

HOUSE JOURNAL

SEVENTY-NINTH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

FORTY-EIGHTH DAY (CONTINUED) — THURSDAY, APRIL 14, 2005

The house met at 9 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 288).

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; 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; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Miller; Moreno, J.; Moreno, P.; Morrison; Naishtat; Nixon; Noriega, M.; Oliveira; Orr; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Uresti; Van Arsdale; Veasey; Villarreal; Vo; West; Wong; Woolley; Zedler.

Absent, Excused — Driver; Merritt; Olivo; Otto; Reyna.

Absent — Mowery.

The invocation was offered by Dr. Kenneth W. Greene, Park Row Christian Academy and Children's Center, Arlington, as follows:

God, you alone are most high. We are all human with frailties and shortcomings. Hear our prayer today, God. Overlook our weaknesses and sins, and give us a clean spirit. Forgive our mistakes, and lift us up by your power.

You have blessed the great State of Texas. You have given us rich resources and citizens interested in the common good as well as leaders with insight and vision. And we are grateful. Today we pray for your blessings for all Texans. We pray for these men and women who carry the burdens of this state. We ask you to bless them with understanding and with sensitivity for the needs of every Texan. Today we invoke your blessings upon this legislature. Amen.

The speaker recognized Representative Hunter 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 illness:

Reyna on motion of Casteel.

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

Merritt on motion of Kuempel.

The following members were granted leaves of absence for today because of important business:

Driver on motion of Hopson.

Otto on motion of Orr.

(Mowery now present)

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.

HR 1166 - ADOPTED

(by Dawson)

Representative Dawson moved to suspend all necessary rules to take up and consider at this time **HR 1166**.

The motion prevailed.

The following resolution was laid before the house:

HR 1166, Honoring the members of Leadership Pearland 2004-2005.

HR 1166 was read and was adopted.

INTRODUCTION OF GUESTS

The speaker recognized Representative Dawson who introduced members of Leadership Pearland.

HR 1167 - ADOPTED

(by Dawson)

Representative Dawson moved to suspend all necessary rules to take up and consider at this time **HR 1167**.

The motion prevailed.

The following resolution was laid before the house:

HR 1167, Congratulating Terrie Morgan of Pearland on her receipt of the Volunteer of the Year Award from the United Way of Brazoria County.

HR 1167 was read and was adopted.

INTRODUCTION OF GUEST

The speaker recognized Representative Dawson who introduced Terrie Morgan.

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. 27).

HR 891 - ADOPTED

(by Kuempel)

Representative Kuempel moved to suspend all necessary rules to take up and consider at this time **HR 891**.

The motion prevailed.

The following resolution was laid before the house:

HR 891, In memory of U.S. Army Sergeant Barry Kenneth Meza of Seguin.

HR 891 was read and was unanimously adopted by a rising vote.

On motion of Representative Berman, the names of all the members of the house were added to **HR 891** as signers thereof.

HR 1178 - ADOPTED

(by Vo)

Representative Vo moved to suspend all necessary rules to take up and consider at this time **HR 1178**.

The motion prevailed.

The following resolution was laid before the house:

HR 1178, Honoring Japanese Americans for their exceptional service to this nation during World War II.

HR 1178 was adopted.

HR 962 - MOTION TO ADD NAMES

On motion of Representative Berman, the names of all the members of the house were added to **HR 962** as signers thereof.

INTRODUCTION OF GUESTS

The speaker recognized Representative Dunnam who introduced members of the Baylor Lady Bears basketball team and their coach, Kim Mulkey-Robertson.

INTRODUCTION OF GUESTS

The speaker recognized Representative Wong who introduced officers of the Texas Federation of Republican Women.

HR 923 - ADOPTED

(by Wong)

Representative Wong moved to suspend all necessary rules to take up and consider at this time **HR 923**.

The motion prevailed.

The following resolution was laid before the house:

HR 923, Recognizing April 14, 2005, as Texas Federation of Republican Women Day.

HR 923 was read and was adopted.

(Edwards in the chair)

On motion of Representative Geren, the names of all the members of the house were added to **HR 923** as signers thereof.

(Speaker in the chair)

HR 1163 - ADOPTED

(by A. Allen)

Representative A. Allen moved to suspend all necessary rules to take up and consider at this time **HR 1163**.

The motion prevailed.

