

HOUSE JOURNAL

SEVENTY-NINTH LEGISLATURE, THIRD CALLED SESSION

PROCEEDINGS

TENTH DAY — WEDNESDAY, MAY 3, 2006

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 49).

Present — Mr. Speaker; Allen, A.; Alonzo; Anchia; Anderson; Bailey; Berman; Blake; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Campbell; Casteel; Castro; Chavez; Chisum; Coleman; Cook, B.; Cook, R.; Corte, V.; Crabb; Crownover; Davis, J.; Davis, Y.; Dawson; Delisi; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; England; 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; Hernandez; Herrero; Hilderbran; Hill; Hochberg; Hodge; Homer; Hope; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Hupp; Isett, C.N.; Jackson; Jones, D.; Jones, J.; Keel; Keffer, B.; 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; Oliveira; Olivo; Orr; Otto; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Reyna; Riddle; Ritter; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Strama; Straus; Swinford; Taylor; Thompson; Truitt; Turner; Uresti; Van Arsdale; Veasey; Villarreal; Vo; West; Wong; Woolley; Zedler.

Absent, Excused — Noriega, R.; Talton.

Absent — Moreno, P.

The invocation was offered by Dr. Michael S. Lewis, senior pastor, Great Hills Baptist Church, Austin, as follows:

Dear Heavenly Father, we humbly bow before you as we open this legislative session on this third day of May in the year of our Lord, 2006.

We lovingly acknowledge you as the all-wise and all-powerful God. You are the sovereign king of the universe, and you are the one who has established all principalities, powers, rulers, and government bodies under your authority. You are the father of lights from whom every good and perfect gift comes from above. You are our creator and maker who spoke and the universe came into existence. You are our redeemer who gave your son, Jesus Christ, as the savior of the world and who reigns as the king of kings and the lord of lords over this world.

We call humbly upon you to guide us in all of the decisions and discussions of this session today. We recognize that we are finite beings with limited understanding, therefore, we ask for your infinite wisdom. We confess we are sinners who are like straying sheep, therefore, we need you, the shepherd of our souls, to guide us in all our ways. May righteousness and compassion fill our hearts with light from above. May the laws and decisions that are established in this session bring glory and honor to your name. May we be pleasing to you by promoting peace and spiritual prosperity for the residents of this great State of Texas. We acknowledge that all that we are and all that we have comes from you. O God, bless Texas. O God, bless America. Be with our men and women who are serving our country in our military forces in Iraq and foreign lands this day.

Lord, with respect to all those of diverse religious faiths, we humbly submit this prayer to you in the name of our Lord Jesus Christ. Amen.

The speaker recognized Representative Strama 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:

Talton on motion of Denny.

REGULAR ORDER OF BUSINESS SUSPENDED

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

CAPITOL PHYSICIAN

The speaker recognized Representative Morrison who presented Dr. Paul Love of Victoria as the "Doctor for the Day."

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

(Harper-Brown in the chair)

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. 5 and Senate List No. 2).

(Speaker in the chair)

HR 244 - ADOPTED (by Hilderbran)

Representative Hilderbran moved to suspend all necessary rules to take up and consider at this time **HR 244**.

The motion prevailed.

The following resolution was laid before the house:

HR 244, Honoring the outstanding teaching efforts of Debra Mudge, Blinda Wright, and MaryLinn Brawley.

HR 244 was read and was adopted.

On motion of Representative Uresti, the names of all the members of the house were added to **HR 244** as signers thereof.

INTRODUCTION OF GUESTS

The speaker recognized Representative Hilderbran who introduced Abraham Rojas; his parents Eloy and Anita Rojas; his brother Christopher; and his teachers Debra Mudge, Blinda Wright, and MaryLinn Brawley.

HR 315 - ADOPTED (by McCall)

Representative McCall moved to suspend all necessary rules to take up and consider at this time **HR 315**.

The motion prevailed.

The following resolution was laid before the house:

HR 315, In memory of Dr. Erwin G. Pink of Frisco.

HR 315 was unanimously adopted by a rising vote.

On motion of Representative Madden, the names of all the members of the house were added to **HR 315** as signers thereof.

HR 316 - ADOPTED (by McCall)

Representative McCall moved to suspend all necessary rules to take up and consider at this time **HR 316**.

The motion prevailed.

The following resolution was laid before the house:

HR 316, In memory of Donna Belle Harrington of Plano.

HR 316 was unanimously adopted by a rising vote.

HR 317 - ADOPTED (by McCall)

Representative McCall moved to suspend all necessary rules to take up and consider at this time **HR 317**.

The motion prevailed.

The following resolution was laid before the house:

HR 317, Congratulating Larry Bartek, Chris Pyryt, Jeff Rich, and Steve Young of the Plano Police Department on being invited to compete at the 8th International Police Sniper Championship in the Czech Republic.

HR 317 was adopted.

(P. Moreno now present)

INTRODUCTION OF GUESTS

The speaker recognized Representative Gattis who introduced a delegation from Taiwan.

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.)

HR 157 - ADOPTED (by Chisum)

Representative Chisum moved to suspend all necessary rules to take up and consider at this time **HR 157**.

The motion prevailed.

The following resolution was laid before the house:

HR 157, In memory of the Honorable Johnnie C. Lee of Spearman.

(Truitt in the chair)

HR 157 was read and was unanimously adopted by a rising vote.

On motion of Representative Blake, the names of all the members of the house were added to **HR 157** as signers thereof.

HCR 25 - READ (by Hilderbran)

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

HCR 25, In memory of legendary Texas songwriter Cindy Walker of Mexia.

ADJOURNMENT

Representatives Driver, Gonzales, and Peña moved that the house adjourn until 10 a.m. tomorrow in memory of DPS trooper Eduardo Chavez of Edinburg who was killed in the line of duty.

The motion prevailed.

The house accordingly, at 11:10 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 147 (By Bonnen), Relating to the authority of the governor to issue evacuation orders during disasters.

To State Affairs.

HB 149 (By Chisum), Relating to a clean coal project.

To Energy Resources.

HB 150 (By Leibowitz), Relating to property tax rate relief for school district taxpayers.

To Ways and Means.

HB 151 (By Wong), Relating to binding arbitration of certain appraisal review board orders.

To Ways and Means.

HB 152 (By Wong), Relating to authorizing the governing body of a school district to establish for purposes of ad valorem taxation by the district a limitation on increases in the appraised value of real property in the district that is less than 10 percent but not less than five percent.

To Ways and Means.

HB 153 (By Morrison), Relating to authorizing the issuance of revenue bonds or other obligations to fund capital projects at public institutions of higher education; making an appropriation.

To Higher Education.

HJR 36 (By Wong), Proposing a constitutional amendment authorizing the governing body of a school district to establish for purposes of ad valorem taxation by the school district a limitation on the maximum average annual percentage increase in the appraised value of real property in the school district.

To Ways and Means.

SIGNED BY THE SPEAKER

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

House List No. 5

HB 3, HCR 12, HCR 14, HCR 21, HCR 22, HCR 23

Senate List No. 2

SCR 1

