

HOUSE JOURNAL

SEVENTY-NINTH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

FOURTEENTH DAY — WEDNESDAY, FEBRUARY 9, 2005

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 23).

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; Coleman; Cook, B.; Cook, R.; Corte; 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; Hilderbran; Hill; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hughes; Hunter; Hupp; Isett; Jackson; Jones, D.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King, P.; King, T.; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Leibowitz; Luna; Madden; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Nixon; Noriega, M.; 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; Talton; Taylor; Thompson; Truitt; Turner; Uresti; Van Arsdale; Veasey; Villarreal; Vo; West; Wong; Woolley; Zedler.

Absent, Excused — Martinez; Swinford.

The invocation was offered by Bron L. Barkley, pastor, Shalom Hebraic Christian Congregation, Kingwood, as follows:

Mr. Speaker and members. It is my great honor to serve you today on behalf of my esteemed friend and colleague, Representative Debbie Riddle of Houston.

It has been suggested to me that I give a brief explanation before my prayer so that its unusual nature may not seem strange to any present. I have been an evangelical Christian minister for over 32 years, all but four of those as a pastor. For the last ten years I have had the signal privilege to minister in an intercultural way as a connective link between the traditional Jewish world and the traditional Christian world, especially helping Christians understand the Jewish roots of the faith. This has occasioned an immersion for me into much that is Jewish, including the founding of several ministries that for Christians is what is properly styled "Hebraic". This Hebraic aspect of the ancient Christian faith is what will be seen in the opening of my prayer today. I will offer a Hebrew blessing that

contains motifs of both Jewish and Christian traditions and then translate it, after which will come three petitionary intentions for the legislature followed by a conclusion in two parts. The first, general for anyone of whatever persuasion who may wish to affirm the prayer's intentions. The second for myself as a Christian so that I may be true to addressing the holy one—blessed be he—as I am commanded to do in my own faith tradition. This being said, please bring your busy thoughts to stillness in this brief sanctuary of time and close your eyes as prayer arises to God.

Unto you O Lord do I lift up my soul. Baruch atah Adonai Eloheynu, melek ha'olam, asher kid'shanu b'Torahcha, asher kid'shanu ba'davar shel emet, v'tzivanu l'hadlik ner shel yeshuahcha l'olam va'ed.

Blessed are you O Lord our God, king of the universe, who has sanctified us through your Torah, who has sanctified us through the word of truth, and has commanded us to light the candle of your salvation forever.

Beloved Father in heaven, may it please you to grant that the intention of this legislature be grounded in the immovable bedrock of eternal truth so that we may walk in the ways of the sages of the ages—never failing; and that the compromises arrived at in this session—since compromise is a tool in the art of contemporary governance—may be of particulars only but never of principle, even when two or more principles are present in the synthetic result of political deliberation; and that these legislators—each one successful in his or her own individual life—may see themselves as a unity that stands or falls together so that through humility the state which they embody may stand. These petitions—intention, principle, humility—arise to you, generally, from simple human souls beseeching at the door of divine providence. While I myself also pray as it says in our nation's constitution "in the year of our Lord 1787"—in the blessed name of my Lord and Savior, Jesus Christ. Amen.

The speaker recognized Representative Riddle 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 because of important business in the district:

Martinez on motion of Leibowitz.

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

Swinford on motion of R. Cook.

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 Strama who presented Dr. Rita Schindeler-Trachta of Austin as the "Doctor for the Day."

The house welcomed Dr. Schindeler-Trachta and thanked her for her participation in the Physician of the Day Program sponsored by the Texas Academy of Family Physicians.

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).

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. 7).

(Keel in the chair)

HR 186 - ADOPTED (by Gonzalez Toureilles)

Representative Gonzalez Toureilles moved to suspend all necessary rules to take up and consider at this time **HR 186**.

The motion prevailed.

The following resolution was laid before the house:

HR 186, Designating February 9, 2005, as Jim Wells County Day at the State Capitol.

HR 186 was read and was adopted.