The following resolution was laid before the house:

HR 1163, Recognizing Waymaker Life Strategies, Inc., and the Houston's Youth Program for Enrichment Freedom School program.

HR 1163 was read and was adopted.

HR 1164 - ADOPTED

(by A. Allen)

Representative A. Allen moved to suspend all necessary rules to take up and consider at this time **HR 1164**.

The motion prevailed.

The following resolution was laid before the house:

HR 1164, Honoring Willie Richard Dean III on his receipt of the Sammy Award for Outstanding First Year Student Leader from Sam Houston State University.

HR 1164 was read and was adopted.

HR 7 - ADOPTED
(by Hill)

Representative Hill moved to suspend all necessary rules to take up and consider at this time **HR 7**.

The motion prevailed.

The following resolution was laid before the house:

HR 7, Honoring the members of the Richardson Republican Women's Club for their contributions to their community and state.

HR 7 was read and was adopted.

HR 1168 - ADOPTED
(by Branch)

Representative Branch moved to suspend all necessary rules to take up and consider at this time **HR 1168**.

The motion prevailed.

The following resolution was laid before the house:

HR 1168, Honoring the members of the Dallas County Council of the Texas Federation of Republican Women.

HR 1168 was adopted.

CAPITOL PHYSICIAN

The speaker recognized Representative W. Smith who presented Dr. P. J. Mock of La Porte as the "Doctor for the Day."

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

HR 9 - ADOPTED
(by Morrison)

Representative Morrison moved to suspend all necessary rules to take up and consider at this time **HR 9**.

The motion prevailed.

The following resolution was laid before the house:

HR 9, Honoring Dr. George A. Constant of Victoria on being named the 2004 recipient of the Mary Holdsworth Butt Award.

(Miller in the chair)

HR 9 was adopted.

HR 724 - READ
(by Menendez and Leibowitz)

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

HR 724, In memory of San Antonio native Ray Rangel, a U.S. Air Force staff sergeant and firefighter.

INTRODUCTION OF GUESTS

The chair recognized Representatives Menendez and Leibowitz who introduced the family of staff sergeant Ray Rangel.

HR 724 - MOTION TO ADD NAMES

On motion of Representative Martinez, the names of all the members of the house were added to **HR 724** as signers thereof.

HR 1178 - MOTION TO ADD NAMES

On motion of Representative Martinez, the names of all the members of the house were added to **HR 1178** as signers thereof.

**HR 1179 - ADOPTED
(by Dukes)**

Representative Dukes moved to suspend all necessary rules to take up and consider at this time **HR 1179**.

The motion prevailed.

The following resolution was laid before the house:

HR 1179, In memory of Boyd Vance of Austin.

HR 1179 was read and was unanimously adopted by a rising vote.

LEAVE OF ABSENCE GRANTED

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

Bohac on motion of Zedler.

**HR 1050 - ADOPTED
(by Taylor)**

Representative Taylor moved to suspend all necessary rules to take up and consider at this time **HR 1050**.

The motion prevailed.

The following resolution was laid before the house:

HR 1050, Congratulating the Friendswood High School Academic Decathlon Team on winning the State Academic Decathlon Championship and welcoming its members to the State Capitol.

HR 1050 was read and was adopted.

**HCR 10 - ADOPTED
(by Uresti and Hupp)**

Representative Uresti moved to suspend all necessary rules to take up and consider at this time **HCR 10**.

The motion prevailed.

The following resolution was laid before the house:

HCR 10, Declaring April Child Abuse Prevention Month in Texas.

HCR 10 was read and was adopted.

On motion of Representative McClendon, the names of all the members of the house were added to **HCR 10** as signers thereof.

INTRODUCTION OF GUESTS

The chair recognized Representative Uresti who introduced Erin Barry, Jack Downey, Mark Carmona, David Rivas, and Dr. Susan Bomalashi from the Blue Ribbon Task Force of Bexar County.

HR 963 - ADOPTED (by McClendon)

Representative McClendon moved to suspend all necessary rules to take up and consider at this time **HR 963**.

The motion prevailed.

The following resolution was laid before the house:

HR 963, Commemorating the 14th Annual Educational Assistance Awards Banquet of the San Antonio Chapter of the Tuskegee Airmen, Inc.

HR 963 was read and was adopted.

