

HOUSE JOURNAL

SEVENTY-NINTH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

THIRTY-FOURTH DAY — WEDNESDAY, MARCH 16, 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 122).

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; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; Escobar; Farabee; Farrar; Flores; Flynn; Frost; Gallego; 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; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Nixon; Oliveira; Olivo; Orr; Otto; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Raymond; Reyna; Riddle; Ritter; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Turner; Uresti; Van Arsdale; Veasey; Villarreal; Vo; West; Wong; Woolley; Zedler.

Absent, Excused — Delisi; Gattis; Madden; Noriega, M.; Truitt.

Absent — Quintanilla.

The invocation was offered by Dennis Henderson, pastor, Sherman Bible Church, as follows:

Dear Heavenly Father, we come to you this morning with thanksgiving for the privilege to serve you by serving the people of our great state. We recognize that in you is all wisdom, truth, and knowledge. We realize that what is done in these chambers during these sessions can have an extraordinary impact on the course of our state. We acknowledge that the decisions of these men and women will affect the lives of the people of Texas. We realize that the moral, economical, educational, and social values of men, women, boys, and girls will be influenced by the outcome of these gatherings.

I thank you for the sacrifice that each of these representatives makes. I thank you that they are willing to give of their lives without equivalent material rewards. So I pray for them that they will not grow weary in the process of what they do. I pray these men and women today will be reminded of the seriousness of their work. May they approach each day with dependence on you and seek you for wisdom and guidance. May they seek the good of the people that they serve. May they not be influenced by what is profitable for themselves or what is partial to a particular cause or group. Rather, may they with integrity desire what is best for the entire people of Texas. May they serve with humility, high values of honesty, and the traditions of godly morals for this state. May they be protectors of decency, family, freedom, and fairness.

I believe that you desire to bless this state and nation as you have in the years past. I believe that you are a good and just God. However, I acknowledge that your blessings come when we humble ourselves, seek your face, and turn from wicked ways. So I ask that these men and women will lead this state in a direction that pleases you. May you be the source of their lives, their thinking, and their decisions.

Together we thank you for the innumerable blessings we have to live in the United States of America. May we never take it for granted. Now, I respect and acknowledge the many faiths and beliefs represented in this chamber today, however, I ask this prayer in the name of my Lord and my Savior, Jesus Christ. Amen.

The speaker recognized Representative Phillips 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 legislative business:

Delisi on motion of Woolley.

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

M. Noriega on motion of Burnam.

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

Truitt on motion of Homer.

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

Gattis on motion of Van Arsdale.

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

Madden on motion of McCall.

CAPITOL PHYSICIAN

The speaker recognized Representative Geren who presented Dr. Robbye Richards of Fort Worth as the "Doctor for the Day."

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

LEAVE OF ABSENCE GRANTED

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

Hupp on motion of Berman.

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).

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.

INTRODUCTION OF GUESTS

The speaker recognized Representative Dutton who introduced the family of Staff Sergeant Dexter S. Kimble.

HR 442 - READ (by Dutton)

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

HR 442, in memory of U.S. Marine Staff Sergeant Dexter S. Kimble of Houston.

HR 442 - MOTION TO ADD NAMES

On motion of Representative Thompson, the names of all the members of the house were added to **HR 442** as signers thereof.

HR 741 - ADOPTED (by Strama)

Representative Strama moved to suspend all necessary rules to take up and consider at this time **HR 741**.

The motion prevailed.

The following resolution was laid before the house:

HR 741, Recognizing the Star of Texas Fair and Rodeo School Arts Program.

HR 741 was read and was adopted.

HR 587 - ADOPTED
(by Campbell)

Representative Campbell moved to suspend all necessary rules to take up and consider at this time **HR 587**.

The motion prevailed.

The following resolution was laid before the house:

HR 587, Honoring Tamra Brown of San Angelo on being named one of the top youth volunteers in Texas for 2005.

HR 587 was read and was adopted.

INTRODUCTION OF GUEST

The speaker recognized Representative Campbell who introduced Tamra Brown.

HR 755 - ADOPTED
(by Farabee)

Representative Farabee moved to suspend all necessary rules to take up and consider at this time **HR 755**.

The motion prevailed.

The following resolution was laid before the house:

HR 755, Honoring the congregation of the Gilbert Memorial Christian Methodist Episcopal Church in Wichita Falls on the church's centennial.

HR 755 was adopted.

HR 573 - ADOPTED
(by B. Brown)

Representative B. Brown moved to suspend all necessary rules to take up and consider at this time **HR 573**.

The motion prevailed.

The following resolution was laid before the house:

HR 573, Congratulating Malakoff on the occasion of its sesquicentennial.

HR 573 was adopted.

HR 746 - ADOPTED
(by Y. Davis)

Representative Y. Davis moved to suspend all necessary rules to take up and consider at this time **HR 746**.

The motion prevailed.

The following resolution was laid before the house:

HR 746, Honoring Connie Davis-Rosborough and family on the occasion of the RRC Ranch being accepted into the Family Land Heritage Program.

HR 746 was adopted.

HR 713 - ADOPTED
(by Zedler)

Representative Zedler moved to suspend all necessary rules to take up and consider at this time **HR 713**.

The motion prevailed.

The following resolution was laid before the house:

HR 713, Congratulating Officer Lee Witt of the Arlington Police Department on the occasion of his retirement.

HR 713 was adopted.

HR 796 - ADOPTED
(by Merritt)

Representative Merritt moved to suspend all necessary rules to take up and consider at this time **HR 796**.

The motion prevailed.

The following resolution was laid before the house:

HR 796, Recognizing March 17, 2005, as Women in Longview Day.

HR 796 was adopted.

HCR 114 - ADOPTED
(by Merritt)

Representative Merritt moved to suspend all necessary rules to take up and consider at this time **HCR 114**.

The motion prevailed.

The following resolution was laid before the house:

HCR 114, Commemorating the dedication of the Camp Fannin Association WWII Memorial on the campus of The University of Texas Health Science Center at Tyler.

HCR 114 was adopted.

HR 797 - ADOPTED
(by Hodge)

Representative Hodge moved to suspend all necessary rules to take up and consider at this time **HR 797**.

The motion prevailed.

The following resolution was laid before the house:

HR 797, In memory of the Honorable Edward James Ryan and recognizing him as an honorary Texan.

HR 797 was unanimously adopted by a rising vote.

On motion of Representative Edwards, the names of all the members of the house were added to **HR 797** as signers thereof.

HCR 112 - ADOPTED
(by Corte)

Representative Corte moved to suspend all necessary rules to take up and consider at this time **HCR 112**.

The motion prevailed.

The following resolution was laid before the house:

HCR 112, Awarding the Texas Legislative Medal of Honor to Captain Robert Thomas Edlin of Corpus Christi and requesting the governor to confer the award.

HCR 112 was read and was adopted.

HR 791 - ADOPTED
(by Hilderbran)

Representative Hilderbran moved to suspend all necessary rules to take up and consider at this time **HR 791**.

The motion prevailed.

The following resolution was laid before the house:

HR 791, Congratulating the Dowe Family Ranch on its acceptance into the Family Land Heritage Program of the Texas Department of Agriculture.

HR 791 was adopted.

HR 730 - ADOPTED
(by McClendon)

Representative Dutton moved to suspend all necessary rules to take up and consider at this time **HR 730**.

The motion prevailed.

The following resolution was laid before the house:

HR 730, Honoring the members of the Texas Publishers Association on the occasion of their 19th annual convention March 17–19, 2005.

HR 730 was adopted.

HR 793 - ADOPTED
(by Dutton)

Representative Dutton moved to suspend all necessary rules to take up and consider at this time **HR 793**.

The motion prevailed.

The following resolution was laid before the house:

HR 793, Honoring Pastor Victor L. Archer, Sr., on his 33-year career in the ministry and 24 years of leadership with Jesus Way Bible Fellowship Church in Houston.

HR 793 was adopted.

(Gattis now present)

**GENERAL STATE CALENDAR
HOUSE BILLS
SECOND READING**

The following bills were laid before the house and read second time:

**HB 47 ON SECOND READING
(by Keel)**

HB 47, A bill to be entitled An Act relating to imposing a civil penalty on a county that fails to make available to the public certain information with respect to an arrest or search warrant.