INTRODUCTION OF GUESTS

The chair recognized Representative Gonzalez Toureilles who introduced a delegation from Jim Wells County.

HR 224 - ADOPTED (by Bonnen)

Representative Bonnen moved to suspend all necessary rules to take up and consider at this time **HR 224**.

The motion prevailed.

The following resolution was laid before the house:

HR 224, Honoring Fredda Medlock on being named Woman of the Year by the West Columbia Chamber of Commerce.

HR 224 was adopted.

HR 252 - ADOPTED (by Bonnen)

Representative Bonnen moved to suspend all necessary rules to take up and consider at this time **HR 252**.

The motion prevailed.

The following resolution was laid before the house:

HR 252, Congratulating Charlie Ogilvie on being named Man of the Year by the West Columbia Chamber of Commerce.

HR 252 was adopted.

HR 235 - ADOPTED
(by Wong)

Representative Wong moved to suspend all necessary rules to take up and consider at this time **HR 235**.

The motion prevailed.

The following resolution was laid before the house:

HR 235, Commemorating the Chinese New Year.

HR 235 was adopted.

REMARKS BY REPRESENTATIVE VO

Mr. Speaker and members, I just want to speak a little bit about the Vietnamese New Year. The Vietnamese New Year is also called Tet. Tet is the time for the family to reunite, and also it's time for the family to get together and strengthen the bonds, and also it's time for us to revive old memories and to be ready for new experiences to come. And also, we always celebrate Tet for three days and after the three day celebration the community resumes its activities in some kinds of ritual ways. The plowman will open his first field row, the trader will have his first customer, the official will mark his seal to the first document. And also this is the Year of the Rooster. And people who are born in the Year of the Rooster are always considered to be profound thinkers. And the Year of the Rooster marks a year of activities and a year of hard work.

And talking about hard work, do you know that the Vietnamese community came here almost 30 years ago? When we came here we barely spoke the language. We had little more than the clothes on our back. But because of the grace and generosity of the people of this great state, of this country, who believe that the American dream should belong to everyone—and who believe that—you offer us compassion, equality, and the opportunity to work hard. And in return, the Vietnamese community has worked hard to have built many businesses, they have raised a family, they have introduced a beautiful culture to every community we live in. And now I believe our children are building today's high-rises, are contributing to medical breakthroughs, and some of them are painting masterpieces. And I just say today, on the new day of the Vietnamese New Year, I salute you all for your generous acts and for having us here to this country. Thank you, and thank you all.

(Harper-Brown in the chair)

HCR 57 - ADOPTED
(by Merritt)

Representative Merritt moved to suspend all necessary rules to take up and consider at this time **HCR 57**.

The motion prevailed.

The following resolution was laid before the house:

HCR 57, Recognizing the Honorable Alphonso Jackson, Secretary of the U.S. Department of Housing and Urban Development, for his invaluable contributions to the people of this state and nation.

(Speaker in the chair)

HCR 57 was read and was adopted.

On motion of Representatives Giddings, Thompson, and Goolsby, the names of all the members of the house were added to **HCR 57** as signers thereof.

INTRODUCTION OF GUEST

The speaker recognized Representative Merritt who introduced Alphonso Jackson. Secretary Jackson briefly addressed the house.

REMARKS ORDERED PRINTED

Representative Hill moved to print remarks by Representative Vo.

The motion prevailed.

HR 13 - ADOPTED

(by Callegari)

Representative Callegari moved to suspend all necessary rules to take up and consider at this time **HR 13**.

The motion prevailed.

The following resolution was laid before the house:

HR 13, Honoring Pat and Teresa "Dede" Woodman on the birth of their son, William McClure "Mac" Woodman.

(Gonzales in the chair)

HR 13 was read and was adopted.

HR 247 - ADOPTED

(by Peña, Gonzales, and Escobar)

Representative Peña moved to suspend all necessary rules to take up and consider at this time **HR 247**.

The motion prevailed.