On motion of Representative Dukes, the names of all the members of the house were added to **HR 963** as signers thereof.

HR 748 - ADOPTED (by Dutton)

Representative Dutton moved to suspend all necessary rules to take up and consider at this time **HR 748**.

The motion prevailed.

The following resolution was laid before the house:

HR 748, Recognizing April 14, 2005, as James Avery Day at the State Capitol.

HR 748 was read and was adopted.

On motion of Representative Edwards, the names of all the members of the house were added to **HR 748** as signers thereof.

INTRODUCTION OF GUESTS

The chair recognized Representative Dutton who introduced James Avery, Allen Freeman, Sam Pink, and John Childs.

(Edwards in the chair)

CONGRATULATORY AND MEMORIAL CALENDAR

The following congratulatory resolutions were laid before the house:

HR 536 (by Alonzo), Remembering victims of the Indian Ocean tsunami and appointing Representatives Elvira Reyna, Roberto Alonzo, and Hubert Vo as designees of the house to spread the word regarding tsunami relief efforts.

HR 869 (by Hughes), Honoring Rickey Childers of Longview on being elected president of the Texas City Management Association.

HR 887 was withdrawn.

HR 916 (by Gallego), Honoring the 100th anniversary of Rotary International and recognizing the work and achievements of the Del Rio Rotary Club.

HR 918 (by Gallego), Congratulating Senior Patrol Agent Ryan Massey of Del Rio on his receipt of the Meritorious Service Award for Valor from U.S. Customs and Border Protection.

HR 919 (by Flores), Congratulating Sandra Reed on her retirement as superintendent of the Sharyland Independent School District.

HR 920 (by Flores), Honoring the family of Melissa and Oscar Martinez of Mission for their involvement with the Texas Citrus Fiesta.

HR 921 (by Flores), Honoring the La Joya Coyotes varsity football team on its outstanding 2004 season and commending the team's dedicated fans for their tireless support.

HR 927 (by Dawson), Honoring the Matagorda County Teen Court program and Texas Youth Court Advocates for their efforts to assist young people in forging a brighter future for themselves.

HR 930 (by Gallego), Honoring Emilio Salmon of Marathon for his 36 years of service as a Brewster County commissioner.

HR 933 (by Baxter), Honoring the Texas Federation of College Republicans for its significant grassroots involvement in political affairs.

HR 936 (by Frost), Honoring Dr. James Stewart Leeves of Naples on his retirement.

HR 937 (by Leibowitz), Honoring the South San Antonio High School boys' basketball team on its successful season.

HR 938 (by Leibowitz), Honoring Heron Tamez on being named the 2004-2005 Teacher of the Year for the South San Antonio Independent School District.

HR 940 (by Zedler), Honoring Nita Fay Scheble Cox for her significant contributions to the Arlington community.

HR 941 (by Zedler), Congratulating The University of Texas at Arlington on its receipt of a \$3 million grant from the National Science Foundation and on its designation as a supercollider network computing site.

HR 943 (by Hopson), Congratulating Eliza Bishop on her receipt of the Crockett Area Chamber of Commerce Citizen of the Year Award.

HR 949 (by Kolkhorst), Congratulating Andrew and Ila Martinez of Huntsville on their 50th wedding anniversary.

HR 952 (by J. Jones), Honoring Singing Hills Baptist Church of Dallas on the grand opening of its Family Life Center.

HR 953 (by J. Jones), Commending Janet Thomas and Portia Greer for their more than 35 years of leadership with the Girl Scouts at Good Street Baptist Church in Dallas.

HR 956 (by R. Cook), Congratulating Steve K. Balas of Eagle Lake on his receipt of the 2004 Michael L. Houston Award from United Drugs.

HR 960 (by Branch), Honoring Cub Scout Pack 70 of University Park, the oldest pack in the nation, on its 80th anniversary.

HR 961 (by Branch), Honoring University Park Elementary School Brownie Troop No. 1719 for providing Girl Scout cookies for soldiers stationed in Iraq.

HR 963 was previously adopted.

HR 964 (by McClendon), Recognizing the 2005 National D.A.R.E. Officers Training Conference in San Antonio.

HR 966 (by Madden), Recognizing J. Victor Lattimore, Jr., of Collin County for his community leadership.

