speaker announced that the house would stand at ease until 5 p.m. today.

The speaker called the house to order at 5 p.m.

HOUSE AT EASE

At 5:05 p.m., the speaker announced that the house would stand at ease until 6 p.m. today.

The speaker called the house to order at 6 p.m.

HOUSE AT EASE

At 6:08 p.m., the speaker announced that the house would stand at ease.

The speaker called the house to order at 7:57 p.m.

ADJOURNMENT

Representative Merritt moved that the house adjourn until 1:30 p.m. Monday, August 1 in memory of Major Anthony Baker of Longview.

The motion prevailed.

The house accordingly, at 7:58 p.m., adjourned until 1:30 p.m. Monday, August 1.

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 38 (By M. Noriega), Relating to residential property exemptions from assessments and impact fees in the Greater East End Management District.

To Local Government Ways and Means.

HB 39 (By Goodman), Relating to the property interests of spouses in connection with certain separate and community property.

To Juvenile Justice and Family Issues.

HB 40 (By Herrero), Relating to social security coverage for employees of public school districts.

To Public Education Reform, Select.

HB 41 (By Edwards), Relating to the location of concrete stockpiles at certain portable concrete crushing facilities.

To Environmental Regulation.

HB 42 (By Edwards), Relating to providing an exemption from ad valorem taxation of the full value of the residence homesteads of individuals 65 years of age or older.

To Property Tax Relief, Select.

HB 43 (By Edwards), Relating to the addition of certain territory to the Greater Southeast Management District.

To Urban Affairs.

HB 44 (By Edwards), Relating to the creation of the South Central Management District; providing authority to impose a tax and issue a bond or similar obligation.

To Urban Affairs.

HB 45 (By Edwards), Relating to financing children's health insurance.

To Appropriations.

HB 46 (By Blake), Relating to participation of certain annuitants and their dependents in the state employees group benefits program.

To Pensions and Investments.

HB 47 (By Blake), Relating to authorizing the issuance of revenue bonds for Stephen F. Austin State University.

To Higher Education.

HB 48 (By Howard), Relating to the establishment by the commissioners court of a county for purposes of ad valorem taxation of a limit of less than 10 percent but not less than three percent on the maximum average annual percentage increase in the appraised value of residence homesteads in the county.

To Property Tax Relief, Select.

HB 49 (By Mowery), Relating to the jurisdiction of certain home-rule municipalities on a barrier island in the Gulf of Mexico.

To Land and Resource Management.

HB 50 (By Phillips), Relating to highway signs for certain businesses related to agriculture.

To Transportation.

HB 51 (By Nixon, et al.), Relating to appropriations for textbooks.

To Public Education Reform, Select.

HB 52 (By Casteel), Relating to the salary paid to certain professional employees of public schools.

To Public Education Reform, Select.