The following resolution was laid before the house:

HR 247, Honoring Audrey Ann Almaraz on being crowned Miss Edinburg 2005.

HR 247 was adopted.

INTRODUCTION OF GUEST

The chair recognized Representative Chisum who introduced Elmer Murphey, Grand Master of the Masonic Grand Lodge of Texas.

HR 251 - ADOPTED
(by Bonnen)

Representative Bonnen moved to suspend all necessary rules to take up and consider at this time **HR 251**.

The motion prevailed.

The following resolution was laid before the house:

HR 251, Commending The University of Texas M.D. Anderson Cancer Center in Houston.

HR 251 was read and was adopted.

On motion of Representatives Geren, Hardcastle, Howard, and Wong the names of all the members of the house were added to **HR 251** as signers thereof.

INTRODUCTION OF GUESTS

The chair recognized Representative Bonnen who introduced Emily Garcia, her mother Samantha, and a delegation from The University of Texas M.D. Anderson Cancer Center.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Juvenile Justice and Family Issues, 11:30 a.m. today, E2.014, for a public hearing.

PROVIDING FOR ADJOURNMENT

Representative Gattis 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.

The motion prevailed.

**BILLS AND JOINT RESOLUTIONS ON FIRST READING
AND REFERRAL TO COMMITTEES
RESOLUTIONS REFERRED TO COMMITTEES**

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

(McClendon in the chair)

ADJOURNMENT

In accordance with a previous motion, the house, at 11:36 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 707 (By Van Arsdale), Relating to the ability of a home-rule municipality to sue and be sued.

To Urban Affairs.

HB 708 (By Bonnen), Relating to the issuance of permits by the School Land Board authorizing continued use of certain structures on coastal public land.

To Environmental Regulation.

HB 709 (By Naishtat), Relating to the exclusion of certain resources in determining eligibility for financial assistance.

To Human Services.

HB 710 (By Naishtat), Relating to provision of certain optional services for adults and operation of the medically needy program under the state Medicaid program.

To Human Services.

HB 711 (By Naishtat), Relating to the eligibility of certain financial assistance recipients for medical assistance.

To Human Services.

HB 712 (By Eissler and Farabee), Relating to coverage for certain mental disorders in children under a health coverage plan established by the Teacher Retirement System of Texas under the Texas School Employees Uniform Group Health Coverage Act.

To Insurance.

HB 713 (By Quintanilla), Relating to the punishment for forgery committed against an elderly person.

To Criminal Jurisprudence.

HB 714 (By Quintanilla), Relating to the punishment for criminal simulation committed against an elderly person.

To Criminal Jurisprudence.

HB 715 (By Quintanilla), Relating to the punishment for credit card or debit card abuse committed against an elderly person.

To Criminal Jurisprudence.

HB 716 (By Quintanilla), Relating to the punishment for false statements to obtain property or credit committed against an elderly person.

To Criminal Jurisprudence.

HB 717 (By Quintanilla), Relating to the punishment for fraudulent use or possession of an elderly person's identifying information.

To Criminal Jurisprudence.

HB 718 (By Quintanilla), Relating to the impoundment of a motor vehicle for failure to maintain financial responsibility for the vehicle.

To Transportation.

HB 719 (By J. Jones), Relating to publicizing a list of voters' rights.

To Elections.

HB 720 (By Berman), Relating to the members of a local workforce development board.

To Economic Development.

HB 721 (By Deshotel), Relating to the transmission of certain unsolicited messages or images to a mobile telephone or pager; providing a criminal penalty.

To Regulated Industries.

HB 722 (By Van Arsdale), Relating to contract requirements for contracts entered into between superintendents and independent school districts.

To Public Education.

HB 723 (By Van Arsdale), Relating to certain reports filed with the bureau of vital statistics.

To Human Services.

HB 724 (By Hochberg), Relating to adjustments in charter school funding.

To Public Education.

HB 725 (By Peña and Martinez), Relating to restoring services under the Medicaid and children's health insurance programs; making an appropriation.