HR 967 (by Madden), Congratulating Clark High School educator Gabriel Fain of Plano ISD on his receipt of the 2004 Outstanding Teaching of the Humanities Award sponsored by the Texas Council for the Humanities and the National Endowment for the Humanities.

HR 968 (by Madden), Commemorating the dedication of the Dr. Allan Bird Education Center and commending Dr. Bird for his myriad contributions to learning in the Lone Star State.

HR 969 (by Madden), Congratulating Amina El-Ashmawy on being named Outstanding Professor of the Year by Collin County Community College.

HR 971 (by B. Brown), Honoring Mary Doyle Smith of Athens on her 80th birthday.

HR 972 (by Flynn), Congratulating the Van Vandals on winning the UIL 3A State Basketball Championship.

HR 973 (by Dukes), Honoring Detective Oscar Lopez of the Pflugerville Police Department for his admirable contributions to the field of law enforcement.

HR 974 (by Strama), Congratulating Victor and Krista Simonds of Pflugerville on the adoption of their daughter, Rachel Li Simonds, and on the occasion of her naturalization as a U.S. citizen.

HR 975 (by Escobar), Honoring Dr. Steven Lukefahr on being named a Regents Professor of Texas A&M University-Kingsville.

HR 976 (by Escobar), Honoring Rolando Molina for his service at H. M. King High School in Kingsville.

HR 978 (by Gattis), Honoring the Texas Dental Association and Texas Dentists for Healthy Smiles for providing access to dental care to Texans in need through the Texas Mission of Mercy.

HR 979 (by Chavez), Congratulating Asa Aguilar of El Paso on winning first place in the General Land Office 2005 Treasures of the Texas Coast Children's Art Contest.

HR 980 (by Chavez), Honoring United States International Boundary and Water Commissioner Arturo Q. Duran.

HCR 120 (by Chavez), Honoring Louis, Ben, Bill, and Rick Bolanos for their valiant service in this country's behalf.

HCR 135 (by Escobar), Congratulating the Texas A&M University–Kingsville football team for an outstanding 2004 season.

HCR 136 (by Kuempel), Designating May 2005 as Texas Natural Resources Month.

The resolutions were adopted.

The following memorial resolutions were laid before the house:

HR 915 (by Gallego), In memory of U.S. Army Specialist Travis Allen Babbitt of Sabinal.

HR 924 (by Wong), In memory of Quock Foo "Tommy" Hom of Houston.

HR 926 (by Hilderbran), In memory of Manly Ward Cooper, Jr., of Kerrville.

HR 934 (by Hilderbran), In memory of Esther Marie Green of Kerrville.

HR 935 was withdrawn.

HR 939 (by Leibowitz), In memory of James Alvin Kelley.

HR 951 (by J. Jones), Honoring the life of Henry Miller Morgan on the occasion of the dedication of a Texas historical marker at the site in Tyler of the first African American barber college.

HR 959 (by Wong and Hopson), In memory of Elnora Mayeux Callegari of Cottonport, Louisiana.

HR 962 was previously adopted.

HR 981 was withdrawn.

HR 1062 (by Gallego), In memory of Warden John Newell of Richardson.

HR 1063 (by Gallego), In memory of Scott Alan Scown of Alpine.

HR 1064 (by Gallego), In memory of Andrea Ellington Basile.

HR 1065 (by Gallego), In memory of George H. O'Brien, Jr., of Midland.

HR 1066 (by Gallego), In memory of John B. Burling, Jr., of Alpine.

HR 1067 (by Gallego), In memory of Frank David Cobos of Alpine.

HR 1068 (by Gallego), In memory of William C. Donohoo of Alpine.

The resolutions were unanimously adopted by a rising vote.

HR 887 - ADOPTED

(by Menendez)

Representative Menendez moved to suspend all necessary rules to take up and consider at this time **HR 887**.

The motion prevailed.

The following resolution was laid before the house:

HR 887, Congratulating Peter Paul Flores on being named colonel of the Texas Parks and Wildlife Department Law Enforcement Division.

HR 887 was read and was adopted.

On motion of Representatives Hilderbran and Gallego, the names of all the members of the house were added to **HR 887** as signers thereof.

INTRODUCTION OF GUESTS

The chair recognized Representative Menendez who introduced Peter Paul Flores and his family.