Amendment No. 1

On behalf of Representative Casteel, Representative Keel offered the following amendment to **HB 47**:

Amend **HB 47** as follows:

- (1) On page 2, line 4, strike "county" and substitute "clerk".
- (2) On page 2, line 21, strike "county" and substitute "clerk".

Amendment No. 1 was adopted.

HB 47, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Hamilton and Solis recorded voting no.)

**HB 76 ON SECOND READING
(by Hope)**

HB 76, A bill to be entitled An Act relating to the operation of a watercraft while intoxicated.

Amendment No. 1

On behalf of Representative Isett, Representative Hope offered the following amendment to **HB 76**:

Amend **HB 76** as follows:

(1) Add the following appropriately numbered section to the bill and renumber existing sections accordingly:

SECTION ____ . Section 724.002, Transportation Code, is amended to read as follows:

Sec. 724.002. APPLICABILITY. The provisions of this chapter that apply to suspension of a license for refusal to submit to the taking of a specimen (Sections 724.013, 724.015, and 724.048 and Subchapters C and D) apply only to a person arrested for an offense involving the operation of a motor vehicle or watercraft [~~powered with an engine having a manufacturer's rating of 50 horsepower or above~~].

(2) On page 9, between lines 24 and 25, insert the following:

(d) Section 724.002, Transportation Code, as amended by this Act, applies only to a person arrested for an offense involving the operation of a motor vehicle or watercraft on or after September 1, 2005. A person arrested for an offense involving the operation of a motor vehicle or watercraft before September 1, 2005, is covered by Section 724.002, Transportation Code, as that law existed on the date of the person's arrest, and the former law is continued in effect for that purpose.

Amendment No. 1 was adopted.

HB 76, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Seaman recorded voting no.)

HB 86 ON SECOND READING
(by W. Smith, et al.)

HB 86, A bill to be entitled An Act relating to compliance histories for and incentives to reward compliance performance by entities regulated by the Texas Commission on Environmental Quality.

(Quintanilla now present)

(Harper-Brown in the chair)

HB 86 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE BURNAM: Representative Smith, let's go ahead and ask some questions about some of the issues that we have not resolved so that people may know why there is a recommendation to oppose this bill by other members of the environmental community. Let's talk—do you mind talking a little bit about notice on violations? Isn't it true that the original statute requires TCEQ to include notice of violations as a part of its compliant history?

REPRESENTATIVE W. SMITH: That's correct. And now it's permissive.

BURNAM: Given that the notice of violations are the first indication that a company may have potential compliance problems, why are we taking out the language requiring that this be included?

W. SMITH: Well, notice of violation can mean lots of things. It can be as little as the initials on a self-reporting form—that those initials instead of a signature and notice of violation can be continued to be used in compliance history, it's just

not required. Some of it by this bill would not be required because some notice of violations really don't have anything to do with how clean the area is or how clean the water is.

BURNAM: So some notices are minor technicalities. But isn't it true that some notices really involve major violations, some of which are ongoing by certain stationary facilities?

W. SMITH: That's correct. And if they're repeat offenders then those would be included in the compliance history.

BURNAM: How does the average breather in North Texas that is struggling with increasingly dirty air deal with this internal, very obscure aspect of regulating these industries that apparently we're going to make it optional for the TCEQ to address?

W. SMITH: Can you phrase that in one sentence? Are you still talking about notice of violation?

BURNAM: Yes, and I'm asking how does the average breather in North Texas, who is dealing with all the air pollution problems that we have, have any sense of security that the agency is using the notice of violation appropriately and applying it when it needs to be applied?

W. SMITH: I would think he would have the security he has in all the agencies whether they're doing their job in an adequate manner or not. It's just that—it's unfair to require all notices of violations to be used, because as you know some of them are purely technical and have nothing to do with the quality of the air that a North Texas breather may have.

BURNAM: Well, I'm not sure that all state agencies have as bad a record as the TCEQ does when it comes to enforcement, but there is a continuing problem and by passing this legislation aren't we going to reduce the element in the system where people have access to this information about the notice of violations?

W. SMITH: Oh, I don't think we're going to eliminate the access to the information.

BURNAM: Well, consideration by the agency.

W. SMITH: We're not going to—we allow the agency to consider it, should they want to, and not require them to.

BURNAM: Should they want to. So that means it's just that more important that we have aggressive enforcers at the agencies, is that correct?

W. SMITH: Oh, I believe we have aggressive enforcers, yes.

BURNAM: That's not my experience. But, nevertheless, why are we talking about changing the "more than" qualifier? Doesn't it make sense that if an applicant wants to streamline—I mean, to change—to their benefit why shouldn't they at least meet the minimum environmental standards? Why are you suggesting that we change that?

W. SMITH: Well, if I understand your question, we're not changing that they meet the standards that exist, we're just saying they do not—in order to have regulatory flexibility—they do not have to have—it does not have to be better than what they are producing.

BURNAM: Well, once again, if we were really interested in the asthmatics and the other breathers and their health issues, I would think that we would hold the company to the same standard that we want to hold children to in public education, don't you?

W. SMITH: I'm not for certain what you mean by holding the company responsible. I think we're doing that by the different sites that the different companies have.

BURNAM: Isn't this downgrading the verbiage from "equal to more than" to just "equal to"?

W. SMITH: I don't think it's a downgrade. I think it encourages innovative—

BURNAM: Well, I'm glad your legislative intent is not to downgrade the regulation. Let's move on to a third concern that I have and that's the repeat violator. We have an attitude with blue collar criminals that third time offenders—throw them in the slammer and throw away the keys. But we don't seem to have as strong an attitude about the corporate polluters. And, so my question is, just due to the nature of these violations, why wouldn't we want to always consider the violations whether it's at that plant specific or another plant owned by this company or whether or not it is that specific issue or other issues related to that company?

W. SMITH: Well, I can give you an extremely good example. There is a governmental entity in Harris County that operates two wastewater treatment plants there and they receive a considerable amount of industrial waste, and they also operate a plant in Odessa. And the type of disinfection used at the Odessa plant, which receives industrial waste also, the type of disinfectant process used there is ultraviolet light. They have had some difficulty due to the sun and some algae growth on the ultraviolet lights that they are having to go to supplemental disinfection to be able to meet their permit requirement. Should they get a notice of violation for that? It's not really appropriate that that applies to the Gulf Coast wastewater plants that are being operated in a totally different geography with a different treatment process.

BURNAM: But, Representative Smith, isn't it indicative of the entity's record that they are unable to be in compliance, and shouldn't that be a part of their records so that the people know? Let's say company X is involved with solid waste management some place. If they've got a problem at one landfill, maybe we should know that they've got that problem when we are looking at their corporate history at another landfill.

W. SMITH: Well, you're saying at another landfill but my comment would be is that there are—if you take that broad a brush—the guy who runs the wastewater treatment plant in Austin, Texas, would be responsible for the activities of the

guy who runs the solid waste landfill or someone who actually runs an electrical plant with air emissions. So, I mean, you're painting a broad brush to people in locations that don't have much control over the outcome.

BURNAM: Mr. Smith, for your purposes—for what you say that you are trying to achieve in addressing problems with compliance history, wouldn't it simply make more sense to allow the present language to stand? And rather, add another subsection which states for the purposes of penalty enhancements the commission should give consideration to only if it's a violation of the same nature? Doesn't that make more sense?

W. SMITH: I think it satisfies its purpose the way it's stated.

BURNAM: Well, I guess some people might say that it accomplishes more than what you are trying to accomplish in that it actually mitigates or reduces our ability to rely on compliance history, and I guess that would be the reason why some of us are going to end up opposing the bill even though you've done a nice job of negotiating with some of the public interest community.

W. SMITH: Thank you.

REMARKS ORDERED PRINTED

Representative Burnam moved to print remarks between Representative W. Smith and Representative Burnam.

The motion prevailed.