To Appropriations.

HB 726 (By Berman), Relating to the exemption from ad valorem taxation of property owned by certain law enforcement officer associations.

To Ways and Means.

HB 727 (By Villarreal), Relating to a program of grants and loans to provide capital for community development and economic development institutions in economically distressed and low-income areas.

To Financial Institutions.

HB 728 (By Isett), Relating to the system by which an application for a low income housing tax credit is scored.

To Urban Affairs.

HB 729 (By Nixon), Relating to an order by a court that a judgment debtor turn over certain property for the satisfaction of the judgment.

To Civil Practices.

HB 730 (By Nixon), Relating to training for members of the governing boards of public institutions of higher education.

To Higher Education.

HB 731 (By Jackson), Relating to an electronic requisition system for counties.

To County Affairs.

HB 732 (By Martinez Fischer), Relating to the prosecution of the offense of criminal solicitation of a minor.

To Criminal Jurisprudence.

HB 733 (By Gattis), Relating to the date on which an election on the issuance of bonds or the imposition or increase of taxes must be held.

To Elections.

HB 734 (By Y. Davis), Relating to infection rates at health-care facilities.

To Public Health.

HB 735 (By Nixon), Relating to updating citations to Chapter 74, Civil Practice and Remedies Code, in the Business & Commerce Code.

To Civil Practices.

HB 736 (By Nixon), Relating to updating citations in Chapter 84, Civil Practice and Remedies Code.

To Civil Practices.

HB 737 (By Nixon), Relating to updating citations to Chapter 74, Civil Practice and Remedies Code, in Chapter 88, Civil Practice and Remedies Code.

To Civil Practices.

HB 738 (By Nixon), Relating to updating citations to Chapter 74, Civil Practice and Remedies Code, in Chapter 81, Health and Safety Code.

To Civil Practices.

HB 739 (By Nixon), Relating to updating citations in Chapter 241, Health and Safety Code.

To Civil Practices.

HB 740 (By Nixon), Relating to updating citations to Chapter 74, Civil Practice and Remedies Code, in Chapter 578, Health and Safety Code.

To Civil Practices.

HB 741 (By Nixon), Relating to updating citations to Chapter 74, Civil Practice and Remedies Code, in Chapter 611, Health and Safety Code.

To Civil Practices.

HB 742 (By Nixon), Relating to updating citations to Chapter 74, Civil Practice and Remedies Code, in Chapter 159, Occupations Code.

To Civil Practices.

HB 743 (By Nixon), Relating to updating citations to Chapter 74, Civil Practice and Remedies Code, in Chapter 160, Occupations Code.

To Civil Practices.

HB 744 (By Nixon), Relating to updating citations to Chapter 74, Civil Practice and Remedies Code, in Chapter 164, Occupations Code.

To Civil Practices.

HB 745 (By Oliveira), Relating to free prekindergarten programs for certain children.

To Public Education.

HB 746 (By Bonnen), Relating to notice of the presumption for theft by check.

To Criminal Jurisprudence.

HB 747 (By McReynolds), Relating to the designation of the El Camino East/West Corridor.

To Transportation.

HB 748 (By W. Smith), Relating to the application of the sales tax and licensing fees to professional land surveyors.

To Ways and Means.

HB 749 (By D. Jones), Relating to size and weight limitations for certain vehicles transporting agricultural products and equipment.

To Agriculture and Livestock.

HB 750 (By Woolley, Wong, and Eissler), Relating to admission to certain public institutions of higher education.

To Higher Education.

HB 751 (By Thompson), Relating to an urban land bank demonstration program in certain municipalities.

To Urban Affairs.

HB 752 (By Giddings), Relating to the penalty for theft of identifying information.

To Criminal Jurisprudence.

HB 753 (By Gattis), Relating to notice to surface owners of oil and gas exploration and production operations.

To Energy Resources.

HB 754 (By Gattis), Relating to transportation of loose materials.

To Transportation.