HR 959 - MOTION TO ADD NAMES

On motion of Representatives Gallego and Escobar, the names of all the members of the house were added to **HR 959** as signers thereof.

MOTION TO ADD NAMES

On motion of Representative Gallego, the names of all the members of the house were added to the following resolutions as signers thereof: **HR 915**, **HR 916**, **HR 918**, **HR 930**, and **HR 1065**.

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. 2).

(Speaker pro tempore in the chair)

LOCAL, CONSENT, AND RESOLUTIONS CALENDAR SECOND READING

The following bills were laid before the house, read second time, and passed to third reading, and the following resolutions were laid before the house on committee report and adopted (members registering votes are shown following the caption):

HB 22 (by F. Brown), A bill to be entitled An Act relating to the disposition of state agency surplus or salvage property.

HB 202 (by Goodman), A bill to be entitled An Act relating to certain marital property agreements.

HB 203 (by Goodman), A bill to be entitled An Act relating to consideration of taxes in the division of property in the dissolution of a marriage.

HB 365 (by Hegar), A bill to be entitled An Act relating to the date of the election of directors for the Coastal Bend Groundwater Conservation District.

HB 422 (by Casteel), A bill to be entitled An Act relating to park and recreation districts.

HB 594 was withdrawn.

HB 706 (by Haggerty), A bill to be entitled An Act relating to the adoption of the Interstate Compact for Juveniles.

HB 731 (by Jackson and W. Smith), A bill to be entitled An Act relating to an electronic requisition system for counties.

HB 769 (by W. Smith), A bill to be entitled An Act relating to the deadline for evaluating and ranking competitive sealed proposals for certain construction services submitted to a navigation district or port authority.

HB 828 (by Callegari), A bill to be entitled An Act relating to the authority of the Texas Commission on Environmental Quality over the issuance of certain district bonds.

HB 860 (by Casteel), A bill to be entitled An Act relating to charitable contributions by state employees to certain General Land Office programs.

HB 950 (by Casteel), A bill to be entitled An Act relating to fees for filing certain documents with a county clerk.

HB 960 (by W. Smith), A bill to be entitled An Act relating to the authority of a political subdivision to regulate construction and renovation of structures owned by certain counties.

CSHB 1107 (by Chavez and Pickett), A bill to be entitled An Act relating to procedures for obtaining relief from local matching funds requirements for highway projects.

CSHB 1136 (by W. Smith), A bill to be entitled An Act relating to the designation of the portion of Spur 330 inside Harris County as the Veterans Memorial Highway.

CSHB 1231 (by Castro), A bill to be entitled An Act relating to the authority of counties to establish petty cash funds.

CSHB 1331 (by Chavez), A bill to be entitled An Act relating to the authority of a junior college district to contract for the provision of certain services and resources under the Interagency Cooperation Act.

CSHB 1549 (by Alonzo), A bill to be entitled An Act relating to certain warning signs required on certain premises.

HB 1602 was deferred until the end of today's Local, Consent, and Resolutions Calendar.

CSHB 1645 (by Hughes, B. Brown, Merritt, and Flynn), A bill to be entitled An Act relating to the designation of United States Highway 80 in this state as the World War II Veterans Memorial Highway.

HB 1672 (by Howard), A bill to be entitled An Act relating to disposition of costs imposed in connection with the collection and enforcement of certain tolls.

CSHB 1735 (by Krusee), A bill to be entitled An Act relating to souvenir license plates.

SB 346 (Naishtat - House Sponsor), in lieu of **HB 1792**, A bill to be entitled An Act relating to conforming the law concerning the removal of a guardian of a ward to amendments made by the 78th Legislature.

Representative Naishtat moved to lay **HB 1792** on the table subject to call.

The motion prevailed.

CSHB 1814 (by Casteel), A bill to be entitled An Act relating to employment positions with the Texas Department of Transportation.

CSHB 1817 (by Driver), A bill to be entitled An Act relating to the regulation of the practice of engineering.

HB 1905 (by Puente, et al.), A bill to be entitled An Act relating to the jurisdiction of county courts at law in Bexar County.

HB 2171 (by R. Cook), A bill to be entitled An Act relating to the volunteer fire department self-insurance fund.

HB 2179 (by B. Cook), A bill to be entitled An Act relating to the practice of professional surveying.