Amendment No. 1 (Committee Amendment No. 1)

On behalf of Representative Kuempel, Representative W. Smith offered the following committee amendment to **HB 86**:

Amend **HB 86** as follows:

1) Delete line 15 on page 1 and substitute "SECTION 3. Sections 5.753(a), (b) and (d), Water Code are";

2) On page 2, after line 10, add "(d) For purposes of listing compliance history or using compliance history in any escalation of penalties, the commission may not include as a notice of violation deviations or violations provided by a person to the commission, such as deviations set forth in Discharge Monitoring Reports or Title V Deviation Reports, unless the commission issues a written notice of violation. For purposes of using compliance history in any escalation of penalties, the commission may not use notices of violation unless the commission takes subsequent action or the person is a repeat violator as determined pursuant to Subdivision (2), Sec. 5.754(c) of this code. If the commission includes notices of violations in compliance history, the listing shall be preceded by the following statement prominently displayed: "A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action nor proof that a violation has actually occurred." [~~The set of components shall include notices of violations.~~] A notice of violation administratively determined to be without merit may [~~shall~~] not be included in a

compliance history. A notice of violation that is included in a compliance history shall be removed from the compliance history if the commission subsequently determines the notice of violation to be without merit." ; and

3) On page 13, line 14, delete "5.753 (d),".

Amendment No. 1 was adopted.

Amendment No. 2

Representative Homer offered the following amendment to **HB 86**:

Amend **HB 86** as follows:

1) On page 3, line 7, delete "[~~the use of announced inspections; and~~]" and substitute "the use of announced inspections; and";

2) On page 3, line 8, delete "[~~(4)~~]" and substitute "(4)";

3) On page 4, line 10, add ", not to exceed 30 days,";

4) On page 4, line 26, delete "[~~documented~~]" and substitute "documented"; and

5) On page 5, line 4, delete "[~~specific~~]" and substitute "specific".

Amendment No. 2 was adopted.

A record vote was requested.

HB 86, as amended, was passed to engrossment by (Record 123): 97 Yeas, 44 Nays, 2 Present, not voting.

Yeas — Allen, R.; Anderson; Baxter; Berman; Blake; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Callegari; Campbell; Casteel; Chisum; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Denny; Driver; Edwards; Eiland; Eissler; Elkins; Farabee; Flynn; Frost; Gattis; Geren; Goodman; Goolsby; Griggs; Grusendorf; Guillen; Haggerty; Hamilton; Hamric; Hardcastle; Hartnett; Hegar; Hilderbran; Hill; Homer; Hope; Hopson; Howard; Hughes; Hunter; Hupp; Isett; Jackson; Jones, D.; Keel; Keffer, B.; Keffer, J.; King, P.; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; McCall; McReynolds; Menendez; Merritt; Miller; Morrison; Mowery; Nixon; Oliveira; Orr; Otto; Paxton; Peña; Phillips; Pickett; Pitts; Raymond; Riddle; Ritter; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Talton; Taylor; Van Arsdale; West; Wong; Woolley; Zedler.

Nays — Allen, A.; Alonzo; Anchia; Bailey; Burnam; Castro; Chavez; Coleman; Davis, Y.; Deshotel; Dukes; Dunnam; Dutton; Escobar; Farrar; Flores; Gallego; Giddings; Gonzales; Gonzalez Toureilles; Herrero; Hochberg; Hodge; Jones, J.; Leibowitz; Luna; Martinez; Martinez Fischer; McClendon; Moreno, J.; Moreno, P.; Naishtat; Olivo; Puente; Quintanilla; Reyna; Rodriguez; Solis; Thompson; Turner; Uresti; Veasey; Villarreal; Vo.

Present, not voting — Mr. Speaker; Harper-Brown(C).

Absent, Excused — Delisi; Madden; Noriega, M.; Truitt.

Absent — Dawson; King, T.; Straus.

STATEMENTS OF VOTE

When Record No. 123 was taken, my vote failed to register. I would have voted yes.

Dawson

I was shown voting no on Record No. 123. I intended to vote yes.

Hochberg

When Record No. 123 was taken, I was in the house but away from my desk. I would have voted yes.

T. King

I was shown voting no on Record No. 123. I intended to vote yes.

Reyna

When Record No. 123 was taken, I was in the house but away from my desk. I would have voted yes.

Straus

LEAVE OF ABSENCE GRANTED

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

Elkins on motion of Kuempel.

**CSHB 162 ON SECOND READING
(by McCall)**

CSHB 162, A bill to be entitled An Act relating to notifying certain providers of emergency care of possible exposure to certain reportable diseases.

Amendment No. 1

Representative McCall offered the following amendment to **CSHB 162**:

Amend **CSHB 162** as follows:

(1) On page 1, add the following appropriately numbered SECTION and renumber subsequent SECTIONS accordingly:

SECTION __. The heading to Section 81.048, Health and Safety Code, is amended to read as follows:

Sec. 81.048. NOTIFICATION OF EMERGENCY PERSONNEL, PEACE OFFICERS, DETENTION OFFICERS, COUNTY JAILERS, AND FIRE FIGHTERS.

(2) On page 1, line 6, between "by" and "adding" insert "amending Subsections (b) and (c) and".

(3) On page 1, between lines 6 and 7, insert:

(b) Notice of a positive test result for a reportable disease designated under Subsection (a) shall be given to an emergency medical service personnel, peace officer, detention officer, county jailer, or fire fighter as provided by this section if:

(1) the emergency medical service personnel, peace officer, detention officer, county jailer, or fire fighter delivered a person to a hospital as defined by Section 74.001, Civil Practice and Remedies Code [~~4.03, Medical Liability and Insurance Improvement Act of Texas (Article 4590i, Vernon's Texas Civil Statutes)~~];

(2) the hospital has knowledge that the person has a reportable disease and has medical reason to believe that the person had the disease when the person was admitted to the hospital; and

(3) the emergency medical service personnel, peace officer, detention officer, county jailer, or fire fighter was exposed to the reportable disease during the course of duty.

(c) Notice of the possible exposure shall be given:

(1) by the hospital to the local health authority;

(2) by the local health authority to the director of the appropriate department of the entity that employs the emergency medical service personnel, peace officer, detention officer, county jailer, or fire fighter; and

(3) by the director to the employee affected.

(4) On page 1, line 11, between "officer," and "or" insert "a detention officer, a county jailer,".

Amendment No. 1 was adopted.

CSHB 162, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

HB 269 ON SECOND READING

(by Keel, Casteel, Hupp, Hodge, Talton, et al.)

HB 269, A bill to be entitled An Act relating to the effect of an expunction.

HB 269 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

HB 377 ON SECOND READING

(by Talton)

HB 377, A bill to be entitled An Act relating to the disclosure of certain information from an early voting roster; providing a penalty.

HB 377 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

HB 413 ON SECOND READING
(by Turner)

HB 413, A bill to be entitled An Act relating to the manner of providing notice of a petition or order for the expunction or nondisclosure of certain criminal records.

HB 413 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

HB 633 ON SECOND READING
(by Kuempel, Bonnen, and Riddle)

HB 633, A bill to be entitled An Act relating to participation and credit in, contributions to, and benefits and administration of the Texas County and District Retirement System.

HB 633 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

HB 699 ON SECOND READING
(by McCall)

HB 699, A bill to be entitled An Act relating to prosecution and punishment of certain offenses relating to a driver's license or personal identification certificate.

Amendment No. 1

Representative McCall offered the following amendment to **HB 699**:

Amend **HB 699** as follows:

(1) Strike SECTIONS 1 and 2 of the bill (Committee printing page 1, lines 5-16) and substitute the following:

SECTION 1. Section 521.451, Transportation Code, is amended by amending Subsection (b) and adding Subsection (c) to read as follows:

(b) An offense under this section is a Class A [B] misdemeanor.

(c) If conduct that constitutes an offense under Subsection (a) also constitutes an offense under Section 106.07, Alcoholic Beverage Code, the actor may be prosecuted only under Section 106.07, Alcoholic Beverage Code.

(2) Renumber SECTIONS of the bill appropriately.

Amendment No. 1 was adopted.

HB 699, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

CSHB 807 ON SECOND READING**(by Driver)**

CSHB 807, A bill to be entitled An Act relating to reporting the outcome of alcohol and drug tests of holders of commercial driver's licenses.

Representative Driver moved to postpone consideration of **CSHB 807** until 10 a.m. Thursday, March 24.

The motion prevailed.

HB 825 ON SECOND READING**(by Talton)**

HB 825, A bill to be entitled An Act relating to the prosecution of the offense of interference with public duties.

HB 825 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

HB 969 ON SECOND READING**(by Keel)**

HB 969, A bill to be entitled An Act relating to court orders for discovery in a criminal case.

(Speaker in the chair)

HB 969 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

HB 1044 ON SECOND READING**(by Eiland and W. Smith)**

HB 1044, A bill to be entitled An Act relating to exceptions for certain overweight vehicles.