HB 755 (By Gattis), Relating to procedures relating to the doctrine of forum non conveniens in a civil cause of action.

To Civil Practices.

HB 756 (By Burnam), Relating to imposition of an income tax on income that exceeds \$1 million; providing penalties.

To Ways and Means.

HB 757 (By Farabee), Relating to authorizing counties to enact ordinances to protect the public health, safety, or welfare; providing a penalty.

To County Affairs.

HB 758 (By Denny), Relating to a pilot program allowing for countywide voting locations in certain elections.

To Elections.

HB 759 (By McReynolds), Relating to service of certain public school administrators as teachers in the classroom.

To Public Education.

HB 760 (By McReynolds), Relating to fees for registration and inspection of certain fuel measuring and dispensing devices.

To Agriculture and Livestock.

HB 761 (By McReynolds), Relating to the minimum salary schedule for certain professional public school employees.

To Public Education.

HB 762 (By Nixon, Bailey, Swinford, Keel, and Woolley), Relating to the solicitation by state officers and employees of contributions to charitable organizations.

To Elections.

HB 763 (By Chavez), Relating to a financial literacy curriculum requirement in certain public high schools located in the Texas-Mexico border region.

To Public Education.

HB 764 (By Menendez), Relating to the authority of a court to dismiss a charge of operating a motor vehicle for which financial responsibility was not established.

To Criminal Jurisprudence.

HB 765 (By Menendez), Relating to required minimum annual policy limits for certain group accident and health insurance policies.

To Insurance.

HB 766 (By Menendez), Relating to liability for damages arising from a motor vehicle accident.

To Transportation.

HB 767 (By Villarreal), Relating to providing notification to a county voter registrar of the change in boundaries of a political subdivision located in the county.

To Elections.

HB 768 (By Villarreal), Relating to authorizing a county clerk to mail an application to vote by mail to all voters who are 65 years of age or older.

To Elections.

HB 769 (By W. Smith), Relating to the deadline for evaluating and ranking competitive sealed proposals for certain construction services submitted to a navigation district or port authority.

To Transportation.

HB 770 (By Goolsby), Relating to birth records of adopted children.
To Juvenile Justice and Family Issues.

HB 771 (By Bailey), Relating to business leave time accounts for peace officers and detention officers in certain counties.
To Urban Affairs.

HB 772 (By Hughes and Zedler), Relating to prohibiting nudist youth camps.
To Public Health.

HB 773 (By West), Relating to certain purchases by the Railroad Commission of Texas.
To Energy Resources.

HB 774 (By Hegar), Relating to the Interstate Pest Control Compact.
To Agriculture and Livestock.

HB 775 (By Gonzales, Martinez, Peña, and Chavez), Relating to the allocation of certain community development block grant program money for the installation of street lights in colonias.
To Border and International Affairs.

HB 776 (By Howard), Relating to the Wharton County Junior College District service area.
To Higher Education.

HB 777 (By Casteel), Relating to the allocation of revenue from the state hotel tax for certain purposes in certain municipalities located in counties in a park and recreation district.
To Ways and Means.

HB 778 (By Quintanilla), Relating to the punishment for the crime of issuance of a bad check committed against an elderly person.
To Criminal Jurisprudence.

HB 779 (By Luna), Relating to bilingual education and special language programs in public schools.
To Public Education.

HB 780 (By Solis), Relating to the compensation of district judges in Cameron County.
To Judiciary.

HB 781 (By Thompson), Relating to the suspension of sentence and deferral of final disposition for a violation of certain state laws or local ordinances committed by a holder of a commercial driver's license.
To Criminal Jurisprudence.

HB 782 (By Haggerty), Relating to the statutory probate courts of El Paso County.
To Judiciary.

HB 783 (By Eissler), Relating to notice to educators of a public school student's misconduct and to placement of a student who has assaulted a teacher.
To Public Education.

HB 785 (By Miller), Relating to authorizing a temporary wind up permit for a concentrated animal feeding operation the permit for which has been revoked.
To Agriculture and Livestock.