CSHB 2231 (by Reyna), A bill to be entitled An Act relating to the payment of child support to an individual with actual primary possession of the child.

HB 2377 (by Swinford), A bill to be entitled An Act relating to the use of private firms by the Texas Building and Procurement Commission in leasing space for state agencies.

HB 2379 (by Swinford), A bill to be entitled An Act relating to the allocation of certain state office space.

HB 2410 (by Bonnen), A bill to be entitled An Act relating to the membership and terms of the board of directors of the Texas Environmental Education Partnership Fund.

HB 2420 was deferred until the end of today's Local, Consent, and Resolutions Calendar.

HB 2453 (by Casteel), A bill to be entitled An Act relating to the eligibility for a commercial establishment to have its name displayed on a specific information logo sign.

CSHB 2457 (by Talton), A bill to be entitled An Act relating to the entrance requirements, base pay, and longevity pay in certain municipalities for a police officer who has previous experience as a police officer.

HB 2549 (by Nixon), A bill to be entitled An Act relating to validation of certain acts taken by the Westchase District.

HB 2565 (by Eiland), A bill to be entitled An Act relating to prohibiting rebates regarding certain insurance coverage.

HB 2619 (by Hegar), A bill to be entitled An Act relating to a program by the Office of Rural Community Affairs to assist rural areas with the establishment of emergency services districts.

CSHB 2645 (by Nixon), A bill to be entitled An Act relating to service of expert reports in health care liability claims.

HB 2658 (by Krusee and Gattis), A bill to be entitled An Act relating to erecting an off-premise sign adjacent to and visible from certain roads. (Keel recorded voting no.)

CSHB 2659 (by Krusee), A bill to be entitled An Act relating to bond requirements for privatized maintenance contracts.

HB 2761 (by Taylor), A bill to be entitled An Act relating to the amount of homeowners insurance required in connection with certain financing arrangements.

HB 2814 (by Bonnen), A bill to be entitled An Act relating to the powers and duties of the Sweeny Hospital District.

HB 2870 (by Smithee), A bill to be entitled An Act relating to regulation of rates and forms used to write guaranty bonds.

HB 2871 (by Smithee), A bill to be entitled An Act relating to rates for certain insurance within certain rating territories.

HB 2872 (by Smithee), A bill to be entitled An Act relating to the applicability of certain insurance laws to multi-peril insurance policies.

CSHB 2913 (by Luna), A bill to be entitled An Act relating to the jurisdiction of the district courts in Nueces County to receive guilty pleas in and dispose of certain misdemeanor cases.

HB 2949 (by Geren), A bill to be entitled An Act relating to the authority of the Texas Commission on Environmental Quality to issue an emergency order authorizing certain action in the event of a catastrophe.

CSHB 3101 (by Casteel), A bill to be entitled An Act relating to the filing for record of a plat or replat of a subdivision of real property.

CSHB 3240 (by Paxton), A bill to be entitled An Act relating to the exemption from ad valorem taxation of a residence homestead held in a court-ordered trust.

HB 3475 (by Haggerty), A bill to be entitled An Act relating to the statutory probate courts of El Paso County.

HCR 24 (by Kolkhorst), Designating Navasota the Blues Capital of Texas.

HCR 30 (by Miller), Designating Dublin as the official Irish Capital of Texas.

SB 234 (T. Smith - House Sponsor), A bill to be entitled An Act relating to the appointment of grand jury bailiffs in Tarrant County.

HB 1602 (by Eissler), A bill to be entitled An Act relating to high deductible health plans.

HB 2420 was withdrawn.

COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

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

Environmental Regulation, upon first adjournment today, Desk 69, for a formal meeting, to consider pending business.

ADJOURNMENT

Representatives Keel, Luna, Seaman, and Herrero moved that the house adjourn until 11:40 a.m. today in memory of U.S. Marines Nicholas Samuel Valdez Perez of Austin and Zachary Alan Kolda of Corpus Christi who were killed in the line of duty.

The motion prevailed.

The house accordingly, at 11:31 a.m., adjourned until 11:40 a.m. today.

ADDENDUM

SIGNED BY THE SPEAKER

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

House List No. 27

HCR 62, HCR 87, HCR 107, HCR 125, HCR 126, HCR 129, HCR 134

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

Thursday, April 14, 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:

LOCAL AND UNCONTESTED CALENDAR

SB 45 Nelson
Relating to the establishment of an advisory committee on health care information technology.