Amendment No. 1

Representative Eiland offered the following amendment to **HB 1044**:

Amend **HB 1044** (House Committee Printing) as follows:

- (1) On page 1, at the end of line 10, strike "2".
- (2) On page 1, line 11, strike "Farm-to-Market Road 2354".

Amendment No. 1 was adopted.

HB 1044, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

HB 1099 ON SECOND READING**(by Chavez, Castro, Solis, et al.)**

HB 1099, A bill to be entitled An Act relating to migrant labor housing facilities.

HB 1099 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE TALTON: Thank you. Representative Chavez, in your opinion—I notice you're moving it from one agency to another—do you believe that the Texas Department—TDHCA, has the ability to make the inspections that are necessary?

REPRESENTATIVE CHAVEZ: Yes, Representative Talton. There were several budget cuts last session, and with those cuts, the Texas Department of Health has not been able to go out and inspect. The Texas Department of Housing and Community Affairs, they have the inspectors—they do the colonians inspections, and they are the best agency. It will actually save the farmer money. They're saying it will be a reduction in cost from \$1,200 to license to about \$150, at a maximum of \$250. We do believe that it's the agency most appropriate to deal, and they also already have the inspectors out in the field.

TALTON: Do they have the inspectors in the area, and you're satisfied with how they're doing it now? Is that correct?

CHAVEZ: I absolutely believe that they are the most appropriate agency to do the inspections. Absolutely. Again, they inspect the colonians. They have inspectors. There is no fiscal implications to this legislation. And they have testified that they are able to do it, and I am confident that they are the best agency to do it.

TALTON: Thank you.

HB 1099 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

REMARKS ORDERED PRINTED

Representative Rodriguez moved to print remarks between Representative Chavez and Representative Talton.

The motion prevailed.

FIVE DAY POSTING RULE SUSPENDED

Representative Morrison moved to suspend the five day posting rule to allow the Committee on Higher Education to consider **HB 2291**.

The motion prevailed.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Higher Education, 10:30 a.m. or upon adjournment tomorrow, E2.030, for a public hearing, to consider **HB 2291** and previously posted bills.

FIVE DAY POSTING RULE SUSPENDED

Representative J. Keffer moved to suspend the five day posting rule to allow the Committee on Ways and Means to consider **HB 784**.

The motion prevailed.

COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

Ways and Means, 10:30 a.m. or upon final adjournment today, E2.010, for a public hearing, to consider **HB 784** and other previously posted bills.

Natural Resources, upon adjournment today, Desk 112, for a formal meeting, to consider pending business.

Criminal Jurisprudence, upon adjournment today, Desk 59, for a formal meeting, to consider **HB 752**.

Juvenile Justice and Family Issues, 1 p.m. today, E2.014, for a public hearing.

PROVIDING FOR ADJOURNMENT

Representative Geren 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.

(Swinford in the chair)

BILLS AND JOINT RESOLUTIONS ON FIRST READING AND REFERRAL TO COMMITTEES CORRECTIONS IN REFERRAL

Bills and joint resolutions were at this time laid before the house, read first time, and referred to committees. Pursuant to Rule 1, Section 4 of the House Rules, the chair at this time corrected the referral of measures to committees. (See the addendum to the daily journal, Referred to Committees, List No. 1.)

(Anderson in the chair)

ADJOURNMENT

In accordance with a previous motion, the house, at 12:26 p.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 2554 (By Kuempel), Relating to the exclusion of certain materials from a reservation of minerals to the state.

To Land and Resource Management.

HB 2555 (By Kuempel), Relating to dispatching game animals and game birds.

To Culture, Recreation, and Tourism.

HB 2556 (By Kuempel), Relating to a prohibition on the importation of Chronic Wasting Disease-susceptible species; providing a criminal penalty.

To Agriculture and Livestock.

HB 2557 (By Kuempel), Relating to the privacy of public employees under the Public Information Act.

To State Affairs.

HB 2558 (By Laubenberg), Relating to a notice of intent to terminate a residential lease.

To Business and Industry.

HB 2559 (By Laubenberg), Relating to the extent of extraterritorial jurisdiction of municipalities with fewer than 5,000 inhabitants.

To Land and Resource Management.

HB 2560 (By Laubenberg), Relating to validation of the creation of and certain acts taken by the Rockwall County Public Safety and Fire Assistance District.

To County Affairs.

HB 2561 (By Eiland), Relating to the applicability of the rule against perpetuities to trusts.

To Financial Institutions.

HB 2562 (By Eiland), Relating to the creation of an oyster license management program.

To Culture, Recreation, and Tourism.

HB 2563 (By Eiland), Relating to the operations and funding of the Texas Windstorm Insurance Association, including funding of coverage for certain catastrophic events through the establishment of a revenue bond program.

To Insurance.

HB 2564 (By Eiland), Relating to reinsurance for insurance written by the Texas Windstorm Insurance Association.

To Insurance.

HB 2565 (By Eiland), Relating to prohibiting rebates regarding certain insurance coverage.

To Insurance.

HB 2566 (By Eiland), Relating to the Texas Emergency Services Retirement System; providing an administrative penalty.

To Pensions and Investments.

HB 2567 (By Eiland), Relating to requiring public retirement systems periodically to submit an asset and liability study to the Pension Review Board.

To Pensions and Investments.

HB 2568 (By Eiland), Relating to certain retired school employees and the powers and duties of the Teacher Retirement System of Texas.

To Pensions and Investments.

HB 2569 (By Eiland), Relating to the office of district attorney for the 253rd Judicial District and to the creation of the office of district attorney for the 344th Judicial District.

To Judiciary.

HB 2570 (By Eiland), Relating to the delivery of prescription drugs by mail order.

To Insurance.

HB 2571 (By Eiland), Relating to requirements for disclosing a consumer's personal information.

To Business and Industry.

HB 2572 (By Truitt), Relating to the functions of local mental health and mental retardation authorities.

To Human Services.

HB 2573 (By Callegari), Relating to a motor vehicle financial responsibility verification program; providing a penalty.

To Transportation.

HB 2574 (By Hamric), Relating to the waiver of civil process continuing education requirements for constables and deputy constables by the Commission on Law Enforcement Officer Standards and Education.

To Law Enforcement.

HB 2575 (By Hamric), Relating to the tax rate for emergency services districts located in certain populous counties.

To Local Government Ways and Means.

HB 2576 (By Grusendorf), Relating to the continuation and functions of the Texas Education Agency and regional education service centers.

To Public Education.

HB 2577 (By Rodriguez), Relating to air pollutant emissions from electric generating facilities; providing for an administrative penalty.

To Environmental Regulation.

HB 2578 (By Rodriguez), Relating to providing the national free or reduced-price breakfast and lunch program to a greater number of public school students.

To Public Education.

HB 2579 (By Rodriguez), Relating to procedures to ensure the involvement of parents or guardians of children placed in certain institutions.

To Human Services.

HB 2580 (By Keel), Relating to restricting certain political activities by certain road districts, regional tollway authorities, regional mobility authorities, and their officers and employees.

To Transportation.

HB 2581 (By Solomons), Relating to the regulation of a perpetual care cemetery and the sale of interment rights in a mausoleum before completion of construction.

To Financial Institutions.

HB 2582 (By Gallego), Relating to authorizing the issuance of revenue bonds for Sul Ross State University Rio Grande College for certain purposes and exempting the property and projects financed by the bonds from prior approval by the Texas Higher Education Coordinating Board.

To Higher Education.

HB 2583 (By Turner), Relating to financial transaction awareness plans to be adopted by public institutions of higher education.

To Higher Education.

HB 2584 (By Hilderbran), Relating to the Kimble County Hospital District of Kimble County, Texas.

To County Affairs.

HB 2585 (By Hilderbran, Van Arsdale, Otto, et al.), Relating to the rates of and billing cycle used by a water and sewer utility.

To Natural Resources.

HB 2586 (By Hilderbran), Relating to a requirement that a pipeline operator report contamination.

To Energy Resources.

HB 2587 (By Hilderbran), Relating to the Schleicher County Hospital District.

To County Affairs.

HB 2588 (By Van Arsdale), Relating to sovereign immunity of a political subdivision.

To Civil Practices.

HB 2589 (By Y. Davis), Relating to local control of fire fighter and police officer employment matters in certain municipalities.

To Urban Affairs.