HB 786 (By Hope), Relating to the authority of county governments to prohibit solid waste disposal.
To Environmental Regulation.

HB 787 (By Hope), Relating to the duties of the county attorney in Montgomery County.
To County Affairs.

HB 788 (By Hardcastle), Relating to the jurisdiction of the district court and the county courts in the 50th Judicial District.
To Judiciary.

HB 789 (By P. King), Relating to telecommunications.
To Regulated Industries.

HB 790 (By Crownover), Relating to the equipment and employees necessary for the conduct of newborn screening by the Department of State Health Services.
To Public Health.

HB 792 (By Coleman), Relating to the use of certain rating practices in certain lines of insurance.
To Insurance.

HB 793 (By Coleman), Relating to a notification requirement if a nurse is not assigned to a public school campus.
To Public Education.

HB 794 (By Delisi), Relating to the establishment of an advisory committee on health care information technology.
To Human Services.

HB 795 (By Hegar), Relating to the use of flashing warning signal lights by a school bus.
To Transportation.

HB 796 (By Hegar), Relating to the provision of crime victims' compensation to a victim or a dependent of a victim.
To Criminal Jurisprudence.

HB 797 (By Krusee and Rose), Relating to authorizing the issuance of revenue bonds for Texas State University–San Marcos for the Round Rock Higher Education Center in Williamson County.
To Higher Education.

HB 798 (By Uresti), Relating to release of a child taken into protective custody by a law enforcement or juvenile probation officer.

To Juvenile Justice and Family Issues.

HB 799 (By Uresti), Relating to the creation of an online medical passport for foster children.

To Government Reform.

HB 800 (By Uresti), Relating to protective services.

To Human Services.

HB 801 (By Uresti), Relating to training for Department of Family and Protective Services personnel receiving reports of child abuse and neglect.

To Government Reform.

HB 802 (By Uresti), Relating to the investigation of certain reports of child abuse and neglect.

To Government Reform.

HB 803 (By Martinez), Relating to improvement work areas on certain controlled access highways.

To Transportation.

HB 804 (By Martinez), Relating to requiring notification to and approval by an association representing a municipality's firefighters before certain municipalities may outsource the provision of emergency medical services.

To Urban Affairs.

HB 805 (By Martinez), Relating to allowing a law enforcement officer to take the fingerprints of people who receive emergency medical services in certain counties.

To Border and International Affairs.

HB 806 (By Martinez), Relating to a retail installment contract or retail charge agreement that provides for payment of no time price differential or interest for a stated period.

To Financial Institutions.

HB 807 (By Driver), Relating to reporting positive alcohol and drug tests of holders of commercial driver's licenses.

To Law Enforcement.

HB 808 (By Driver), Relating to exempting an accountant from regulation as a private investigator.

To Law Enforcement.

HB 809 (By Hilderbran), Relating to excepting one passenger car or light truck owned by an individual and used for the production of income from required rendition for ad valorem tax purposes.

To Ways and Means.

HB 810 (By Peña), Relating to eligibility to serve as a school district trustee.

To Public Education.

HB 811 (By Corte), Relating to the regulation of certain physician's offices where abortions are performed.

To State Affairs.

HCR 59 (By Eiland), Opposing the State Modernization and Regulatory Transparency (SMART) Act and any similar federal legislation that would interfere with the ability of state governments to regulate the business of insurance.

To Insurance.

SIGNED BY THE SPEAKER

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

House List No. 7

HCR 12, HCR 15, HCR 45

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

Wednesday, February 9, 2005

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:

HCR 51 West, George "Buddy" SPONSOR: Seliger
Designating February 15 as Midland-Odessa Day at the State Capitol.

HCR 52 Hunter SPONSOR: Ellis
Welcoming Marc Ravalomanana, President of the Republic of Madagascar, to the Texas State Capitol.

Respectfully,

Patsy Spaw

Secretary of the Senate

APPENDIX

SENT TO THE GOVERNOR

February 8 - HCR 43