SB 51 Nelson
Relating to eligibility for coverage of, and payment of premiums for, certain individuals covered under certain group health benefit plans.

SB 52 Nelson
Relating to a competitive grant program for aging and disability services.

SB 55 Nelson
Relating to protective orders when family violence occurs between minors.

SB 90 Hinojosa
Relating to the authority of a peace officer to make a warrantless arrest for the commission of family violence.

SB 91 Hinojosa
Relating to the punishment imposed on certain defendants charged with the offense of assault.

SB 123 Barrientos
Relating to air quality control measures proposed pursuant to an early action compact.

SB 166 West, Royce
Relating to the effect of an expunction.

SB 248 West, Royce
Relating to authorizing the use of approved nonsurgical methods to sterilize dogs and cats.

SB 265 Williams
Relating to certain continuing education requirements for insurance agents.

SB 291 West, Royce
Relating to the index of court fees and costs.

- SB 314** Gallegos
Relating to the emergency service fee rate in certain 9-1-1 emergency communication districts.
- SB 331** Lindsay
Relating to the North Harris County Regional Water Authority.
- SB 363** Lindsay
Relating to the general powers, authority, and boundaries and to the directors of the West Harris County Regional Water Authority; providing penalties.
- SB 374** Jackson, Mike
Relating to the repeal of the statutory provision regarding the adoption and use by the Texas Water Development Board of a capital spending plan for certain state-funded water-related programs under the board's jurisdiction.
- SB 396** Seliger
Relating to the interagency exchange of information regarding certain offenders with special needs.
- SB 468** Deuell
Relating to the depository designated by the Hunt Memorial Hospital District.
- SB 485** Armbrister
Relating to the regulation of underground and aboveground storage tanks.
- SB 500** West, Royce
Relating to prices charged for the provision of health care services.
- SB 502** West, Royce
Relating to common undergraduate admission application forms for public institutions of higher education in this state.
- SB 509** Armbrister
Relating to the repeal of the restriction on the amount of money in the water infrastructure fund that may be used for certain purposes in a fiscal year.
- SB 616** Averitt
Relating to the period for which the deadline for filing a rendition statement or property report for ad valorem tax purposes may be extended.
- SB 619** Staples
Relating to the enforcement of certain standards for commercial motor vehicles.
- SB 678** Van de Putte
Relating to the designation of part of Interstate Highway 35 as the Purple Heart Trail.
- SB 686** Carona
Relating to the regulation of air conditioning and refrigeration technicians; providing an administrative penalty.
- SB 706** Barrientos
Relating to the conditions of employment for emergency medical services personnel employed by certain municipalities.
- SB 736** Brimer
Relating to the authority of certain counties to apply a county fire code to certain buildings.

- SB 787** Williams
Relating to the eligibility of certain organizations to join a risk pool established by a political subdivision for the purpose of providing uniform group benefits.
- SB 829** Wentworth
Relating to the authority of counties to establish petty cash funds.
- SB 839** Wentworth
Relating to the authority of the Cow Creek Groundwater Conservation District to impose fees on certain wells.
- SB 846** Janek
Relating to distribution of recordings on consignment.
- SB 863** Van de Putte
Relating to the administration of promotional examinations to certain firefighters and police officers who are members of the armed forces on active duty.
- SB 874** Nelson
Relating to quality-of-care monitoring visits to long-term care facilities.
- SB 883** Williams
Relating to the creation of the East Montgomery County Municipal Utility District No. 8; providing authority to impose a tax and issue bonds; granting the power of eminent domain.
- SB 884** Williams
Relating to the creation of the East Montgomery County Municipal Utility District No. 9; providing authority to impose a tax and issue bonds; granting the power of eminent domain.
- SB 885** Williams
Relating to the creation of the East Montgomery County Municipal Utility District No. 10; providing authority to impose a tax and issue bonds; granting the power of eminent domain.
- SB 886** Williams
Relating to the creation of the East Montgomery County Municipal Utility District No. 11; providing authority to impose a tax and issue bonds; granting the power of eminent domain.
- SB 887** Williams
Relating to the creation of the East Montgomery County Municipal Utility District No. 12; providing authority to impose a tax and issue bonds; granting the power of eminent domain.
- SB 889** Williams
Relating to the creation of the East Montgomery County Municipal Utility District No. 13; providing authority to impose a tax and issue bonds; granting the power of eminent domain.
- SB 891** Williams
Relating to the creation of the East Montgomery County Municipal Utility District No. 14; providing authority to impose a tax and issue bonds; granting the power of eminent domain.