HB 2590 (By Gonzales), Relating to the issuance of a package store tasting permit to the holder of a wine only package store permit.

To Licensing and Administrative Procedures.

HB 2591 (By Frost), Relating to the habitability of used manufactured homes.

To State Affairs.

HB 2592 (By Frost), Relating to a requirement that certain broadband network operators provide notice of inability to access emergency services.

To Regulated Industries.

HB 2593 (By Baxter), Relating to the TexasOnline project, the TexasOnline Authority, and related powers, fees, and a vendor for the project.

To Government Reform.

HB 2594 (By Guillen), Relating to the health disparities task force.

To Public Health.

HB 2595 (By Guillen), Relating to operation of a motor vehicle by a person younger than 18 years of age.

To Transportation.

HB 2596 (By Guillen), Relating to excusing a member of the legislature from being compelled to testify or give a deposition in a civil suit when the legislature is in session.

To Judiciary.

HB 2597 (By Guillen), Relating to evaluation of applicants for financial assistance to colonias and other economically distressed areas.

To Border and International Affairs.

HB 2598 (By Guillen), Relating to regulating the use and disclosure of social security numbers by state agencies and institutions of higher education.

To State Affairs.

HB 2599 (By Guillen), Relating to health coverage or compensation supplementation for certain education employees.

To Public Education.

HB 2600 (By Guillen), Relating to increasing the amount of the residence homestead exemption from ad valorem taxation for public school purposes and correspondingly adjusting the limitation on the amount of ad valorem taxes that may be imposed for those purposes on the homesteads of certain persons.

To Ways and Means.

HB 2601 (By Guillen), Relating to the creation, administration, powers, duties, operation, and financing of the Duval County Groundwater Conservation District.

To Natural Resources.

HB 2602 (By Guillen), Relating to the creation, administration, powers, duties, operation, and financing of the Starr County Groundwater Conservation District.

To Natural Resources.

HB 2603 (By Guillen), Relating to the sale or transfer of certain real property no longer needed for state highway purposes.

To Transportation.

HB 2604 (By Guillen), Relating to preferences for veterans in state-funded job training or employment assistance programs and services.

To Defense Affairs and State-Federal Relations.

HB 2605 (By Guillen), Relating to eligibility of children with learning disabilities for free public prekindergarten classes.

To Public Education.

HB 2606 (By Guillen), Relating to expanding mental health services provided under the medical assistance and children's health insurance programs and other health and human services programs.

To Public Health.

HB 2607 (By Guillen), Relating to an offense by a person under 18 years of age of using a telephone while operating a motor vehicle.

To State Affairs.

HB 2608 (By Guillen), Relating to the amount of a service retirement annuity for certain members of the Teacher Retirement System of Texas.

To Pensions and Investments.

HB 2609 (By Guillen), Relating to the installment payment of tuition and fees charged by a public junior college for a summer term.

To Higher Education.

HB 2610 (By Guillen), Relating to rural emergency air trauma safety service regions.

To Public Health.

HB 2611 (By Guillen), Relating to the reappraisal for ad valorem tax purposes of agricultural or open-space land in a tick eradication quarantine area.

To Ways and Means.

HB 2612 (By Guillen), Relating to requiring certain school districts to include a teacher on the board of trustees of the district.

To Public Education.

HB 2613 (By Eiland), Relating to the adoption of the Interstate Insurance Product Regulation Compact.

To Insurance.

HB 2614 (By Eiland), Relating to the applicability of certain insurance laws to Lloyd's plans and reciprocal and interinsurance exchanges.

To Insurance.

HB 2615 (By Eiland), Relating to the distinction between surplus lines insurance and unauthorized insurance.

To Insurance.

HB 2616 (By Eiland), Relating to the operation of the Texas Windstorm Insurance Association.

To Insurance.

HB 2617 (By Eiland), Relating to systems and programs administered by the Employees Retirement System of Texas.

To Pensions and Investments.

HB 2618 (By Eiland), Relating to county expenditures for certain health care services.

To County Affairs.

HB 2619 (By Hegar), Relating to a program by the Office of Rural Community Affairs to assist rural areas with the establishment of emergency services districts.

To Land and Resource Management.

HB 2620 (By Eiland), Relating to the recognition of an informal marriage.

To Juvenile Justice and Family Issues.

HB 2621 (By Eiland), Relating to the power of certain coastal municipalities to impose assessments to pay for improvement projects, services, or special events.

To Land and Resource Management.

HB 2622 (By Phillips), Relating to boating safety.

To Culture, Recreation, and Tourism.

HB 2623 (By Phillips), Relating to the distribution by the Texas Department of Transportation of certain assistance for the repair and maintenance of county roads.

To Transportation.

HB 2624 (By Phillips), Relating to disclosure by an appraisal district to a property owner of information regarding the appraisal of the person's property, including comparable sales information.

To Ways and Means.

HB 2625 (By W. Smith), Relating to election of trustees of certain junior college districts by cumulative voting.

To Higher Education.

HB 2626 (By W. Smith), Relating to the penalties and fees imposed by municipalities and counties in relation to certain false alarms.

To County Affairs.

HB 2627 (By P. Moreno), Relating to certain requirements for issuance of a barbershop permit.

To Public Health.

HB 2628 (By Denny), Relating to reimbursement to local governments for roadway development through impact fees.

To Local Government Ways and Means.

HB 2629 (By Hill), Relating to a property owner's liability for, and the tax lien securing, delinquent taxes, penalties, or interest on improvements on land for which a tax certificate indicated no delinquent taxes, penalties, or interest was due.

To Local Government Ways and Means.

HB 2630 (By Hill), Relating to procedures regarding the removal and storage of vehicles.

To Transportation.

HB 2631 (By Hill), Relating to the removal of certain restrictions imposed on the programs, enrollment, and admission policies of The University of Texas at Dallas.

To Higher Education.

HB 2632 (By Vo), Relating to the notice provided on changing a polling location in an election.

To Elections.

HB 2633 (By Vo), Relating to the unlawful carrying of a handgun on certain premises used for law enforcement.

To Law Enforcement.

HB 2634 (By Vo), Relating to the composition of the board of trustees of the Teacher Retirement System of Texas.

To Pensions and Investments.

HB 2635 (By Isett), Relating to the period of continuous eligibility for the medical assistance and children's health insurance programs.

To Appropriations.

HB 2636 (By Isett), Relating to the rate of interest on certain tax refunds.

To Ways and Means.

HB 2637 (By Goodman), Relating to regulation by the Public Utility Commission of Texas of certain technology, including new or emerging technology.

To Regulated Industries.

HB 2638 (By Goodman), Relating to measures to support efforts of municipalities and counties to recruit or retain special events.

To Local Government Ways and Means.

HB 2639 (By Geren), Relating to the powers and duties of the Tarrant Regional Water District, a Water Control and Improvement District.

To Natural Resources.

HB 2640 (By D. Jones), Relating to municipal civil service coverage for certain employees of a fire department.

To Urban Affairs.

HB 2641 (By Hunter and J. Davis), Relating to the voluntary regulation of persons providing certain ophthalmic goods and services.

To Public Health.

HB 2642 (By Hunter), Relating to inspections related to childhood lead poisoning and blood lead levels of concern; imposing penalties.

To Public Health.

HB 2643 (By Hunter), Relating to a program of testing for childhood lead poisoning and blood lead levels of concern.

To Public Health.

HB 2644 (By Hughes), Relating to delay in the deregulation of certain electric utilities.

To Regulated Industries.

HB 2645 (By Nixon), Relating to procedures in health care liability claims.

To Civil Practices.

HB 2646 (By Nixon), Relating to multidistrict litigation.

To Civil Practices.

HB 2647 (By Homer), Relating to designation of Farm-to-Market Road 68 in Fannin County as Speaker Jimmy Turman Road.

To Transportation.

HB 2648 (By Homer), Relating to hunting licenses for certain nonresident landowners.

To Culture, Recreation, and Tourism.

HB 2649 (By Ritter), Relating to the award of a grant and reporting requirements under the Texas Enterprise Fund.

To Economic Development.

HB 2650 (By Krusee), Relating to local government participation in the financing of turnpike projects.

To Transportation.

HB 2651 (By Krusee), Relating to the authority of the Texas Natural Resource Conservation Commission to regulate a sub-surface area drip dispersal system as a separate category of commercial, industrial, and municipal non-hazardous liquid waste disposal.

To Environmental Regulation.

HB 2652 (By Krusee), Relating to the creation of a private activity bond program for highway and surface freight facilities.

To Transportation.

HB 2653 (By Krusee), Relating to the use of tax increment financing to pay certain costs associated with certain transportation or transit projects.

To Transportation.

HB 2654 (By Krusee), Relating to the terms of directors of a regional mobility authority.

To Transportation.

HB 2655 (By Krusee), Relating to regional mobility authorities.

To Transportation.

HB 2656 (By Krusee), Relating to the state aviation facilities.

To Transportation.

HB 2657 (By Krusee), Relating to the collection of motor fuels taxes.

To Ways and Means.

HB 2658 (By Krusee), Relating to erecting an off-premise sign adjacent to and visible from certain roads.

To Transportation.

HB 2659 (By Krusee), Relating to bond requirements for privatized maintenance contracts.

To Transportation.

HB 2660 (By Krusee), Relating to the administration and use of the Texas rail relocation and improvement fund and the issuance of obligations for financing the relocation, construction, reconstruction, acquisition, improvement, rehabilitation, and expansion of rail facilities.

To Transportation.

HB 2661 (By Krusee), Relating to the use of competitive sealed proposals for certain construction projects.

To Urban Affairs.

HB 2662 (By Krusee), Relating to construction, maintenance, or operation of a turnpike project by a private entity.

To Transportation.

HB 2663 (By Luna), Relating to establishing a demonstration project for women's health care services.

To Public Health.

HB 2664 (By Hodge), Relating to the expunction of certain misdemeanor arrest records and files.

To Criminal Jurisprudence.

HB 2665 (By Thompson), Relating to restrictions on balance billing by certain health care providers; providing an administrative penalty.

To Insurance.

HB 2666 (By Krusee), Relating to the criminal and civil enforcement of the required payment of a toll for the use of certain turnpike projects.

To Transportation.

HB 2667 (By Dutton), Relating to the election of a director of a municipal utility district.

To Elections.

HB 2668 (By Dutton), Relating to a prohibition against a private entity performing the functions and duties of a local child support registry.

To Juvenile Justice and Family Issues.

HB 2669 (By Dutton), Relating to the sentencing of juveniles in juvenile court and the functions of the Texas Youth Commission.

To Juvenile Justice and Family Issues.

HB 2670 (By Dutton), Relating to service retirement benefits for certain peace officers.

To Pensions and Investments.

HB 2671 (By Hughes), Relating to the assignment of certain visiting judges.

To Judiciary.

HB 2672 (By Turner), Relating to jurisdiction and venue in condemnation proceedings.

To Judiciary.

HB 2673 (By Turner), Relating to the creation of an alternative procurement procedure for architectural, engineering, or land surveying services by certain governmental entities.

To Government Reform.

HB 2674 (By Hupp), Relating to prescription drug insurance benefits provided through or by the Employees Retirement System of Texas or the Teacher Retirement System of Texas.

To Insurance.

HB 2675 (By Swinford), Relating to eligibility for the limitation on appraised value of property for school district maintenance and operations ad valorem tax purposes under the Texas Economic Development Act.

To Ways and Means.

HB 2676 (By Strama), Relating to the reapportionment of state legislative, congressional, and judicial districts and the creation, function, and duties of the Texas Redistricting Commission.

To Redistricting.

HB 2677 (By Driver), Relating to certain employment records maintained by the Commission on Law Enforcement Officer Standards and Education; providing an administrative penalty.

To Law Enforcement.

HB 2678 (By Smithee), Relating to a prohibition of the use of certain information for professional liability insurance for physicians and health care providers.

To Insurance.

HB 2679 (By Phillips), Relating to the development of a regional water supply reservoir project at a site known as Lower Bois d'Arc Creek in Fannin County, Texas.

To Natural Resources.

HB 2680 (By Branch), Relating to services provided by health care practitioners to charities, free health clinics, and medically underserved areas.
To Public Health.

HB 2681 (By Branch), Relating to the acquisition of an automated external defibrillator.
To Civil Practices.

HB 2682 (By Branch), Relating to reducing the required collateral amounts for securing school district deposits.
To Public Education.

HB 2683 (By Branch), Relating to allowing the Texas Department of Transportation to make grants to a county or municipality for recreational trails.
To Transportation.

HB 2684 (By Gallego), Relating to the prohibition of glass containers within the boundaries of a state-owned riverbed; providing criminal penalties.
To Culture, Recreation, and Tourism.

HB 2685 (By Gallego), Relating to the acceptance of gratuities by certain employees of the Parks and Wildlife Department.
To Culture, Recreation, and Tourism.

HB 2686 (By Gallego), Relating to the regulation of certain water wells by the Presidio County Underground Water Conservation District.
To Natural Resources.

HB 2687 (By Gallego), Relating to the rates of tuition charged to students of institutions of higher education.
To Higher Education.

HB 2688 (By Gallego), Relating to a limitation on increases in the total amount of tuition and compulsory fees charged by public institutions of higher education.
To Higher Education.

HB 2689 (By Gallego), Relating to a temporary moratorium on the authority of the General Land Office to lease the right to produce groundwater from state land or facilitate a water marketing initiative.
To Natural Resources.

HB 2690 (By Gallego), Relating to the applicability of across-the-board salary increases to employees of institutions of higher education.
To Higher Education.

HB 2691 (By Gallego), Relating to benefits for certain members of the Texas National Guard.
To Defense Affairs and State-Federal Relations.

HB 2692 (By Gallego), Relating to the state's goal for electric generating capacity by renewable energy technologies and distributed renewable energy generation.
To Regulated Industries.

HB 2693 (By Anchia), Relating to creating a statewide ballot for a person who casts a ballot outside the precinct in which the voter is registered.

To Elections.

HB 2694 (By Anchia), Relating to the eligibility of certain counties to use the competitive proposal procedure for certain purchases.

To County Affairs.

HB 2695 (By Anchia), Relating to allowing a county to consider health insurance benefits provided by a bidder to its employees when awarding a purchasing contract.

To County Affairs.

HB 2696 (By Anchia and Jackson), Relating to the licensing and regulation of massage therapy and massage establishments and certain services related to massage; providing penalties.

To Government Reform.

HB 2697 (By Phillips), Relating to the preservation of Texas historical resources and historical government records; imposing fees; making an appropriation.

To Culture, Recreation, and Tourism.

HB 2698 (By Swinford), Relating to the use of state data centers by state agencies and institutions of higher education.

To State Affairs.

HB 2699 (By Swinford), Relating to the Department of Information Resources.

To State Affairs.

HB 2700 (By Crownover), Relating to the appointment of certain judicial offices and a nonpartisan election for the retention or rejection of a person appointed to those offices.

To Judiciary.

HB 2701 (By Crownover), Relating to higher education authorities.

To Higher Education.

HB 2702 (By Krusee), Relating to the construction, acquisition, financing, maintenance, management, operation, ownership, and control of transportation facilities and the progress, improvement, policing, and safety of transportation in this state.

To Transportation.

HB 2703 (By Krusee), Relating to contracts for the design and construction of transportation projects by certain governmental entities.

To Transportation.

HB 2704 (By Krusee), Relating to certain contractual authority of local governments to construct, maintain or operate toll or nontoll facilities on the State highway system.

To Transportation.

HB 2705 (By Krusee), Relating to the authority of counties to issue bonds to construct, maintain or operate toll or nontoll facilities on the State highway system.

To Transportation.

HB 2706 (By Delisi), Relating to the establishment of the Health Professions Scope of Practice Review Commission.

To Public Health.

HB 2707 (By Rodriguez), Relating to the authority of the Barton Springs-Edwards Aquifer Conservation District to charge certain fees.

To Natural Resources.

HB 2708 (By Naishtat), Relating to authorizing the issuance of revenue bonds for The University of Texas at Austin.

To Higher Education.

HB 2709 (By Hamric), Relating to the issuance of special license plates to benefit the Texas Higher Education Coordinating Board.

To Transportation.

HB 2710 (By Hamric), Relating to the election of initial emergency services district boards in districts located in more than one county.

To County Affairs.

HB 2711 (By Gonzalez Toureilles), Relating to the provision of intervention or counseling services to certain persons who have committed family violence and to a process for accrediting those services.

To Corrections.