- SB 898** Carona
Relating to tax liability for property omitted from an appraisal roll.
- SB 955** Seliger
Relating to awards for certain members of the state military forces serving on active federal military duty.
- SB 983** Van de Putte
Relating to hospice services under the state child health plan.
- SB 993** Ellis
Relating to the creation of the Harris County Improvement District No. 5; providing authority to impose a tax and issue a bond or similar obligation.
- SB 1006** Harris
Relating to the period of time during which a person may be supervised in a pretrial intervention program and the fee that may be charged for the program.
- SB 1053** Janek
Relating to the enforcement of the regulation of nursing.
- SB 1060** Whitmire
Relating to the disposition of revenue from local authority agreements with towing companies.
- SB 1061** Whitmire
Relating to the authority of the Texas Department of Transportation to review certain traffic programs of local authorities.
- SB 1062** Whitmire
Relating to the authority of a political subdivision to require the operator of a tow truck to obtain a license or permit.
- SB 1065** Madla
Relating to the regulation of certain water wells by the Presidio County Underground Water Conservation District.
- SB 1074** Staples
Relating to the authority of the Department of Public Safety of the State of Texas or the public safety director to adopt rules in connection with commercial motor vehicles.
- SB 1131** Hinojosa
Relating to the conveyance of a ferry by the Texas Department of Transportation to certain counties and local government corporations.
- SB 1211** Deuell
Relating to providing information about respiratory syncytial virus under certain continuing education programs.
- SB 1217** Seliger
Relating to the punishments authorized under the Texas Code of Military Justice.
- SB 1258** Lindsay
Relating to the issuance or renewal of a commercial driver's license and the expiration of a commercial driver's license or commercial driver learner's permit.

SB 1303

Seliger

Relating to certain employment records maintained by the Commission on Law Enforcement Officer Standards and Education; providing an administrative penalty.

SB 1330

Nelson

Relating to the immunization of elderly persons by certain health care facilities.

SB 1342

Van de Putte

Relating to unemployment compensation eligibility and chargebacks regarding certain spouses of military personnel.

SB 1373

Madla

Relating to the terms of court of the 112th Judicial District.

SB 1378

Staples

Relating to the certification of certain nonprofit hospitals and hospital systems for limited liability.

SB 1430

Madla

Relating to the subdivision of land in the unincorporated area of certain counties.

SB 1435

Madla

Relating to the numbering of emergency services districts converted from rural fire prevention districts.

SB 1437

Madla

Relating to emergency services district boards in districts located in more than one county.

SB 1447

Averitt

Relating to including pension and other postemployment benefits in the computation of rates for electric utilities.

SB 1480

Shapleigh

Relating to the powers and duties of the Texas Veterans Commission.

SB 1485

Williams

Relating to providing that the social security number of a living person is excepted from required disclosure under the public information law and may be redacted without the necessity of requesting a decision from the attorney general.

SB 1494

Fraser

Relating to the unbundling of electric utilities in the transition to competitive retail electric markets.

SB 1495

Fraser

Relating to the securitization of the nonbypassable delivery rates of transmission and distribution utilities.

SB 1524

Zaffirini

Relating to fees charged for a vital statistics record.

SB 1563

Estes

Relating to uniform law on negotiable instruments and bank deposits and collections.

SB 1570

Williams

Relating to the rate of interest on certain tax refunds.

SB 1593 Carona
Relating to uniform law on documents of title.

SB 1620 Lucio
Relating to the composition of the judicial districts in Cameron and Willacy Counties.

Respectfully,
Patsy Spaw
Secretary of the Senate

Message No. 2

MESSAGE FROM THE SENATE
SENATE CHAMBER
Austin, Texas
Thursday, April 14, 2005 - 2

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 142 Dunnam SPONSOR: Averitt
Congratulating Coach Kim Mulkey-Robertson and the Baylor Lady Bears for winning the 2005 NCAA Women's National Basketball Championship.

Respectfully,
Patsy Spaw
Secretary of the Senate