HB 2712 (By Bailey), Relating to eligibility for beginning positions in certain police and fire departments.

To Urban Affairs.

HB 2713 (By Bailey), Relating to the provision of a preference in certain state construction contracts for contractors that provide health benefits to employees.

To State Affairs.

HB 2714 (By Menendez), Relating to the operation and functions of the Texas Department of Housing and Community Affairs.

To Urban Affairs.

HB 2715 (By Menendez), Relating to authorizing licensed bingo organizations to conduct charitable poker games.

To Licensing and Administrative Procedures.

HB 2716 (By Swinford), Relating to equal employment opportunity reports.

To Economic Development.

HB 2718 (By Gattis), Relating to the continuation of the justice court technology fund.

To Judiciary.

HB 2719 (By Gattis), Relating to the cost of a program that a justice or municipal court orders the parent of a child who has committed an offense to attend.

To Juvenile Justice and Family Issues.

HB 2720 (By Gattis), Relating to the punishment for failure to attend public school.

To Public Education.

HB 2721 (By Gattis), Relating to the eligibility to vote in special utility district elections.

To Elections.

HB 2722 (By Gattis), Relating to the procedure for creating certain groundwater conservation districts.

To Natural Resources.

HB 2723 (By Flores), Relating to cost allocations in power regions.

To Regulated Industries.

HB 2724 (By Flores), Relating to regulation of electric generation capacity in the electric power market.

To Regulated Industries.

HB 2725 (By Flores), Relating to the maintenance of a registry of certain voluntarily provided information by the Texas Infrastructure Protection Communications Center.

To Defense Affairs and State-Federal Relations.

HB 2726 (By Flores), Relating to benefits for survivors of certain members of the Texas National Guard.

To Defense Affairs and State-Federal Relations.

HB 2727 (By Flores), Relating to certain promotional activities of certain alcoholic beverage permit holders.

To Licensing and Administrative Procedures.

HB 2728 (By Flores), Relating to the authority of certain development corporations to undertake projects for sewage or solid waste facilities, recycling facilities, or air or water pollution control facilities.

To Environmental Regulation.

HB 2729 (By Flores), Relating to metering services in areas of this state open to competition for retail electric services.

To Regulated Industries.

HB 2730 (By Flores), Relating to energy conservation and efficiency.

To Regulated Industries.

HB 2731 (By Flores), Relating to the model subdivision rules adopted by the Texas Water Development Board to assure that minimum standards for safe and sanitary water supply and sewer services in residential areas of certain political subdivisions are met.

To Natural Resources.

HB 2732 (By Flores), Relating to platting requirements for certain residential subdivisions in the unincorporated area of a county.

To Land and Resource Management.

HB 2733 (By Guillen), Relating to funding for career and technology programs in public schools.

To Public Education.

HB 2734 (By Guillen and Gonzalez Toureilles), Relating to tuition and fee exemptions for certain military personnel and their dependents.

To Higher Education.

HB 2735 (By Guillen), Relating to the salary paid to certain professional employees of public schools.

To Public Education.

HB 2736 (By Guillen), Relating to the minimum wage.

To Economic Development.

HB 2737 (By Guillen), Relating to creation of a pilot program to establish individual development accounts for certain TANF recipients.

To Human Services.

HB 2738 (By Guillen), Relating to eligibility for and the administration of the child health plan program.

To Public Health.

HB 2739 (By Guillen), Relating to vision and dental benefits provided under the state child health plan.

To Public Health.

HB 2740 (By Guillen), Relating to a pay raise for state employees.

To Appropriations.

HB 2741 (By Guillen), Relating to restrictions on the state's contracting and purchasing authority with respect to persons who promote foreign employment.

To Government Reform.

HB 2742 (By Casteel), Relating to the recall of school trustees.

To Public Education.

HB 2743 (By Deshotel), Relating to the overtime compensation of employees of the Texas Youth Commission.

To Juvenile Justice and Family Issues.

HB 2744 (By Deshotel), Relating to allowing the governing body of a city or town to order a local option election relating to the sale of alcoholic beverages.

To Licensing and Administrative Procedures.

HB 2745 (By Deshotel), Relating to the overtime compensation of employees of the Texas Department of Criminal Justice.

To Corrections.

HB 2746 (By Deshotel), Relating to the examination requirements for mold assessors and remediators.

To Licensing and Administrative Procedures.

HB 2747 (By McClendon), Relating to the administration of a retirement health care plan for firefighters and police officers in certain municipalities.

To Pensions and Investments.

HB 2748 (By Pickett), Relating to requirements for the issuance of land development permits by political subdivisions.

To Land and Resource Management.

HB 2749 (By Pickett), Relating to the designation of a Texas Poison Control Network and 9-1-1 equalization surcharge.

To Public Health.

HB 2750 (By Hartnett), Relating to certain identifying information provided in connection with a decedent's estate or guardianship.

To Judiciary.

HB 2751 (By Hartnett), Relating to fiscal impacts of municipal charter amendments.

To Elections.

HB 2752 (By J. Keffer, Farabee, Homer, Hardcastle, Rose, et al.), Relating to the reapportionment of congressional districts and the creation, function, and duties of the Texas Congressional Redistricting Commission.

To Redistricting.

HB 2753 (By Pitts), Relating to the powers, duties, and functions of the Legislative Budget Board.

To State Affairs.

HB 2754 (By McReynolds), Relating to the eligibility of a jury commissioner to be selected for or to serve on a grand jury.

To Criminal Jurisprudence.

HB 2755 (By McReynolds), Relating to the authority of certain development corporations to undertake projects for the development, retention, or expansion of business enterprises.

To Economic Development.

HB 2756 (By McReynolds), Relating to the uniform fair hearing rules for Medicaid-funded services, including services requiring prior authorization.

To Public Health.

HB 2757 (By McReynolds), Relating to enhanced retirement benefits for certain members of the Teacher Retirement System of Texas.

To Pensions and Investments.

HB 2758 (By Bonnen), Relating to certain permitting procedures of the Texas Commission on Environmental Quality.

To Environmental Regulation.

HB 2759 (By Taylor, T. Smith, Eiland, Dawson, and Hegar), Relating to providing a uniform limit on the population of a county election precinct.

To Elections.

HB 2760 (By Taylor), Relating to regulation of rates for personal automobile and fire and allied lines insurance policies issued by a county mutual insurance company.

To Insurance.

HB 2761 (By Taylor), Relating to the amount of homeowners insurance required in connection with certain financing arrangements.

To Insurance.

HB 2762 (By Taylor), Relating to the Texas Health Insurance Risk Pool.

To Insurance.

HB 2763 (By Taylor), Relating to the split payment of ad valorem taxes on residential homesteads.

To Ways and Means.

HB 2764 (By J. Davis), Relating to statutory authority for certain governmental entities to take certain actions to permit the legislature to reduce appropriations to those agencies.

To Appropriations.

HB 2765 (By Truitt), Relating to the definition of a legally authorized representative under the Texas Hospital Licensing Law.

To Public Health.

HB 2766 (By Talton), Relating to certain money owed by an insurance company to a vehicle storage facility.

To Insurance.

HB 2767 (By Talton), Relating to the release of a criminal defendant in certain cases and the eligibility of certain individuals to act as sureties on bail bonds.

To Criminal Jurisprudence.

HB 2768 (By Talton), Relating to the transfer of the Texas Chiropractic College to the University of Houston System.

To Higher Education.

HB 2769 (By Talton), Relating to the presentation of state flags to survivors of certain deceased honorably retired peace officers.

To Law Enforcement.

HB 2770 (By Farabee), Relating to limits on the size of prekindergarten classes in public schools.

To Public Education.

HB 2771 (By Farabee), Relating to the confidentiality and disclosure of certain information related to an investigation conducted by the State Board for Educator Certification.

To Public Education.

HB 2772 (By Farabee), Relating to health savings accounts and high deductible health plans within the group benefits program of the Employees Retirement System of Texas.

To Pensions and Investments.

HB 2773 (By Isett), Relating to statutory authority for certain governmental entities to take certain actions to permit the legislature to reduce appropriations to those agencies.

To Appropriations.

HB 2775 (By Isett), Relating to the elimination of certain reports to or prepared by the Legislative Budget Board.

To Appropriations.

HB 2776 (By Nixon), Relating to the provision of voice communications in Texas.

To Regulated Industries.

HB 2777 (By Nixon), Relating to the regulation of voice communications provided by a person holding a cable franchise.

To Regulated Industries.

HB 2778 (By Harper-Brown), Relating to the continued operation of certain open-enrollment charter school campuses for which the charter is revoked, not renewed, or surrendered.

To Public Education.

HB 2779 (By Harper-Brown), Relating to municipal authority to impose taxes to repair, upgrade, or demolish certain professional sports venues.

To Local Government Ways and Means.

HB 2780 (By Rodriguez), Relating to tuition and fee benefits for graduate students employed as teaching assistants, assistant instructors, or research assistants at public institutions of higher education and for certain family members of those students.

To Higher Education.

HB 2781 (By Rodriguez), Relating to an exception for certain employees from the application of the employment-at-will doctrine.

To Economic Development.

HB 2782 (By Rodriguez and Peña), Relating to requirements regarding termination of employment.

To Economic Development.

HB 2783 (By Wong), Relating to the time for responding to notice of certain sworn complaints filed with the Texas Ethics Commission.

To Elections.

HB 2784 (By Wong), Relating to the authority of a taxing unit to provide an additional exemption from ad valorem taxation for property owned by certain disabled veterans who have been awarded the Purple Heart or their surviving spouses.

To Ways and Means.

HB 2785 (By Wong), Relating to the health of school-age children.

To Public Education.

HB 2786 (By Veasey), Relating to certain methods of asbestos removal.

To Public Health.

HB 2787 (By Veasey), Relating to the application of the sales tax to services for repairing and remodeling certain commercial properties.

To Ways and Means.

HB 2788 (By Veasey), Relating to supplemental financial assistance for certain primary caretakers of a dependent child.

To Human Services.

HB 2789 (By Veasey), Relating to sales tax refunds for certain purchases made by certain grandparents.

To Ways and Means.

HB 2790 (By Veasey), Relating to a subsidized guardianship program to provide financial subsidies to certain grandparents.

To Human Services.

HB 2791 (By Hodge), Relating to the use of substance abuse treatment facilities for individuals referred for treatment as part of a drug court or similar program.

To Criminal Jurisprudence.

HB 2792 (By J. Moreno and Farrar), Relating to monitoring and controlling emissions of air contaminants under the Texas Clean Air Act; providing a penalty.

To Environmental Regulation.

HB 2793 (By Bonnen), Relating to the removal and collection of convenience switches from motor vehicles; providing penalties.

To Environmental Regulation.

HB 2794 (By Corte), Relating to Telecommunications Infrastructure Fund.

To Regulated Industries.

HB 2795 (By Hartnett), Relating to certain appointments made by the governor and the chief justice of the supreme court.

To Judiciary.

HB 2796 (By Chavez), Relating to a study by the Border Health Institute of health care delivery in the border area.

To Border and International Affairs.

HB 2797 (By Chavez), Relating to the authority of federally recognized Indian tribes along the Texas-Mexico border to engage in bingo.

To Licensing and Administrative Procedures.

HB 2798 (By Casteel), Relating to the authority of counties to impose a local tax on the sale of gasoline.

To Local Government Ways and Means.

HB 2799 (By Talton), Relating to the removal of vehicles and property from a roadway in a political subdivision and to the authority of a political subdivision to establish a traffic incident management program.

To Urban Affairs.

HB 2800 (By Talton), Relating to the dissolution of certain sports and community venues.

To Local Government Ways and Means.

HB 2801 (By T. Smith), Relating to audits of state agency expenditures to recover overpayments and lost discounts.

To Government Reform.

HB 2802 (By T. Smith), Relating to a restrictive covenant, rule, or other prohibition regulating a homeowner's display of the United States flag.

To Business and Industry.

HB 2803 (By Morrison), Relating to the sale of facilities of public institutions of higher education to real estate investment trusts.

To Higher Education.

HB 2804 (By Morrison), Relating to a study of the reporting requirements imposed on public institutions of higher education.

To Higher Education.

HB 2805 (By Morrison), Relating to an early college education program to provide at-risk and other students accelerated high school graduation and college credit.

To Higher Education.

HB 2806 (By Morrison), Relating to the regulation of career schools and colleges.

To Higher Education.

HB 2807 (By Morrison), Relating to vouchers for tuition and required fees at certain institutions of higher education for students who sound "Taps" at a veteran's funeral.

To Defense Affairs and State-Federal Relations.

HB 2808 (By Morrison), Relating to the duties of the P-16 Council.

To Higher Education.

HB 2809 (By Hochberg), Relating to the certification of school district financial officers.

To Public Education.

HB 2810 (By Hochberg), Relating to the prohibition of certain questions of an applicant for health benefit plan coverage.

To Insurance.

HB 2811 (By Hochberg), Relating to the inclusion of more difficult questions in the assessment of knowledge and skills used in the public school accountability system.

To Public Education.

HB 2812 (By Hochberg), Relating to the assignment of students to classroom teachers.

To Public Education.

HB 2813 (By Hochberg), Relating to eligibility for coverage by the Texas Health Insurance Risk Pool.

To Insurance.

HB 2814 (By Bonnen), Relating to the powers and duties of the Sweeny Hospital District.

To County Affairs.

HB 2815 (By Campbell), Relating to the Concho River Watermaster.

To Natural Resources.

HB 2816 (By Rose), Relating to requiring the Texas Department of Transportation to establish a special use commercial driveway permit program.

To Transportation.

HB 2817 (By Rose), Relating to the identification of individuals who have been the initial directors of corporations that have forfeited charters or that have been involuntarily dissolved.

To Business and Industry.

HB 2818 (By Rose), Relating to the appeal of certain ad valorem tax determinations through binding arbitration.

To Local Government Ways and Means.

HB 2819 (By Rose), Relating to accessible electronic and information technology for persons with disabilities.

To State Affairs.

HB 2820 (By Rose), Relating to license plates for disabled veterans.

To Transportation.

HB 2821 (By Rose), Relating to the administration of certain local firefighters' retirement systems; providing a penalty.

To Pensions and Investments.

HB 2822 (By Rose), Relating to the regulation of personal automobile insurance and residential property insurance in this state.

To Insurance.

HB 2823 (By Rose), Relating to the form of payments made to certain disabled peace officers under the Crime Victims' Compensation Act.

To Criminal Jurisprudence.

HB 2824 (By Corte), Relating to the regulation of certain dry cleaning facilities.

To Business and Industry.

HJR 10 (By Herrero), Proposing a constitutional amendment increasing the amount of the residence homestead exemption from ad valorem taxation for public school purposes.

To Ways and Means.

HJR 100 (By Dunnam), Proposing a constitutional amendment providing for open meetings of each House of the Legislature, and its committees and subcommittees.

To State Affairs.

HJR 101 (By Rose), Proposing a constitutional amendment establishing the right to clean air and water and to enjoy reasonable access to certain natural resources.

To Environmental Regulation.

HJR 102 (By Coleman), Proposing a constitutional amendment to allow the legislature to authorize and govern the sale of alcoholic beverages by certain restaurants in this state.

To Licensing and Administrative Procedures.

Pursuant to Rule 1, Section 4 of the House Rules, the chair corrects the referral of the following bills and resolutions:

HB 1528 (By Woolley), Relating to the expiration of the other events trust fund established to support local efforts to recruit or retain certain sports events.

To Ways and Means.

HB 1508 (By Denny), Relating to reporting of expenditures by persons registered as lobbyists.

To Elections.

HB 2153 (By F. Brown), Relating to the regulation of certain institutions that train acupuncturists.

To Higher Education.

HB 2240 (By Haggerty), Relating to the circumstances under which the Texas Commission on Environmental Quality may authorize certain emissions reductions to be substituted for other emissions reductions.

To Border and International Affairs.

HB 2510 (By Bonnen), Relating to the regulation of on-site sewage disposal systems and the maintenance of those systems; imposing administrative and criminal penalties.

To Environmental Regulation.

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, March 15, 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 106 Craddick SPONSOR: Seliger
Commending former Mayor G. Thane Akins of Midland for his many contributions to his community.

Respectfully,
Patsy Spaw
Secretary of the Senate

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

March 15

Business and Industry - **HB 210, HB 607, HB 982**

Corrections - **HB 93, HB 129**

Transportation - **HB 55, HB 87, HB 366, HB 369, HB 649, HB 650, HB 874, HB 958, HB 962, HB 1050, HB 1097**

